January 3, 2018

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 3, 2018.

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 Deputy Clerk Tonette F. Spears

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) 18-4418, 18-4422, 18-4423, 18-4424 and 18-4434 to be removed from consent and voted upon separately.

CLOSED SESSION

18-4425 BUSINESS LOCATION AND EXPANSION
18-4429 CONSULT WITH ATTORNEY

Motion was made by Commissioner Cotham, seconded by Commissioner James 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 purposes: Business Location and Expansion and Consult with Attorney.

The Board went into Closed Session at 5:10 p.m. and came back into Open Session at 6:07 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.
Chair Scarborough called this portion of the meeting to order and gave the invocation which was followed by introductions and Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION – NONE

PUBLIC APPEARANCE

18-4427 PUBLIC APPEARANCE

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

APPOINTMENTS – NONE

PUBLIC HEARINGS – NONE

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

18-4430 ABOVE & BEYOND @ WORK WINNER RECOGNITION

County Manager Diorio announced and recognized Tim Trautman as the first 2018 Above & Beyond @ Work winner.

Mr. Trautman has been a Mecklenburg County employee for nearly two decades and is a Sr. Project Manager for floodplain management in the Storm Water Services division of the department of LUESA.

Mr. Trautman thanked County Manager Diorio and staff for the recognition. Mr. Trautman’s family was present to witness the presentation.

Note: The Above & Beyond @ Work Award is presented to employees who go the extra mile.

18-4435 INFORMATION TECHNOLOGY UPDATE

The Board received an update from County Manager Diorio on the progress of the County’s recovery from the Ransomware Attack that infiltrated the county’s system by cyber criminals from either Iran or the Ukraine. The attack resulted in the freezing of 48 of the County’s 500 servers. The cyber criminals demanded a 2 bit coins ransom to unfreeze the servers, but with resolve and determination the county refused to pay. As a precautionary measure, Information Services & Technology shut down all the County hosted servers to help contain the infection and worked methodically to investigate the incident, repair the impacted servers and began to bring the county’s systems back online.

County Manager Diorio stated that IT took a Two-Phase approach to the restoration of the servers:
First, county departments were asked to identify and prioritize Tier One systems. Tier One systems are critical to department core business operations and must be restored first. She reported that to date all of Tier One had been restored.
Secondly, county departments were asked to prioritize remaining applications. Tier Two systems are internal-facing operations that are needed but not critical to core business operations. County Manager Diorio stated Tier Two systems were expected to be restored by end of the week.

County Manager Diorio further stated that the majority of the public-facing applications and services including: 1) paying taxes online, 2) POLARIS, 3) GIS, 4) Code Enforcement, 5) Human Resources, 6) DSS and 7) Park & Recreation were now online and available to the public.

She further stated that Mecklenburg County must strengthen its security system to stop the ability of hackers and concrete steps had been taken to make the network more secure. She stated IT was developing a revised comprehensive security plan that would accelerate components of its 3-year strategic business plan into FY 2018 and that implementation of these projects would continue to FY2019 and beyond. County Manager Diorio said she would bring this plan and recommendations to the Board over the coming weeks.

Commissioner Fuller asked would there be a process to examine what happened and how the intrusion occurred so that it would not happen again.

County Manager Diorio said, yes, the county was using a local forensic company that was doing an analysis and would provide a report.

Commissioner Fuller said the County Manager’s report was a high-level assessment and appropriately so, but asked if at a future date, the Board could receive a more in-depth presentation perhaps in a closed session meeting. County Manager Diorio responded yes.

Commissioner Ridenhour thanked IT staff for all their hard work.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS – NONE

STAFF REPORTS & REQUESTS – NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

18-4445 2018 BOARD COMMITTEES (CHAIR SCARBOROUGH)

Chair Scarborough addressed the Board committee assignments for calendar year 2018 and made two changes: 1) added Commissioner Dunlap to the Economic Development Committee, and 2) removed her name from the Audit Review Committee and replaced it with Commissioner Ridenhour.

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:

1) Re-affirm the following Board committees for calendar year 2018:
   A. Economic Development Committee
   B. Health and Human Services Committee
   C. Intergovernmental Relations Committee
   D. Performance Review Committee
   E. Audit Review Committee

2) Receive as information the 2018 Board Liaison Assignments.

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 is being recommended
January 3, 2018

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.

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):

18-4415 RETIRE CANINE OFFICER VELA - SHERIFF’S OFFICE

Retire and approve the donation of a retired Canine Officer to a Mecklenburg County Sheriff's Office Deputy Sheriff.

Note: This action allows the Mecklenburg County Sheriff’s Office (MCSO) to retire and transfer ownership of Canine Officer Vela to a MCSO Deputy. Canine Officer Vela, acquired in 2009, has performed her duties faithfully and diligently and has reached the age and physical condition for retirement. The Canine Officer was specifically trained in certain law enforcement procedures and may behave unpredictably and perhaps in an aggressive manner. Therefore, the Canine Officer presents a risk to public health and safety if presented for sale to or adoption by the general public. Such risk to public health and safety is not present when the Canine Officer is transferred to the care and keeping of a MCSO Deputy. This allows each Canine Officer to retire to a familiar environment in the care of a MCSO Officer very familiar with their training, and permits an ownership transfer of the Canine Officer that does not endanger public health and safety.

18-4428 MINUTES

Approve Minutes of Regular meeting held December 19, 2017.

18-4437 BOCC 2018 ANNUAL MEETING SCHEDULE AMENDMENT

Amend the Board’s 2018 Meeting Schedule as follows:

1) Change the first day of the Board's annual retreat from Wednesday, January 25 - 26, 2018 to Thursday, January 25 - 26, 2018;
2) Indicate the time and location of the Swearing-In Ceremony, 6:00 p.m., Meeting Chamber; and
3) Indicate the time and address of the Retreat location, 8:30 a.m., CPCC Harris Campus, 3216 CPCC Harris Campus Drive.
January 3, 2018

**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.

*The Swearing-in Ceremony for the newly elected Board will be held on Monday, December 3 at 6:00 p.m. in the Meeting Chamber. The BOCC Retreat will begin at 8:30 a.m. at the CPCC Harris Campus, 3216 CPCC Harris Campus Dr. Charlotte, NC*

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<th>JANUARY</th>
<th>FEBRUARY</th>
<th>MARCH</th>
<th>APRIL</th>
<th>MAY</th>
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<td>Tuesday, January 17</td>
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<td>Regular (Monday Holiday)</td>
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<td><strong>Tuesday, March 27</strong></td>
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<td><strong>NACo Legislative Conference, Washington, DC</strong></td>
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<td><strong>Tuesday, June 5</strong></td>
<td><strong>Tuesday, June 12</strong></td>
<td><strong>Tuesday, June 19</strong></td>
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<td><strong>Regular (Primary, Tuesday, May 8)</strong></td>
<td><strong>Budget/Public Policy Workshop</strong></td>
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<td><strong>Tuesday, June 26</strong></td>
<td><strong>Budget/Public Policy Workshop</strong></td>
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<td><strong>Tuesday, July 10</strong></td>
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<td><strong>Friday, July 13-16</strong></td>
<td><strong>Regular (National Night Out recognized, Tuesday, August 7)</strong></td>
<td><strong>NCACC Annual Conference, Catawba County</strong></td>
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<td><strong>Wednesday, August 8</strong></td>
<td><strong>Thursday, August 23-25</strong></td>
<td><strong>Regular (National Night Out recognized, Tuesday, August 7)</strong></td>
<td><strong>NCACC Annual Conference, Catawba County</strong></td>
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**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

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

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

**18-4418 CAPITAL RESERVE EXPENDITURE REQUEST – HARRY L. JONES, SR. 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 $10,000 from the consolidated golf capital reserve account to fund a financial analysis by a golf course consultant for the Harry L. Jones, Sr. Golf Course to determine if the proposed redesign will result in a positive return on investment.

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

**18-4422 CONSTRUCTION CONTRACT – HUCKS ROAD COMMUNITY PARK PROJECT**

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 Sossamon Construction Co., Inc. in the amount of $2,462,000 for the construction of Hucks Road Community Park.

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

**18-4423 BUDGET AMENDMENT – HISTORIC SECOND WARD GYMNASIUM RENOVATION**

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 $105,000 from AIG Incorporated as settlement from an insurance claim for damages to the Second Ward Gymnasium floor.
Commissioner Leake removed this item from Consent for more public awareness.

18-4424 CONSTRUCTION CONTRACT – 700 EAST 4TH STREET RENOVATIONS – FINANCE, EPMO AND VITAL RECORDS

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 award a construction contract to Tyler 2 Construction in the amount of $1,416,415 for the renovation of the third and fourth floors of the Judge Clifton E. Johnson Building.

Note: The renovated spaces will be occupied by the Mecklenburg County Financial Services Department (relocating from multiple locations), Vital Records (relocating from Walton Plaza), and the Enterprise Project Management Office (relocating from the Valerie C. Woodard Center).

Commissioner Fuller removed this item from Consent to highlight the low Anticipated M/W/SBE Utilization rate.

18-4434 LAND EXCHANGE WITH HOUSING AUTHORITY

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 resolution entitled: Resolution Approving Exchange of County Owned Tax Parcel 125-201-51 for Housing Authority Owned Tax Parcel 125-201-61.

Note: 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.

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.

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.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION APPROVING EXCHANGE OF COUNTY OWNED TAX PARCEL 125-201-51 FOR HOUSING AUTHORITY OWNED TAX PARCEL 125-201-61

WHEREAS, at its December 19, 2017 meeting the Board of Commissioners adopted a resolution of intent to approve a land exchange with the City of Charlotte Housing Authority, and/or Horizon Development Properties, Inc., a North Carolina nonprofit corporation, which is a subsidiary of and controlled by the Housing Authority, which may become the owner of the property that the Housing Authority desires to exchange with the County prior to the closing of the exchange contemplated; and

WHEREAS, 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
January 3, 2018

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, a notice of the proposed exchange was published in The Charlotte Observer on December 22, 2017 so that the Board could authorize the exchange of the County Exchange Parcel for the Housing Authority Exchange Parcel plus receipt of the amount of $2,000,000, at this meeting; therefore, be it

RESOLVED, that the Mecklenburg County Board of Commissioners:

(i) Authorizes 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;
(ii) Authorizes the County Manager to negotiate and execute a contract for the exchange with the Housing Authority (which as of December 19, 2017 owned 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 to negotiate and execute all documents required to accomplish the exchange and the receipt of the $2,000,000.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #219.

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

ADJOURNMENT

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, that there being no further business to come before the Board that the meeting be adjourned at 7:46 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, February 6, 2018.

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-

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 18-4462, 18-4467, 18-4472, 18-4477, 18-4478, 18-4484, 18-4492, 18-4493, 18-4494, and 18-4500.

STAFF BRIEFINGS

18-4486 REAL ESTATE DISPOSITION UPDATE

Senior Assistant to the County Manager Dennis LaCaria shared information related to a Center City real estate disposition matter. It involved parcels located at Fourth and Graham Streets: 7316101, 07316103, 07316106, 07316201, and 07316202. The following was noted:

- The County was approached by a private developer interested in acquiring these parcels.
- Sale price determined by appraisal $6.78MM in 2017
- No discount sought by the private developer
- No public participation sought by the private developer
- Private entity would build mixed-income/mixed-use 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
Staff has had conversation with Charlotte Area Transit (CATS) because of the location being near the proposed Gateway Station Redevelopment Center.

CATS was aware of discussions with the private developer and was excited about the County’s work with a private developer.

There had even been discussion with the private developer around building some infrastructure specifically for CATS.

When going through the mandatory referral process, CATS informed the County that they would like to see these parcels folded into the redevelopment of the Gateway Station and offered as part of the proposal that would go out for developers to respond to.

The mandatory referral process was completed and the planning committee indicated its okay for the County to dispose of these parcels to a private developer or CATS.

It was made clear to CATS that if the City was to acquire the parcels, it would be at the appraised value and that the same affordability of housing would be honored in the City’s Request For Proposal (RFP) as proposed by the private developer.

The City was currently working through matters on their end to make sure they're able to pay for the land and come up with a commitment on the affordable units, if this was folded into their larger redevelopment.

The affordable units may or may not be on the County's parcels but would be a part of the RFP.

County staff was giving the City time to see if they could pull things together on their end and/or the County would consider moving forward with the private developer.

The private developer has been around since March of 2017 and was willing to move forward.

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

Comments

Commissioner Dunlap asked what would happen if the private developer upset the City’s bid. Senior Assistant to the County Manager LaCaria said there would not be an upset bid process if the County decided to go with the City. The County would just enter negotiations with the City.

Commissioner Dunlap expressed concern about the timing of the City’s interest.

Commissioner Leake asked Senior Assistant to the County Manager LaCaria for his opinion on how negotiations would go with the City. Senior Assistant to the County Manager LaCaria said staff was hopeful the City would agree to the purchase amount and the affordable units request.

County Manager Diorio asked was there a deadline for the City to respond. Senior Assistant to the County Manager LaCaria said not at this time. He said this one reason why he brought the matter to Board.

Senior Assistant to the County Manager LaCaria said he was supportive of a deadline being set for the City to respond. He said even though there was no agreement with the private developer, it was only fair to let the private developer know where things stood.

Commissioner Fuller echoed Commissioner Dunlap’s sentiment about the timing of the City’s request. He said the City needed to be given a short deadline, 30 days to respond.

Commissioner Dunlap asked about the City/County Land Transfer Ledger. Senior Assistant to the County Manager LaCaria said this would not be real estate ledger transaction. He said the County would want cash for these parcels.
February 6, 2018

Commissioner Clarke asked about the site and the private developer’s proposed plan, which was addressed.

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 direct staff to inform the City of Charlotte that they had 30 days to respond.

CLOSED SESSION

18-4482 CONSULT WITH ATTORNEY
18-4502 LAND ACQUISITION
18-4508 PERSONNEL MATTER

Prior to going into Closed Session, Deputy County Attorney Wade announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcels: 09711122 and 09711199.

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 go into Closed Session for the following purposes: Consult with Attorney, Land Acquisition and Personnel Matter.

The Board went into Closed Session at 5:23 p.m. and came back into Open Session at 5:55 p.m.

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 move Item 18-4467 Proclamation-February 2018 Teen Dating Violence Prevention and Awareness Month from Consent to Awards/Recognition.

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, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

18-4499 HARDING UNIVERSITY HIGH SCHOOL FOOTBALL TEAM (COMMISSIONER LEAKE)

The Board recognized Harding University High School Football Team for winning the NCHSAA 4A State Championship on December 9, 2017.

Commissioner Leake, sponsor of the proclamation, acknowledged the presence of the team, principal, coach, parents/guardians, and faculty that were in the audience. She asked that Principal Eric Ward and Coach Samuel Greiner come to the podium.

It was noted that player Quavaris Crouch, who was also receiving a proclamation, was unable to be present because of surgery today.

Commissioner Leake asked for a moment of silence on his behalf for a good recovery.
All members of the team were then asked to stand.

Commissioner Leake read the proclamation. The proclamation was received by Harding University High School Principal Eric Ward, Coach Samuel Greiner, and one of the players, all of whom thanked Commissioner Leake and the Board for the recognition.

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 adopt a proclamation designating February 12-16, 2018 as Harding University High School Week in Mecklenburg County and a proclamation designating February 7, 2018 as Quavaris Crouch Day.
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 a joint proclamation declaring February 2018 as Teen Dating Violence Prevention and Awareness Month in Mecklenburg County and City of Charlotte.

The proclamation was read by Commissioner Leake and received by Alex Pyun with Community Support Services.
The following persons appeared to speak during the Public Appearance portion of the agenda:

Whitley (last name not known), Christina Adelakay with the NC AIDS Action Network, Morris Young (HIV Prevention Coordinator) with Power House Project Charlotte, Janice Shirley with Carolinas Care Partnership, and Jason Foreman with RAIN addressed the Black Treatment Advocacy Network (BTAN) Charlotte, the impact of HIV on the Black community and National Black HIV/AIDS Awareness Day, February 7, annually. This year’s theme was “Get Educated, Get Involved, Get Tested, & Get Treated.” It was noted that HIV was an epidemic in Mecklenburg County. They said the County needed to ensure that PREP got into the hands of those that need it.

Lloyd Scher, a former County Commissioner addressed the Lark Haven Golf Course. He was joined at the podium by Charles Mills. Former County Commissioner Scher asked the Board to consider purchasing the Lark Haven Golf Course which was up for sale. He said it would be a good addition to the County’s golf course system. Former Commissioner Scher said the last addition to the County’s golf course system was in 1990, which was the Sunset Hills Golf Course. He said Lark Haven Golf Course should be saved for historical reasons and because of the continued growth of the sport in the community.

Rev. Jordan Boyd acknowledged the presence of Dr. Mwai Makoka from the World Council of Churches, Geneva, Switzerland. He said Dr. Makoka was visiting Charlotte/Mecklenburg County to evaluate the County’s Village Heartbeat Program and that his assessment would be taken back to the World Council of Churches.
He then turned the podium over to Pastor Evie Landrau who addressed what the World Council of Churches was all about and introduced Dr. Mwai Makoka.

Pastor Landrau also expressed thanks and appreciation to Cheryl Emanuel with the County’s Health Department for her vision and leadership with respect to the Village Heartbeat Program.

Note: “Village HeartBeat” is a Mecklenburg County Health Department Community/Faith-Based Outreach Initiative. It is designed to prevent heart disease risk factors using a collaborative, team approach that engages faith-based and/or neighborhood organizations. Efforts target African American and Hispanic communities given the disproportionately higher burden of heart disease and associated behavioral and environmental risk factors in these populations.”

Dr. Mwai Makoka thanked the Board for allowing him to speak. He addressed the need for health strategies from a faith-based perspective. He said health care was not just a hospital concern but that the health system included the environment and the community.

Dr. Makoka said the definition of the health sector needed to expand beyond what’s typically thought of to address the major detriments of ill health. He complimented the County for its work with the faith community to promote good health, via the Village HeartBeat Program.

Dr. Makoka said he was going to look for more opportunities to elevate the Village HeartBeat Program, so that other places could learn that churches and government should collaborate more for the “benefit of the people,” because both are serving the same individuals. He said churches and government should collaborate and not compete; complement each other’s weaknesses and strengths.

He said Village HeartBeat was a model that needed to be nurtured and grown. He said the model had the potential to touch more lives within Mecklenburg County.

In closing Dr. Makoka expressed kind regards from the leadership of the World Council of Churches and best wishes to the Board for its continue partnership with the faith community and continued progress of the Village HeartBeat Program.

Reverend Boyd concluded by noting things his church had done as a result of being involved with Village HeartBeat. He thanked the Board for the Village HeartBeat Program.

Marquis Fitch with the American Heart Association for the Greater Charlotte Region addressed Heart Awareness Month and heart disease. He noted their work with the Village HeartBeat.

Patrick Steptoe and Cherry Reeves registered to speak but were not present.

APPOINTMENTS

18-4487 NOMINATIONS/APPOINTMENTS

ARCHITECTURAL SELECTION 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 policy and reappoint Gregory Godley to the Architectural Selection Committee for a three-year term expiring September 3, 2021, since there were no other applicants.
BOARD OF EQUALIZATION AND REVIEW

Commissioner Puckett nominated all applicants for appointment consideration to the Board of Equalization and Review: Russell Allen, Julian Cuthbertson, and Jeff Scott.

Commissioner Ridenhour asked about the extension of the number of terms persons could serve on the Board of Equalization and Review which was addressed.

Commissioner Clarke commented on the composition of the existing Board of Equalization from a district perspective. He said the majority of the members lived in districts 5 & 6 and that it was the same for those nominated.

Commissioner Clarke suggested the Board not take action and instead, keep nominations open. The hope would be to get a more diverse group of applicants from a district perspective, so that more areas of the community could be represented on the Board of Equalization and Review.

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 defer taking any action with respect to the Board of Equalization and Review and to direct the Clerk to continue to advertise to seek additional applicants.

Commissioner Dunlap encouraged residents to apply for a position on the Board of Equalization and Review, especially African Americans.

BUILDING DEVELOPMENT 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 Rodney Kiser to the Building Development Commission as the Master Electrical Contractors Association representative for a three-year term expiring July 31, 2021.

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 Davena Mgbeokwere to the Citizen’s Transit Advisory Group for a two-year term expiring June 30, 2020.

INFORMATION SERVICES & TECHNOLOGY COMMITTEE

Commissioner Puckett nominated the following persons for appointment consideration to the Information Services & Technology Committee: Khari Baker and Frank Benson.

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 Khari Baker to the Information Services & Technology Committee to fill an unexpired term expiring February 28, 2018 and then a three-year term expiring February 28, 2021 and Frank Benson to fill an unexpired term expiring February 28, 2019.
February 6, 2018

PUBLIC HEARINGS

18-4501 BUSINESS INVESTMENT GRANT: KURZ TRANSFER PRODUCTS

Commissioner Puckett asked to be excused from participating in the discussion of the forthcoming proposed Business Investment Grant to Kurz Transfer Products to avoid a conflict of interest.

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 excuse Commissioner Puckett from participating in the discussion of the forthcoming proposed Business Investment Grant to Kurz Transfer Products to avoid a conflict of interest.

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

Motion was made by Commissioner Ridenhour, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to open a public hearing to receive comments on a proposed Business Investment Program grant to Kurz Transfer Products (Kurz).

Economic Development Director Peter Zeiler presented the matter to the Board. He noted the presence of Thomas Hurtline, CEO, Kurz North America.

The following was noted:

- Kurz Transfer Products is a subsidiary of Leonhard Kurz Stiftung & Co. KG, a global leader in hot stamping foils, cold stamping printing, in-mold decoration and transfer substrates.
- Kurz Transfer Products North American Headquarters is in north Charlotte off of Starita Road where it houses corporate, sales, manufacturing and production operations and employs 94 people.
- Kurz products are found in most day to day items including holographic foils in currencies for more than 100 nations, credit cards, and passports. A growing segment of Kurz products is interior and exterior automotive finishes.
- Kurz Transfer Products is growing into new markets and seeks to establish a larger North American headquarters building that can accommodate immediate and long-term production growth needs.
- Kurz’s proposed project meets all the following Business Investment Program guidelines for a five-year grant, specifically:
  - A taxable investment of $18,475,000 to be completed in the next five years.
  - Creation of 90 new jobs with an average wage of $60,000 (which is equal to 106% of the average for the Charlotte-Gastonia-Rock Hill M.S.A.).
  - There is competition for this project from Fort Mill, South Carolina.
  - The existing 94 positions at the Headquarters on Starita Road are at risk of being relocated to another state if Mecklenburg is not the chosen regional headquarters site.
- The Business Investment Program grant is a 50% grant over 5 years, with an estimated total amount of up to $337,796.
- The general terms and condition of this grant include:
  - A portion of the grant must be repaid if the company moves this investment from Mecklenburg County within 5 years of the end of the grant term.
February 6, 2018

- Actual grant payments are based on the value of the investment as appraised by the Mecklenburg County Tax Office.
- All property taxes due from the company must be paid before a grant payment is made.

• Kurz Transfer Products has indicated that the proposed project site on Patterson Road in Huntersville is competitive only if Patterson Road is improved from its current state as a one and half lane gravel road to a fully paved and improved road meeting commercial zoning standards. The Town of Huntersville has authorized the necessary funds to complete the road improvements and Kurz Transfer Products has agreed to forego receipt of the Business Investment Program grant dollars if Mecklenburg County will use the grant funds that Kurz would be entitled to receive as an approved Business Investment Program grant to partially reimburse Huntersville for the cost of the improvements.

Motion was made by Commissioner Ridenhour, seconded by Commissioner James to close the public hearing and adopt a resolution approving a Business Investment Program grant to Kurz for a total estimated amount of $337,796 and authorize the County Manager to negotiate and execute necessary contracts.

Commissioner Leake asked about the number of new jobs and training, which was addressed.

Commissioner Leake said she still wanted to receive a report regarding the number of Mecklenburg County residents hired by companies receiving Business Investment Grants and whether those employees were still there.

Commissioner Ridenhour spoke in support of the grant.

Commissioner Fuller said he would support the motion, however, expressed concern for this type of incentive. He questioned whether this could be achieved through an economic development agreement rather than using the Business Investment grant tool. He asked that it be noted in the record that approval of this request may be setting a precedent that the County may not want to set.

Commissioner Ridenhour addressed what was different about this particular Business Investment Grant.

Commissioner Cotham spoke in support of the grant and the fact that the County was willing to work with the Town of Huntersville.

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

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

Motion was made by Commissioner Ridenhour, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, and Scarborough voting yes, to close the public hearing and adopt a resolution approving a Business Investment Program grant to Kurz for a total estimated amount of $337,796 and authorize the County Manager to negotiate and execute necessary contracts.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR KURZ TRANSFER PRODUCTS

WHEREAS, Kurz Transfer Products is seeking to relocate the corporate functions and the majority of the existing production capacity in Charlotte to a site in Huntersville, NC that will
also house new production lines and equipment; and

WHEREAS, the company evaluated sites in Fort Mill, South Carolina as a replacement for its current facility in Charlotte; 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 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 19, 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 Mecklenburg County by building a new facility in Huntersville, NC. The project will include a capital investment of approximately $18.475 million and will create 90 new jobs within five years at an average annual salary of approximately $60,000. The Business Investment Program grant is a 50% grant over 5 years, with an estimated total amount of up to $337,796; and

WHEREAS, Kurz Transfer Products has indicated that their preferred site on Patterson Road in the Town of Huntersville is only competitive with sites in other states if Patterson Road is improved. As such, the Town of Huntersville will endeavor to fund and complete such improvements and Mecklenburg County will provide funding to the improvements by redirecting, as requested by the company, the Business Investment Program payments that the company would otherwise be entitled to receive under an approved Business Investment Program grant directly to the Town of Huntersville instead of to Kurz Transfer Products. The grant will be subject to the County’s standard contract provisions, including compliance requirements for the company related to job creation targets; 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 any and all necessary contracts for the same, including any with the Town of Huntersville.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #220.

ADVISORY COMMITTEE REPORTS – NONE

Commissioner Puckett returned to the dais.

Commissioner Ridenhour returned to the dais.

MANAGER’S REPORT

18-4497 CHARLOTTE-MECKLENBURG EMERGENCY MANAGEMENT OFFICE: INCLEMENT WEATHER EMERGENCY SHELTER PROTOCOL

The Board received a report on the Inclement Weather Emergency Shelter Protocol from Community Support Services Director Stacy Lowry and City of Charlotte Emergency Management Director Deputy Chief Richard Granger.

Director Lowry noted the following:
• Mecklenburg County does not operate shelters.
• The County provides funding, overflow space, staffing support, and emergency coordination with its community partners.
• The County’s role in helping those experiencing homelessness is to support organizations that provide immediate assistance to those in need.
• The County partners with the Charlotte-Mecklenburg Emergency Management Office to prepare and respond to emergency situations.
• The primary emergency shelters in Mecklenburg County include the Men’s Shelter of Charlotte; The Salvation Army Center of Hope; Room in the Inn operated by the Urban Ministry Center, December 1 – March 31; and the Domestic Violence Shelter operated by Safe Alliance.
• Community Support Services provides contractual funding to shelters for operational expenses and specific services aimed at reducing the length of time persons remain in an emergency shelter or to provide diversion to alternative services and avoid shelter admission.
• Other services provided to shelters by Community Support Services were addressed
• Addressed also, was the amount of funding provided to shelters, excluding Room in the Inn, which does not receive funding, and bed capacity.

Director Granger addressed inclement weather shelter overflow activities for the past month. He began by thanking County Manager Diorio for her support and resources provided through various staff.

Director Granger said there had been a little misinformation and miscommunication and that he owned some of that responsibility for not getting the proper message out this season early enough.

The following was noted in the presentation:

The Emergency Management Office serves as an advisory and coordination entity to ensure that all parts of the emergency process operate towards a common goal and a common operating picture.

It’s responsible for: Planning, orchestrating, and coordinating the community’s resources and efforts in preparation for, response to, and recovery from all hazards, both natural and man-made

Warming Station: The warming station should provide, at minimum, a warm facility, restroom, warm beverages, comfort food, security, and volunteer staffing.

The proposed hours of operation for the warming station are noon to 6:00 p.m. and as late as 8:00 p.m. Warming stations do not provide overnight shelter.

When a decision to activate is made, Emergency Management coordinates partner involvement.

Extreme Weather Emergency Shelter: A facility that provides overnight accommodations to provide protection from the extreme cold for those who have nowhere to go. Activated when overflow capacity at local shelters is exceeded.

List of Shelter Team Participants was shared.

List of Shelter Partners was shared.

Activating guidelines for extreme cold-related conditions:
February 6, 2018

- A sustained wind chill factor of 10 degrees for 24 hours; or
- Existing overnight sheltering is unable to accommodate influx of persons requiring overnight shelter.
- Environmental conditions that contribute to prolonged health risks; or
- An increase in call volume by 20% to 9-1-1 centers, or an increase in calls for assistance to service agencies. Unless the calls to 9-1-1 centers are specific to cold weather issues, the 20% increase guideline may not provide the data required for activation.

Response Timelines shared January 1 -7, 2018; January 16 – 19, 2018
Shelter Capacity during each timeline shared
Event Summary shared

It was noted also that some persons choose not to go to the shelter, which was their choice to do or not to do.

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

The following persons appeared to speak on this matter:

Deborah Woolard, Amy Anderson, Pastor Michael McKenzie, Charles Robinson, Stacy Phillips, Shakira Clarke, Gesela Serrano, Chuck Kewin, and Pastor Ray McKennon all addressed the housing needs of the homeless, including children that were homeless.

They noted and addressed and/or noted the following:

- Disappointment with respect to the timing of when overflow facilities opened during the recent extremely cold temperatures. It was felt it should have been done much sooner than when it occurred.
- “Homelessness is an emergency in any type of weather.”
- The capacity of shelters year-round and the need for more
- The face of homelessness varies, as well as, the circumstances that caused one to be homeless.
- Homeless veterans
- The current policy needs to be changed to save lives. It was noted that someone did pass because of the cold temperatures.
- The old jail could be used as a shelter rather than for storage.
- Needs of homeless youth, especially those of color in the LGBT community—recommendations offered:
  - Establish and open a dedicated shelter for LGBT youth, ages 18-24, hopefully by 2020
  - Ensure all service providers have access to training on LGBT issues
  - Expand affordable mental health services for young people in the county
  - Housing organizers throughout the county should create safe and affirm housing for the LGBT community
  - Government officials must support policy reforms that eliminate discrimination policies at the county level
- The homeless should be viewed as “us” and not “them,” because it could happen to anyone.
- Ensure funds being provided for homeless services were indeed being used as they should be.
- Use the “secret shopper” concept to make sure services were being provided as they should and to check on capacity at shelters.
- Survey the homeless regarding services being provided
- Efforts being done by Raise You Up Ministry, a faith-based, non-profit group, focused on eliminating chronic homelessness were shared
February 6, 2018

- Persons should not be referred to as homeless but rather “neighbors” because homeless was their condition, not their “identity.”
- Efforts being done by South Tryon Community United Methodist Church were shared
- More needed to be done for our “neighbors” because there’s a gap in services
- Revisit policies that impact our “neighbors”
- Find a way to provide the resources that were needed

Comments

Commissioner Puckett commented on the current protocol policy for opening emergency shelters during inclement weather. He said the policy needed to be changed, and he was hopeful that the County Manager would revisit the current activation guidelines and make needed changes for the outlier types of events experienced recently.

Commissioner Puckett said there should be a “faster” way to respond and get facilities open in these types of situations. He acknowledged that it would take coordination amongst various entities, including the faith community.

Commissioner Leake said what concerned her was that the City of Charlotte was responsible for “calling the emergency.”

Commissioner Leake noted for the public’s awareness that the County provided funding to entities for services to the homeless but did not operate shelters.

Commissioner Leake referenced Hall House, a former hotel downtown that was renovated years ago for families in need of housing but later closed. She questioned why it could not be used again and what needed to be done to help finance and reestablish that facility.

Commissioner Leake addressed the living conditions in the Brookhill community.

Commissioner Leake encouraged those present and at home to attend meetings of elected officials on a continuous basis to make their concerns known and to demand accountability.

Commissioner Leake said not only was housing a problem, but economics in general, as well as, mental health issues.

Commissioner Ridenhour noted that it was not the County’s call to open an emergency shelter (warming station). He said although some felt the County didn’t care that was not true.

He suggested finding a solution as a community to avoid a reoccurrence of what occurred recently.

Commissioner Ridenhour said the issue was more than about opening warming stations but rather it was about the need for housing.

Commissioner Ridenhour referenced a tiny homes community in Dallas, Texas that in addition to meeting housing needs, persons in this area also had wrap around services nearby. He said perhaps this was something that should be considered here.

Director Lowry said staff followed up on Commissioner Ridenhour’s comments from a previous meeting regarding tiny home communities and would be reporting back on that matter soon.

Commissioner Dunlap said a community discussion was needed around the issue of homelessness and housing. He suggested the County Manager work on convening a meeting with community partners and interested people to have a broader discussion about the
policies that were in place and what if any changes needed to be made to make them more compassionate, to bring closure to this issue.

Commissioner Cotham expressed concern for the current policy and what occurred because of it. She said communication was a big problem.

Commissioner Cotham said homelessness was a complicated issue and one that everyone needed to learn more about.

Commissioner Cotham thanked staff and those in the community who assisted in helping the homeless during the recent inclement weather conditions.

Commissioner Fuller said the issue of homelessness was something that should be a concern all year long and not just when it’s cold weather.

Commissioner Fuller commented on the need for more economic opportunity in the community and how the lack thereof impacts the community. He said the focus needed to be on the causes of homelessness.

Commissioner Fuller asked Director Lowry to respond to comments made regarding individuals not having access to the shelter facilities that were available. Director Lowry said staff was not aware of anyone not being able to gain access.

Director Lowry said the shelters had capacity and varying overflow capacity. She said Urban Ministry Teams were sent out twice a day to find people to take them to either a shelter or Room in the Inn. She said the Shelters relaxed their rules to accommodate those in need.

Commissioner Fuller said he liked the secret shopper idea that was suggested by one of the speakers. He said it was important to know if access was an issue and if services were being provided as they should be.

Commissioner Fuller said work was needed to see what could be done to reduce the County’s homeless population.

Commissioner Clarke thanked staff for opening the Grady Cole Center during the extreme inclement weather period.

Commissioner Clarke said he visited Grady Cole during that time and was very pleased with what he saw.

Commissioner Clarke said he agreed the activation guidelines should be reviewed to determine if they’re appropriate, not only for cold weather but hot weather also.

Chair Scarborough expressed thanks to everyone for helping those in need. She encouraged everyone to continue to do so.

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

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

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS

18-4505 HEALTHIEST CITIES AND COUNTIES CHALLENGE AWARD
Public Health Director Gibbie Harris addressed the County’s receipt of the Aetna Foundation’s Healthiest Cities and Counties Challenge Award for the County’s Village HeartBeat (VHB) Program. She acknowledged the presence of VHB faith-based partners and Health Department staff that manage the program.

Director Harris was joined at the podium by County Manager Diorio, who accepted the award.

The award was presented by Landis Rush, National VP for State and Local Governments for Aetna Public and Labor.

Mr. Rush expressed thanks to Commissioner Leake for taking the initiative to bring Village HeartBeat to the attention of management years ago. He also thanked Commissioners Dunlap and Fuller for their participation in NACo, National Association of County Commissioners.

County Manager Diorio thanked Aetna for its commitment to healthy living in all areas of the country.

County Manager Diorio thanked Health Department staff member Cheryl Emanuel and her team for the work that they do with the Village HeartBeat Program. The County’s community partners and faith-based community were also thanked for their participation in making the program a success.

Reverend Jordan Boyd expressed thanks to the Board for the program on behalf of faith-based partners.

Note: Cities, counties and federally recognized tribes that show measurable improvements in health indicators and social determinants of health have had the opportunity to compete for the Healthiest Cities and Counties Challenge. The challenge is offered by the Aetna Foundation, the American Public Health Association (APHA) and the National Association of Counties (NACo), in partnership with CEOs for Cities. Mecklenburg County was selected as one of fifty cities in the Country of the Village HeartBeat Program and made the next level of competition.

The vision of VHB is to ensure that everyone in Mecklenburg County will enjoy good health regardless of their race/ethnicity, gender, disability, age, or socioeconomic status. Pursuit of this vision began in 2012 when the Mecklenburg County Public Health (MCPH) and the Partners in Eliminating Health Disparities (PHED) coalition developed VHB. The goal of VHB has been to prevent cardiovascular disease through the overall strategy of adopting healthy behaviors (reduced tobacco use, improved nutrition, and increased physical activity) in high-risk Public Health Priority Areas (PHPAs).

Commissioner Leake gave the history of the County’s Village HeartBeat Program and how she approached the County Manager about implementing the program.

Commissioner Leake acknowledged that the Village HeartBeat Program was the vision of Cheryl Emanuel and expressed thanks to her.

Commissioner Leake thanked County Manager Diorio for her support of the program.

Commissioner Leake also acknowledged the support and leadership of Bishop George Battle with Village HeartBeat.

Commissioner Fuller said the Village HeartBeat Program was “revolutionary” and elaborated.

Commissioner Fuller expressed special thanks to Cheryl Emanuel for her leadership.
Mr. Rush said he planned to recognize Mecklenburg County’s Village HeartBeat Program nationally at upcoming NACo conferences.

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

COUNTY COMMISSIONERS REPORTS & REQUESTS – NONE

CONSENT ITEMS

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 the following item(s):

18-4461 ENGINEER SELECTION – CONSTRUCTION ENGINEERING AND INSPECTION (CEI) SERVICES FOR TRAFFIC IMPROVEMENT AT MARION DIEHL CENTER

Authorize the County Manager to negotiate fees and execute a contract with Alley, Williams, Carmen & King, Inc. for Construction Engineering and Inspection Services for the Traffic Improvements at Marion Diehl Center and in the event negotiations with this firm are unsuccessful, approve negotiations with the alternate firm of Rummel, Klepper & Kahl, LLP.

18-4466 LAND ACQUISITION/DONATION – NORTH PONG CLARKE CREEK GREENWAY

Authorize the County Manager to negotiate and execute all documents necessary for the donation of Tax Parcel 019-441-11 (±1.48 acres) from M/I Homes of Charlotte, LLC.

Note: This property will be used for greenway purposes.

18-4468 ARCHITECT SELECTION – MARION DIEHL AND SUGAW CREEK RECREATION CENTERS RENOVATIONS

Authorize the County Manager to negotiate fees and execute a contract with Neighboring Concepts for Architectural/Engineering Services for the Marion Diehl and Sugaw Creek Recreation Centers renovations, and in the event negotiations with this firm are unsuccessful, approve negotiations with the second ranked firm of LS3P.

18-4472 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 being in the best interest of the project and therefore being the best delivery method for the project: Mecklenburg County Parks and Recreation - Northern Regional Recreation Center.

18-4475 STORM WATER PROGRAM – FY18 HAZARD MITIGATION FLOODPLAIN ACQUISITION

1. Accept the Offer of Sale of Real Estate from Claudia Pena & Carl Talerico, owners of property located at 221 Fielding Road, Charlotte, NC (tax parcel 031-077-06), for $195,000; and
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.). The requested action will consist of acquiring the property and demolishing the existing building.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION APPROVING TRANSFER OF REUSABLE BUILDING MATERIALS TO HABITAT FOR HUMANITY OF CHARLOTTE, INC.

WHEREAS, Mecklenburg County desires to voluntarily 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>
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<tr>
<th>TAX PARCEL ID</th>
<th>STREET ADDRESS</th>
<th>CITY</th>
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<tr>
<td>06907102</td>
<td>816 PRINCE ST</td>
<td>CHARLOTTE</td>
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; and

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 Storm Water Services, 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 Minute/Ordinance Book 47-A, Document #221.

18-4480 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of $15,301 for Asset and Facility Management, $9,372 for Land Use and Environmental Services and $427 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.

18-4481 MINUTES


18-4483 TAX REFUNDS

Approve refunds in the amount of $75,002.18 and interest as statutorily required to be paid as requested by the County Assessor.

Notes: 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 $322.63.

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

18-4488 FLEET AUCTION REVENUE AND EXPENSES

Recognize, receive and appropriate 9-16-17 vehicle auction revenue of $40,587.21. Of the auction proceeds, appropriate $31,994.95 to the Fleet Reserve Fund, $3,770.25 to the Department of Social Services transportation unit, and $4,822.02 to Park & Recreation.
Recognize, receive and appropriate a revenue increase of $49,741 from Valley-Forest Brook, LLC as part of a default of bond obligations related to Forest Brook subdivision to FY18 Permitting & Compliance Bond Budget (Unit 3090) and carry forward the unspent balance until project is completed.

Affirm submission of a two-year extension of the County’s CAA Section 103, Special Purpose federal grant application in the amount of $371,668; and upon award of grant, recognize, receive and appropriate the CAA Section 103 grant award; and authorize the carry forward of any unspent funds to subsequent years.

Note: Mecklenburg County’s particulate matter (PM 2.5) network was established in 1997 and continues to be 100% funded with federal funds from a Clean Air Act (CAA), Section 103 grant through the U.S. Environmental Protection Agency. The funding pays for two full-time air monitoring specialists, operations, maintenance and replacement of monitoring equipment. Mecklenburg County Air Quality operates three fine particulate matter monitoring sites year-round at Garinger High School, Montclaire Elementary School and Sunset Hills Golf Course. The data collected represent concentrations over a wide area and determine Mecklenburg County’s compliance with national ambient air quality standards.

Affirm submission of a grant application to the NC Clean Water Management Trust Fund (CWMTF) for the restoration of Stewart Creek from Tuckaseegee Road to Wilkinson Boulevard up to an amount of $500,000;

2. Affirm submission of a grant application to the NC Clean Water Management Trust Fund (CWMTF) for the restoration of Irwin Creek from Jeff Adams Drive to Atando Avenue up to an amount of $500,000;

3. Authorize the County Manager to negotiate and enter into a grant contract with CWMTF; and

4. Upon receipt of either or both grants, recognize, receive and appropriate up to $1,000,000 in funds from the CWMTF.

1. Approve refunds in the amount of $6,612.31 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor; and

Notes: 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 $95,821.64 and interest as statutorily required to be paid as requested by the County Assessor.

Notes: 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 $773.39.

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

18-4496 GRANT APPLICATION – NATIONAL RECREATION AND PARK ASSOCIATION “MEET ME AT THE PARK EARTH MONTH” GRANT

Affirm submission of a grant application in the amount of $20,000 for the “Meet Me at the Park Earth Month” grant through the National Recreation and Park Association (NRPA); and if awarded, recognize, receive and appropriate the award amount.

Note: The amount of the grant provided to the Grantee shall 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 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. Inspire healthy living. Examples include implementing recreational programs to get people more active, providing access to walking trails or creating fitness stations.

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

THIS CONCLUDED ITEMS APPROVED BY CONSENT

18-4462 BUDGET AMENDMENT (REVENUE INCREASE) – CRIMINAL JUSTICE SERVICES

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 for fiscal year 2018, $37,048.00 in funding from Cardinal Innovations Healthcare to support local jail diversion efforts related to the Stepping Up Initiative.

Note: Stepping Up is a national NACo initiative geared towards addressing behavioral health in jail populations across the country. The funding will be used to make a technology upgrade to Correct Care’s computer system so that mental health cases can be flagged as they enter the jail and are connected with Correct Care staff. Once identified those within the jail with behavioral health needs, we can link them with community based services.

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

18-4477 BUDGET AMENDMENT – HEALTH DEPARTMENT (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:
A. Recognize, receive, and appropriate an increase in other revenue in the amount of $101,387 from Smart Start of Mecklenburg (through additional funding by Vanguard) covering from January 1, 2018 through December 31, 2018; and

Note: Smart Start of Mecklenburg has been awarded a grant in the amount of $101,387 from the Vanguard Foundation to fund the expansion of the Healthy Families Mecklenburg program. The Healthy Families Mecklenburg program provides case management to vulnerable first time parents, with the goals of promoting positive parenting, enhancing family functioning, enhancing child health and development, and preventing child abuse and neglect. Smart Start of Mecklenburg will pass through funds to the Health Department to deliver services.

B. Recognize, receive, and appropriate an increase in other revenue in the amount of $25,000 from American Public Health Association (APHA); and

Note: Community Engagement Village HeartBEAT program was awarded $25,000 from APHA for being recognized as the Healthiest Cities & Counties Challenge (HCCC) Interim Award for excellence. The purpose of this award is to advance proposed projects.

C. Recognize, receive, and appropriate an increase in State revenue for the Children’s Developmental Services Agency (CDSA) Program in the amount of $158,205; and

Note: The Children’s Developmental Services Agency (CDSA) Program will receive additional ongoing funds of $158,205 due to an amendment in the program’s State Contract. The funds will be used to cover the additional cost of client services in the InReach contract. InReach is contracted to reimburse CDSA community based service providers for authorized early intervention services. The funds will also be used to purchase tablets for the employees listed within the State Contract, and create 2 additional positions within the CDSA program.

D. Approve the creation of a Case Coordinator position and a Development Specialist position in the Children’s Developmental Services Agency (CDSA) Program.

18-4478 SET PUBLIC HEARING – CLOSING A PORTION OF RIGHT OF WAY FOR GRAND PALISADES PARKWAY

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. Set a public hearing for March 20, 2018 to hear all interested citizens who appear with respect to the closing of a portion of right-of-way for Grand Palisades Parkway; and

2. Adopt resolution declaring intent to close a portion of Grand Palisades Parkway right-of-way.

WHEREAS, North Carolina General Statute 153A-241 specifies that a county may permanently close 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, a petitioner has requested that a 0.181-acre portion of right-of-way for Grand Palisades Parkway as shown on the Exhibit A map attached hereto be closed; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does hereby declare its intent to close the 0.181-acre portion of right-of-way for Grand Palisades Parkway as shown on the attached Exhibit A map, and as required by G.S. 153A-241 does hereby set a public hearing on the question of whether to close said right-of-way for March 20, 2018 at 6:30 PM in the Meeting Chamber on the first floor of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina 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 said right-of-way of Wilbanks Drive who did not join in the request to have said portion of the right-of-way closed; and to have a notice of the closing and the public hearing posted in at least two places at said right-of-way.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #222.

18-4484 NAMING APPLICATION – THIRD WARD PARK TO “JAMES DENNIS RASH THIRD WARD NEIGHBORHOOD PARK”

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. Acknowledge receipt of an application submitted on behalf of The Committee to Restore and Preserve Third Ward, Inc., and at the request of its Chair, Virginia Woolard, to name Third Ward Park, located at 1001 W. 4th Street Extension, the "James Dennis Rash Third Ward Neighborhood Park"; and

2. Schedule a public hearing on March 7, 2018 at 6:30 p.m. to receive public comment on the proposed naming of Third Ward Park to "James Dennis Rash Third Ward Neighborhood Park" and direct the Clerk to the Board to publish the notice of hearing as required.

18-4492 AMENDED DONATION FOR RAMSEY CREEK PARK PIER (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 recognize and appropriate to the Capital Reserve Fund an increased donation of $6,595.95 from the Patriot Military Family Foundation for improvements to the fishing pier at Ramsey Creek Park.

18-4493 GRANT APPLICATION – CHARLOTTE OBSERVER SUMMER CAMP FUND GRANT (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 affirm submission of a grant application of up to $20,000 for a Charlotte Observer Summer Camp Grant; and if awarded, recognize, receive and appropriate such funds for the grant period.

Notes: The Charlotte Observer Summer Camp Fund awards grants to summer camps to provide scholarships to low-income children in grades K-12 to experience the outdoors during the summer months. Grants must be used to expand the opportunities available to low-income campers.
18-4494    RESOLUTION AUTHORIZING COUNTY MANAGER TO ENTER BIDS AT COUNTY TAX FORECLOSURE SALES

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 adopt Resolution to authorize the County Manager, or his or her designees, to enter and assign bids at Mecklenburg County tax sales not to exceed appropriated funds for County purchase.

MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION AUTHORIZING COUNTY MANAGER TO ENTER BIDS AT COUNTY TAX FORECLOSURE SALES

WHEREAS, The Board of County Commissioners has approved a Comprehensive Foreclosure Strategy Program for the Tax Collector that includes a foreclosure acquisition component that will allow the County to become a bidder on delinquent properties in order to equitably enforce the collection of delinquent taxes and to remove aging bills from the tax scrolls by breaking the cycle of delinquency; and

WHEREAS, the BOCC has appropriated money for use by the Tax Collector to enter bids at tax foreclosure sales; and

WHEREAS, N.C.G.S 105-376 authorizes “taxing units” which term includes counties, to bid at tax foreclosure sales of the nature being conducted under the statutory procedures used by attorneys conducting such sales for Mecklenburg County, and that said authorization includes the power to assign bids under certain circumstances; and

WHEREAS, a common procedure in North Carolina used by taxing units is to authorize a county employee to enter bids on behalf of the county in such tax foreclosure sales; now, therefore, be it

RESOLVED by the Board of County Commissioners that the County Manager, or his or her designees, are authorized to enter and, where applicable, assign bids at Mecklenburg County tax foreclosure sales provided that the total amount of bids entered at any one time does not exceed the amount of unappropriated funds which have been designated by the Board of County Commissioners for the purchase of properties by the County in such sales. The County Manager shall exercise his or her authority to designate individuals who are authorized to enter and assign bids at tax foreclosure sales only by a written memorandum of delegation filed with the Clerk to the Board, the County Attorney, and the Director of Finance.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #223.

18-4500    NCDOT GRANT FUNDING FOR BARTON CREEK GREENWAY

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. Recognize, receive and appropriate additional grant funding in the amount of $1,383,870, awarded by Charlotte Regional Transportation Planning Organization (CRTPO);

2. Commit to providing the funding for the required additional match;

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

4. Approve funding as required by NCDOT.

Note: This funding is for Barton Creek Greenway.
ADJOURNMENT

Motion was made by Commissioner Fuller, seconded by Commissioner Puckett 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 9:34 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, February 20, 2018.

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.

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

REMOVAL OF ITEMS FROM CONSEN

The Board identified item(s) to be removed from Consent and voted upon separately. The items were 18-4512, 18-4513, 18-4516, and 18-4523.

CLOSSED SESSION

18-4510 LAND ACQUISITION
18-4519 CONSULT WITH ATTORNEY
18-4522 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.

County Attorney Bethune noted the following Land Acquisition matter to be discussed in Closed Session: Tax Parcel # 173-171-25.

Motion was made by Commissioner Puckett, 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): Land Acquisition and Business Location and Expansion.

The Board went into Closed Session at 5:24 p.m. and came back into Open Session at 5:51 p.m.
The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

Commissioner Ridenhour was present when the Board came back into Open Session. He entered the meeting during Closed Session.

- FORMAL SESSION -

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

18-4544 ORDER OF THE HORNET INDUCTION

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 induct Marvin A. Bethune 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 Marvin A. Bethune reflects the honor, strength, and fierce American patriotism that so stung Lord Cornwallis, he was recommended for membership in the Order of the Hornet.

Marvin A. Bethune has served as Mecklenburg County Attorney for 39 years and has done so with the highest degree of integrity and professionalism. He was appointed November 6, 1978. Marvin received his BA degree from Davidson College, his Juris Doctor degree from the University of North Carolina at Chapel Hill. He tenured his resignation as Mecklenburg County Attorney on December 19, 2017, effective March 6, 2018.

All Commissioners expressed thanks and appreciation to County Attorney Bethune for his 39 years of dedicated service to the County.

County Attorney Bethune thanked the Board for recognizing him in this manner and for allowing him to serve all these years.

Note: County Attorney Bethune was not expecting the receipt of this honor or the presence of his wife Patty. It was kept as a surprise.

PUBLIC APPEARANCE

18-4520 PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the agenda:
February 20, 2018

Jenny Nguyen, a student at East Mecklenburg High School and co-president of the Charlotte-Mecklenburg Youth Council addressed the Council’s purpose and activities.

The persons below spoke in opposition to Section 287(g) of the Immigration and Nationality Act and the Mecklenburg County Sheriff’s Office participation in the program. They asked the Board to speak out on the injustices of the program; call for the repeal of 287(g), and cut the Sheriff’s budget if he continues to participate in the 287(g) Program.

The speakers shared examples of the negative impacts of 287(g). They said the program was aimed at deporting people and not for public safety. They acknowledged that the County had no control over this matter but asked the Board to use its voice and platform to speak in opposition of the program and to encourage the Sheriff to end the program in Mecklenburg County. Some said the Sheriff had refused to discuss the matter and some that the Sheriff had, but still refused to end the program.

The speakers were: Immigration Attorney Becca O’Neill, Oliver Merina, Sebastian Feculak, M. Stefania Arteaga, Ana Valdez, Saima G. Villarreal Barraza, Hector Vaca, Isael Melia, and Charlotte City Councilman Braxton Winston.

Note: Arlin Tellez registered to speak but did not appear.

Comments

Chair Scarborough expressed opposition to individuals being targeted and mistreated. She encouraged the speakers to continue to speak out against the mistreatment of individuals.

Commissioner Fuller said he was always opposed to 287(g) and elaborated.

Commissioner Leake noted for the public’s awareness that the Board of County Commissioners had no control over the Sheriff, because the Sheriff was an elected official, independent of the County.

Commissioner Leake encouraged the speakers and the public in general to communicate their concerns to legislators in Raleigh to get various laws changed. She, too, voiced opposition to persons of color being targeted and mistreated.

Commissioner Cotham expressed opposition to 287(g). She said the program creates a sense of fear.

Commissioner Clarke asked that at a future Budget/Public Policy meeting the Sheriff be asked to attend and share with the Board how much he would be able to reduce the County appropriation to his budget, if the Sheriff’s Office discontinued participation in the 287(g) Program.

APPOINTMENTS

18-4517 NOMINATIONS/APPOINTMENTS

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 Bertha Walker to the
Groundwater Advisory Committee as the Realtor representative for a three-year term expiring July 31, 2021.

**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 reappoint Deanna Arnold to the Human Resources Advisory Committee for a three-year term expiring October 31, 2021.

**JUVENILE CRIME PREVENTION COUNCIL**

Commissioner Cotham addressed the need for ensuring diversity from a district perspective on the Juvenile Crime Prevention Council and all advisory boards.

She noted that the district information for some of the members of the Juvenile Crime Prevention Council was not indicated and asked that the information be obtained.

It was noted that where not indicated, it was because those individuals were appointed by various agencies to serve on their behalf. Thus, they were not appointed by the Board of Commissioners.

Commissioner Cotham said it was important to see where everyone lived. She asked the Board to consider deferring the matter until the additional information could be obtained.

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 defer nominations to the Juvenile Crime Prevention Council until the March 7, 2018 meeting, to allow the Clerk time to find out the district and other information that may be missing for current members of the Juvenile Crime Prevention Council.

Chair Scarborough asked going forward, that district and other demographic information be indicated for applicants, as well as, current members for all advisory boards.

**NURSING HOME ADVISORY COMMITTEE**

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 Priscilla Johnson to the Nursing Home Community Advisory Committee for a one-year term expiring February 20, 2019.

**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 Carl Terrell to the Waste Management Advisory Board for a three-year term expiring February 28, 2021.
Commissioner Puckett nominated all applicants for appointment consideration for the remaining vacancy on the Waste Management Advisory Board: Chuck Duncan, Monique Horace, and Jeremy O’Brien.

Note: An appointment will occur on March 7, 2018.

WOMEN’S ADVISORY COMMITTEE

The following persons were nominated for appointment consideration to the Women’s Advisory Board:

- Takiyah Amin by Commissioner Puckett
- Michelle Ferlauto by Commissioner Puckett
- Destiny Jenkins by Commissioner Puckett
- Shannon Myers by Commissioner Puckett
- Kimberly Nelson by Commissioner Leake
- Jodie Ohr by Commissioner Puckett
- Ashley Reid by Commissioner Leake
- Corelutta Reid by Commissioner Puckett

Note: Appointments will occur on March 7, 2018.

PUBLIC HEARINGS – NONE

ADVISORY COMMITTEE REPORTS

18-4498 AIR QUALITY COMMISSION ANNUAL REPORT

The Board received as information the Air Quality Commission Annual Report. The report was presented by Leslie Rhodes, Division Director, Peter McGrath, Chairman of the Air Quality Commission and Vice-Chairman Marcus Hackler.

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

Comments

Commissioner Dunlap asked what was the biggest contributor to the County’s air pollution. The response was cars and trucks on the highways.

Commissioner Dunlap asked about the status of a company in Matthews that was a contributor at one time. The response was that it was a former medical waste incinerator that was no longer in business.

Commissioner Dunlap asked about the County’s carbon footprint and what could be done to continue to improve air quality, which was addressed.

Commissioner Dunlap asked about a former incentive program that was targeted towards businesses with the intent of getting employees to do things that would help reduce the carbon footprint. Division Director Rhodes said the program that Commissioner Dunlap was referring to was called Clean Air Works. It was a grant funded program that ran out. It was noted that a much smaller grant was being received from the state and was used for air quality awareness efforts but it was not on the level of the Clean Air Works grant.

Commissioner Fuller asked about the new standards, which was addressed.
Commissioner Fuller addressed the importance of having an environmental policy on the local, state, and federal level.

Commissioner Leake addressed the issue of abandoned and junked cars in neighborhoods. She also addressed environmental conditions in the Brook Hill Community, and noted the presence and use of kerosene.

Commissioner Leake asked what could be done to improve air quality on the westside, which was addressed.

Commissioner Clarke asked who set the standards for emissions of outdoor power equipment and to what extent do they contribute to ozone and other poor air quality issues. The response was that the standards were set by the state, who was basically enforcing federal standards. Staff said it would get an answer to the question regarding the impact of outdoor power equipment on air quality.

Chair Scarborough thanked the presenters for the report.

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

18-4524 HISTORIC LANDMARKS COMMISSION ANNUAL REPORT

The Board received as information the Historic Landmarks Commission Annual Report. The report was presented by Dr. Dan Morrill, Executive Director of the Historic Landmarks Commission.

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

Comments

Commissioner Dunlap asked about the status of the Historic Excelsior Club on Beatties Ford Road. Dr. Morrill said the owner was continuing to evaluate options with respect to the future of the facility, including the cost to renovate it. Dr. Morrill said he asked the owner to keep the Historic Landmarks Commission in the loop regarding their decision.

Dr. Morrill said it would be tough to acquire and market the property, because it was built for a specific purpose. He said the Historic Landmarks Commission, however, would make every effort to respond to that structure and not stand idly by. He said the hope was that the owner would renovate the building.

Commissioner Leake said she hoped the Excelsior Club would be preserved because of its significant history.

Commissioner Leake thanked Dr. Morrill and the Historic Landmarks Commission for its efforts to protect the cemetery on Cemetery Street.

Commissioner Puckett thanked Dr. Morrill and the Historic Landmarks Commission for its work. He specifically addressed what was being done in the Belmont community with respect to the Red Front Department Store.

Commissioner Ridenhour asked about notification of property being for sale, which was addressed.

Commissioner Ridenhour asked about Memorial Stadium and its historical value.
Dr. Morrill said Memorial Stadium was an historic landmark and therefore the Historic Landmarks Commission would exercise its design review authority. He noted further that it was a “single purpose” facility, thus, adaptive reuse would be tough.

Dr. Morrill said the Historic Landmarks Commission felt Memorial Stadium had to function as a “stadium” if it was going to continue to exist.

Dr. Morrill said the Historic Landmarks Commission would be a “viable and valid” partner with the County’s leadership in discussion regarding Memorial Stadium as it related to carrying the memory of the stadium forward into the future.

Dr. Morrill said the question was how do you “weigh the good of the community, the needs of the stadium, with the issue of preservation.”

Commissioner Ridenhour asked Dr. Morrill what should the Board keep in mind as it moved forward with Memorial Stadium with respect to what should be maintained. Dr. Morrill said his “personal” opinion would be 1) to take the “dough boy” statue that’s in memory of WWI veterans located behind Old City Hall and put it back where it belonged, which was at the Memorial Stadium; 2) keep in mind the memory of the “sacrifice” that was made by those veterans; 3) maintain the art deco architecture, a popular design style of the 1920s and 1930s, going forward; as well as, and 4) maintain the profusion of rock.

Dr. Morrill said preservationist had to be “realist” and recognize that “to deny change is to deny life.” He said change had to be accommodated.

Commissioner Cotham asked about the former Torrence Lylte High School, which was addressed.

Commissioner Fuller asked for clarity regarding what could and could not be done to a building that was designated as an historic property, which was addressed.

**MANAGER’S REPORT**

County Manager Diorio addressed the following proposed resolutions:

Resolution approving a 2018 Interlocal Agreement with the City of Charlotte for Law Enforcement Services within the Extra Territorial Jurisdiction areas of the City, Davidson, Mint Hill, and within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant

Resolution Approving a Law Enforcement Services Interlocal Agreement Between Mecklenburg County and the Town of Huntersville for Law Enforcement Services within a portion of the extra territorial jurisdiction (Modified ETJ) areas of the Town.

Resolution Authorizing Preparation of Reports for Creation of Six Law Enforcement Service Districts in Mecklenburg County for services in the extra territorial jurisdiction (ETJ) areas of the City of Charlotte, Huntersville, Pineville, Cornelius, Mint Hill and Davidson.

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 approve the following items, adopting the following resolutions:
1) Resolution approving a 2018 Interlocal Agreement with the City of Charlotte for Law Enforcement Services within the Extra Territorial Jurisdiction areas of the City, Davidson, Mint Hill, and within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION APPROVING A 2018 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 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 staff, 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 within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant; and

WHEREAS, the County Manager has presented to the Board, as part of the agenda of the meeting at which this resolution has been adopted, a proposed five (5) year interlocal agreement with the City of Charlotte for the City to provide law enforcement services within the extraterritorial jurisdiction (“ETJ”) areas of the City, Davidson, and Mint Hill, and within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant, which proposed agreement has been negotiated with the City Manager and his staff; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby approve the interlocal agreement with the City entitled “2018 Agreement Between the City of Charlotte and Mecklenburg County for the Continued Consolidation of the Charlotte-Mecklenburg Police Department” as presented to the Board at the meeting at which this Resolution has been adopted, to be effective July 1, 2018, for the City to provide law enforcement services within the ETJ areas of the City, Davidson, Mint Hill, and within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant, and authorizes the Chairman of the Board to execute such Agreement in substantially the form presented to the Board.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #224.

18-4534 INTERLOCAL AGREEMENT WITH TOWN OF HUNTERSVILLE FOR EXTRA TERRITORIAL JURISDICTION (ETJ) LAW ENFORCEMENT SERVICES
2) Resolution Approving a Law Enforcement Services Interlocal Agreement Between Mecklenburg County and the Town of Huntersville for Law Enforcement Services within a portion of the extra territorial jurisdiction (Modified ETJ) areas of the Town.

MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION APPROVING A LAW ENFORCEMENT SERVICES INTERLOCAL AGREEMENT BETWEEN MECKLENBURG COUNTY AND THE TOWN OF HUNTERSVILLE

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 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 Town Manager, and their staff, have been negotiating terms for an agreement with the Town of Huntersville for the Huntersville Police Department to provide law enforcement services within a portion of the extraterritorial jurisdiction ("Modified ETJ") areas of the Town; and

WHEREAS, the County Manager has presented to the Board, as part of the agenda of the meeting at which this resolution has been adopted, a proposed five (5) year interlocal agreement with the Town of Huntersville for the Town to provide law enforcement services within a portion of the extraterritorial jurisdiction ("Modified ETJ") areas of the Town, which proposed agreement has been negotiated with the Town Manager and staff; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby approve the interlocal agreement with the Town entitled “Law Enforcement Services Interlocal Agreement Between Mecklenburg County and the Town of Huntersville” as presented to the Board at the meeting at which this Resolution has been adopted, to be effective July 1, 2018, for the Town to provide law enforcement services within the Modified ETJ areas of the Town as defined in the interlocal agreement, and authorizes the County Manager to execute such Agreement in substantially the form presented to the Board.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #225.

18-4535 PREPARATION OF REPORTS FOR CREATION OF SIX LAW ENFORCEMENT SERVICE DISTRICTS

3) Resolution Authorizing Preparation of Reports for Creation of Six Law Enforcement Service Districts in Mecklenburg County for services in the extra territorial jurisdiction (ETJ) areas of the City of Charlotte, Huntersville, Pineville, Cornelius, Mint Hill and Davidson.
WHEREAS, in 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 “Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Original Agreement”)); and

WHEREAS, effective July 1, 1996 the County and the City 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 has been asked to negotiate and bring back to the Board for its consideration:
(a) an agreement with the City of Charlotte for the City to provide law enforcement services to the ETJ areas of the City, Davidson, and Mint Hill, and within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant,
(b) an agreement with Huntersville to provide law enforcement services to its modified ETJ area,
(c) an agreement with the Town of Cornelius to provide law enforcement services to its own ETJ area, and
(d) an agreement with the Town of Pineville to provide law enforcement services to its own ETJ area; and

WHEREAS, since the costs for providing law enforcement services under each such agreement may result in different law enforcement service district tax rates being charged in different ETJ areas over time, the County Manager is recommending creation of separate law enforcement service districts for each of the six (6) ETJ areas so as to provide the necessary flexibility for the Board to set different rates in each area; and

WHEREAS, the statutory process outlined in G.S. 153A-302 requires creation of a report for each service district to be created that shows that each proposed service district will meet statutory standards; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby authorize the County Manager to start the process for creating six (6) law enforcement service districts, to become effective July 1, 2018, by having County staff prepare the necessary reports.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #226.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

18-4527 DEPARTMENTAL MANAGEMENT MONTHLY REPORTS

The Board received as information the monthly department management reports for February, 2018.
A copy of the reports is on file with the Clerk to the Board.

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.

18-4528  FEATURES DEPARTMENT/AGENCY PRESENTATION: COUNTY ASSESSOR’S OFFICE

The Board received a presentation from County Assessor Ken Joyner on the Assessor's Office strategic initiatives on personal property.

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

Comments

Commissioner Leake thanked Director Joyner and his staff for their work. She asked about the discoveries that were made and if they were small businesses. Director Joyner said many of them were small businesses.

Commissioner Dunlap asked about the businesses that did not report and were penalties imposed, which was addressed.

Commissioner Ridenhour thanked Director Joyner for the report. He said it was a good refresher.

Commissioner Cotham thanked Director Joyner for the report, as well as, Chair Scarborough.

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

18-4521  APPOINTMENT OF MECKLENBURG COUNTY ATTORNEY

County Manager Diorio addressed a forthcoming change in the County’s process for the management of its legal affairs. The following was noted:

- The County Attorney going forward would be a County employee rather than contracted from a law firm.
- The County’s current Attorney’s Office would become a stand-alone department rather than a division of the County Manager’s Office.
- The County Attorney would serve as the Department Director.
- Legal Services currently being provided by outside law firms would be reviewed and a determination made as to whether those services needed to be rebidded and/or handled in-house.

County Manager Diorio commented favorable on the proposed appointment of Deputy County Attorney Tyrone Wade as the new County Attorney.

Motion was made by Commissioner Fuller, 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:

1) Appoint Deputy County Attorney Tyrone Wade as County Attorney of Mecklenburg County, effective March 6, 2018; and
February 20, 2018

2) Direct the Clerk to the Board to administer the oath of office prior to the effective date and file it in the permanent records of the County.

Note: Deputy County Attorney Wade will replace Mecklenburg County Attorney Marvin A. Bethune. On December 19, 2017, County Attorney Bethune tendered his resignation as Mecklenburg County Attorney effective March 6, 2018, after almost 40 years of service. County Attorney Bethune was appointed November 6, 1978.

Prior to the above vote, Commissioner Cotham acknowledged that her vote in the negative was not a reflection of Deputy County Attorney Wade, but rather for the process used.

Commissioner Cotham said it would have been her preference to open the selection process up, in case, there were others interesting in applying for the position, even though the result may have been the same.

Note: This a Board of County Commissioners’ appointment and the person appointed to serve as County Attorney, serves at the “pleasure” of the Board.

Following the Board’s vote, County Attorney Bethune expressed his support of the Board’s decision to appoint Deputy County Attorney Tyrone Wade as his successor. He also spoke favorably with respect to the County Attorney, going forward, being an employee of the County. He said it was the right time for that to occur.

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

CLOSED SESSION

18-4510 LAND ACQUISITION LITTLE SUGAR CREEK GREENWAY & STREAM ENHANCEMENT

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 authorize the County Manager to negotiate and execute all documents necessary for the acquisition of a temporary construction easement (±7.78 acres), a permanent greenway easement (maximum 30 feet wide) and permanent storm drainage easement (maximum 30 feet wide) on tax parcel 173-171-25 from Starclaire Park Club, Inc. for the future construction of an access trail to Little Sugar Creek Greenway trail and stream enhancements to the banks of Little Sugar Creek for $12,000.

CONSENT ITEMS

18-4506 BUDGET AMENDMENT – LUESA (DAVIDSON (ETJ) FIRE SERVICE DISTRICT)

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):

To appropriate $50,000 from the Davidson Extra Territorial Jurisdiction (ETJ) Fire Protection District (FPFSD) fund balance for distribution to the Town of Davidson for payments on a new tanker.
1. Approve refunds in the amount of $6,171.05 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 $121,791.47 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 $8,753.51.

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

18-4511 LAND ACQUISITION – SUGAR CREEK AND IRVINS CREEK GREENWAYS

1. Authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 167-172-03 (±0.472 acres) located in southwest Charlotte for the future construction of Sugar Creek Greenway for $5,850; and

2. Authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcels 193-541-03 (±3.75 acres), 193-541-04 (±0.911 acres) and 193-541-07 (±1.122 acres) located in southeast Charlotte for the future construction of Irvins Creek Greenway for $28,000.

18-4518 MINUTES

Approve Minutes of Regular meeting held February 6, 2018 and Closed Sessions held January 3, 2018, January 23, 2018 and December 19, 2017.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

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

18-4512 EASEMENT DONATION – HUCKS ROAD COMMUNITY PARK

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 accept the donation of a storm drainage easement on Tax Parcel 027-194-71 (±1,075 square feet) from Holly and Jose Vasquez for the maintenance of stormwater infrastructure for Hucks Road Community Park.

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

18-4513 NOTICE OF PROPOSED AMENDMENTS TO HEALTH ORDINANCE GOVERNING PUBLIC SWIMMING POOLS
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 instruct the Clerk to the Board to publish a notice of proposed amendments to the Mecklenburg County Health Ordinance Governing Public Swimming Pools to be considered by the Board on March 7, 2018.

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

Commissioner Ridenhour noted for awareness purposes that the new requirements require all public swimming pools to be inspected prior to opening.

**18-4516 DECLINE RIGHT OF FIRST REFUSAL – CHARLOTTE-MECKLENBURG SCHOOLS PROPERTY**

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 decline the County’s statutory right of first refusal on a portion of Tax Parcel 157-038-08 (the Rosenwald School) that is owned by Charlotte-Mecklenburg Board of Education (“CMBE”) to permit CMBE to extend its current lease term by an additional three years with Grier Heights Community Center, LLC.

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.

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

Commissioner Fuller asked for clarity with respect to the County’s Right of First Refusal on a releasing of property, which was addressed. He also asked about the use of the property, which was addressed by Peggy Hey with Charlotte-Mecklenburg Schools.

**18-4523 BOARD OF EQUALIZATION AND REVIEW COMPOSITION & TERMS**

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. Increase the membership of the Board of Equalization and Review from 15 members to 20 members because of the 2019 Revaluation; and

2. Change the maximum number of terms for the Board of Equalization and Review from two (2) terms to three (3) terms.

Note: As addressed at the Board’s Retreat in January of this year, the Chair of the Board of Equalization and Review, Bruce Miller, has requested the Board’s consideration of increasing the number of terms members of the BER can serve from two (2) terms to three (3) terms for a maximum of nine (9) years rather than six (6) years. Many of the current members terms will expire prior to or in 2019, increasing the number of terms one can serve will allow for continuity during the 2019 Revaluation. The Board is also being asked to consider increasing the size of the Board of Equalization and Review from 15 members to 20 members. Both considerations are being requested in light of the 2019 Revaluation.

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

Motion was made by Commissioner Dunlap, 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 9:44 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, March 7, 2018.

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 Tyrone C. Wade 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.

CLOSED SESSION

18-4542 CONSULT WITH ATTORNEY

Prior to going into Closed Session, County Attorney Wade thanked the Board for their appointment of him as the new Mecklenburg County Attorney on February 20, 2018, effective March 6, 2018.

County Attorney Wade announced and introduced James “Ed” Yeager, the County’s new Deputy County Attorney.

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 go into Closed Session for the following purpose: Consult with Attorney.

The Board went into Closed Session at 5:20 p.m. and came back into Open Session at 5:30 p.m.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) to be removed from Consent and voted upon separately. The items were 18-4526, 18-4531, 18-4532, and 18-4536.

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 move Consent Item 18-4526 Proclamation - Social Work Appreciation
Month from the Consent section of the agenda to the Awards/Recognition section.

Commissioner James left the meeting and was absent for the remainder of 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 introductions, invocation by Commissioner Dunlap and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

PUBLIC APPEARANCE
18-4539 PUBLIC APPEARANCE
The following persons appeared to speak during the Public Appearance portion of the agenda:
Sheriff Irwin Carmichael, Chief Thomas Plummer, and Capt. Daniel Stitt- Sheriff Carmichael addressed Section 287(g) of the Immigration and Nationality Act and the Mecklenburg County Sheriff’s Office participation in the program.
Sheriff Carmichael said he wanted to clarify some misinformation that had been stated at the Board’s February 20, 2018 meeting.
Sheriff Carmichael said he would send the Board a letter giving specific details about the 287(g) program, but in the interim, would note the following:

- The 287(g) program is a federal database that allows law enforcement to identify “exactly” who it has in its jail and in the community.
- He said knowing who was in the jail was critical for the protection and safety of staff working in the jail and for the community.
- Out of 34,895 arrest processes in 2017, 397 arrestees had a detainer placed on them. This represents one percent of all arrests.
- Sheriff Deputies do not go to bus stops, nor do they participate in Immigration Customs Enforcement or ICE community roundups.
- A person will never encounter 287(g) unless they are arrested for breaking the law.
- The Sheriff’s Office only uses the program to identify a person that has been arrested for breaking the law.
- ICE makes all deportation determinations and not the Sheriff’s Office.
- The Board will be provided copies of the posters displayed by the Sheriff at the meeting of arrestees in Mecklenburg County that were charged with crimes such as murder, arson, burglary, statutory rape of a child under the age of 15, kidnapping and trafficking drugs.
- Persons arrested were asked two questions. Where were they born and where was their citizenship? Depending on their answer, Sheriff Deputies determine if an ICE interview was warranted.
- Sheriff Carmichael said he, along with County Commissioners, were “bound” by oath to uphold the law.
- Board members were invited to come to the Sheriff’s Office to see how the process worked for a better understanding of the program.
Former N.C. Senator Charlie Dannelly spoke in support of the naming of Third Ward Park to “James Dennis Rash Third Ward Neighborhood Park.” He said Mr. Rash devoted a great deal of his time to making Third Ward what it was today. He said all of Mr. Rash’s work with respect to development in Third Ward was done with much care and concern for residents of Third Ward.

Former Senator Dannelly concluded and said Mr. Rash did “tremendous” things, not just for Third Ward, but for the City of Charlotte, the University of NC at Charlotte, and for the State of NC.

Note: Former Senator Dannelly’s remarks are noted also later in the minutes, under the

Debra Franklin signed up to speak but was unable to be present.

AWARDS/RECOGNITION

18-4526 PROCLAMATION - SOCIAL WORK APPRECIATION MONTH

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 adopt a Proclamation designating March 2018 as “Social Work Appreciation Month” in Mecklenburg County.

The proclamation was read by Commissioner Leake and accepted by Social Services Deputy Director of Economic and Adult Services Men Tchaas Ari.
18-4543 APPOINTMENTS

Waste Management Advisory Board

The vote was taken on the following nominees for appointment consideration to the Waste Management Advisory Board:

Chuck Duncan  Commissioner Leake
Jeremy O’Brien Commissioners Clarke, Cotham, Puckett, Ridenhour, and Scarborough

Note: Monique Horace was nominated on February 20, 2018, however, she asked that her name be removed from consideration.

Chair Scarborough announced the appointment of Jeremy O’Brien to the Waste Management Advisory Board to fill an unexpired term, expiring April 30, 2020.

Note: He replaced Elizabeth Knapp, who resigned.

Womens Advisory Board

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

Takiyah Amin  None
Michelle Ferlauto Commissioners Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough
Shannon Myers Commissioner Clarke
Kimberly Nelson Commissioners Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough
Jodie Ohr Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough
Ashley Reid Commissioners Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough
Corelutta Reid Commissioners Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough

Note: Destiny Jenkins was nominated but was removed from consideration because she was currently serving on another advisory board.

Chair Scarborough announced the appointment of Michelle Ferlauto and Kimberly Nelson to the Women’s Advisory Board to fill an unexpired term, expiring November 30, 2018; Jodie Ohr to fill an unexpired term expiring April 30, 2018; Ashley Reid to fill an unexpired term expiring June 30, 2019; and Corelutta Reid to fill an unexpired term expiring April 30, 2019.


18-4545 NOMINATIONS/APPOINTMENTS

Juvenile Crime Prevention Council

Motion was made by Commissioner Puckett, seconded by Commissioner Cotham and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to appoint Ryan Atkinson to the Juvenile Crime
MARCH 7, 2018

Prevention Council as the Business Community representative to fill an unexpired term expiring June 30, 2019.

Note: He replaced Aundrea Dean, who resigned.

The following persons were nominated for appointment consideration to the Juvenile Crime Prevention Council:

- Phyllis Barnette by Commissioner Cotham
- Deandre Dukes by Commissioner Puckett
- Jana Savory by Commissioner Cotham
- Gina Sirhan by Commissioner Puckett

Note: Appointments will occur on March 20, 2018.

PUBLIC HEARINGS

18-4514 PROPOSED AMENDMENTS TO HEALTH ORDINANCE GOVERNING PUBLIC SWIMMING POOLS

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners, Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to open the hearing on proposed amendments to the Mecklenburg County Health Ordinance Governing Public Swimming Pools.

Health Director Gibbie Harris addressed proposed amendments to the Mecklenburg County Health Ordinance Governing Public Swimming Pools. She was assisted by the Health Department’s Environmental Manager Lisa Corbitt.

Note: The Mecklenburg County Health Ordinance Governing Public Swimming Pools went into effect May 18, 1999. The Health Ordinance Governing Public Swimming Pools established local enforceable standards for permitting, operation, maintenance, and abandonment of public swimming pools in Mecklenburg County. Public Swimming Pools in Mecklenburg County must meet the requirements of both the Local Health Ordinance and the North Carolina Public Swimming Pool Rules.

The Health Department proposes amending the Mecklenburg County Health Ordinance Governing Public Swimming Pools in response to an internal review of the regulations. The proposed amendment will:

1. Replace the words “Health Ordinance” or “Ordinance” with the words “Rules” or “Rule”.
2. The Local Health Ordinance and the State Public Swimming Pool Rules have telephone requirements. Due to technology changes since 1999 the instructions to contact 911 may not always be accurate.
   a. Remove the telephone requirement from section 7e of the Lifeguard/Safety Requirements.
      i. A telephone shall be installed in the pool area that is readily accessible anytime the pool is being used. The telephone shall be capable of directly dialing 911. Instructions shall be posted by the telephone stating IN CASE OF EMERGENCY DIAL 911. The name and address of the facility shall be clearly posted on or near the telephone.
   b. Public Swimming pools will be required to be in compliance with the telephone requirements contained in state swimming pool rules found in 15A North Carolina Administrative Code 18A. 2530(f). The following is the state requirements that the County will comply with:
      i. A telephone capable of directly dialing 911 or other emergency notification system shall be provided and accessible to all pool users. The telephone shall be permanently affixed to a
MECKLENBURG COUNTY RULES GOVERNING PUBLIC SWIMMING POOLS

Be it ordained by the Mecklenburg County Board of Commissioners (while exercising the powers of the Board of Health, which powers it has assumed and conferred upon itself by action pursuant to G.S. 153A-77) that the following regulations governing the permitting, operation, maintenance, and abandonment of public swimming pools in Mecklenburg County, for the protection of the public health, are hereby adopted pursuant to Chapter 130A-39(a) of the General Statutes of North Carolina. These regulations shall apply throughout Mecklenburg County, North Carolina, including, but not limited to all cities and towns, whether incorporated or unincorporated. These rules do not replace North Carolina Rules Governing Public Swimming Pools found in 15A NCAC 18A .2500, but apply in addition to those rules.

SECTION 1: PURPOSE

The following rules are enacted for the purpose of protecting the health and safety of citizen's utilizing public swimming pools in Mecklenburg County. The rules also set in place a framework for the collection of fees to offset the cost of performing inspections mandated by the North Carolina Commission for Health Services, and allow County Staff to investigate and abate nuisance conditions created by improper operation of public swimming pools.

SECTION 2: DEFINITIONS

The following definitions shall apply throughout this Rule:

(a) "Annual pool" means those public swimming pools that are permitted to operate more than seven months per year. For the purpose of determining how many months a pool operates, any day of operation in a given month will be considered a full month of operation.

(b) "Board of Health" or "Board" means the Mecklenburg County Board of County Commissioners acting as the Board of Health pursuant to North Carolina General Statute 153A-77.

(c) "Department" means the Mecklenburg County Health Department.

(d) "Director" means the Health Director for Mecklenburg County. The term also means the authorized representative of the Director.

(e) "Permit" means a paper, sign, placard, certificate, or other official document indicating
permission has been granted pursuant to these rules for the operation of a public swimming pool for a
specified period of time.

(l) "Person" means an individual, firm, partnership, association, public or private institution,
municipality, political subdivision of the State of North Carolina, governmental agency, public or
private corporation, or any combination thereof.

(g) "Pool Depth" means the vertical distance from the centerline of the skimmer or the top of the
overflow trough to the deepest point on the pool floor that is at least one-foot horizontal distance
from any main drain.

(h) "Public health hazard" means a situation which is likely to cause an immediate threat to
human life, an immediate threat of serious physical injury, an immediate threat of serious adverse
health effects, or a serious risk of irreparable damage to the environment if no immediate action is
taken.

(i) "Public nuisance" means a situation which creates a continuing and unreasonable
interference

with the use and enjoyment of property and may cause injury to another if not corrected.

(j) "Public swimming pool" means any structure, chamber, or tank containing an artificial body
of water used by the public for swimming, diving, recreation, or therapy, together with
buildings, appurtenances, and equipment used in connection with the body of water, regardless of
whether a fee is charged for its use. The term includes municipal, school, hotel, motel, apartment,
boarding house, athletic club, or other membership facility pools and spas. For the purpose of this
Rule, the term does not apply to a private pool serving a single-family dwelling and used only by the
residents of the dwelling and their guests. It also does not apply to therapeutic pools used in
physical therapy programs operated by medical facilities licensed by the Department of Human
Resources or operated by a licensed physical therapist, nor to therapeutic chambers drained, cleaned,
and refilled after each individual use. For the purpose of applying Sections 8 and 9 of this
rule, the term includes facilities which formerly operated as a public swimming pool but which are not
currently permitted or operating. Public swimming pools are classified as:

(1) "Swimming pools" - all public swimming pools except spas and wading pools.
(2) "Spas" - special facilities designed for recreational and therapeutic use which are not
drained, cleaned, or refilled after each individual use. Spas may include, but are not limited
to, units designed for hydrojet circulation, hot water, cold water mineral bath, air induction
bubbles, or any combination thereof. Common terminology for spas includes "therapeutic
pool," "hydrotherapy pool," "whirlpool," "hot spa," and "hot tub."
(3) "Wading pools" - small, shallow pools not more than 24 inches deep designed for use by
children.

(k) "Seasonal pool" means those public swimming pools that are permitted to operate no more
than seven consecutive months per year. Permits for seasonal pools shall run from April 1 until
October 31.

(l) "Wastewater" means the liquid waste generated by water-using fixtures and appliances. The
term includes water generated during pool backwash, pool drainage, and maintenance activities.

SECTION 3: PUBLIC SWIMMING POOL OPERATION PERMITS

(a) No public swimming pool shall be operated without having been issued a valid operating
permit by the Mecklenburg County Health Department. The permit shall be posted in a location
designated by the Director where it can be readily observed by the public upon entering the pool
area.

(b) A permit for the operation of a seasonal pool shall be valid for a period of up to 7 consecutive
months beginning April 1. All seasonal pool permits shall expire on October 31. A permit for the
operation of an annual pool shall be valid for a period of up to 12 months. All annual pool permits
shall expire on April 30.

(c) Whenever, upon inspection of the facilities, equipment, or operating methods of any facility
covered by this rule, the Director finds conditions or practices exist which represent a public health
hazard, the Director shall notify the operator in writing or verbally followed by a written notice
to immediately abate the public health hazard. Upon receipt of such notice the operator shall
immediately abate the public health hazard, or shall cease operation of the facility if this will result
in abatement of the hazard. The facility shall remain closed until an inspection by the Director
reveals the public health hazard has been abated.

MARCH 7, 2018
MARCH 7, 2018

(d) Whenever, upon inspection of the facilities, equipment, or operating methods of any facility covered by this rule, the Director finds conditions or practices exist which represent a public nuisance, the Director shall notify the operator in writing or verbally followed by a written notice to abate the public nuisance within a reasonable period of time, not to exceed 30 days. The operator shall abate the public nuisance within the period of time allotted. If the public nuisance is not abated within the time allotted, the operator shall cease operation of the facility if this will result in abatement of the nuisance. Once closed, the facility shall remain closed until an inspection by the Director reveals the public nuisance has been abated.

(e) No permit to operate shall be valid unless the operator is also in possession of a valid operation permit issued under Title 15A North Carolina Administrative Code 18A .2500 “Rules Governing Public Swimming Pools.”

SECTION 4: FEES

(a) A plan review fee, in an amount approved by the Board, shall be submitted in conjunction with plans and specifications required for construction or remodeling of a public swimming pool.

(b) A permit fee, in an amount approved by the Board, shall be submitted with each application for a public swimming pool or the annual renewal of an existing permit.

(c) Application for renewal of public swimming pool permits shall be completed during the month of February. Applications not received by the close of business on the last work day of February shall be assessed a late penalty in an amount approved by the Board. An application shall not be deemed to have been received until the printed form mailed to the owner or his agent is reviewed, updated, signed, returned, and received by the Department along with the appropriate payment.

SECTION 5: APPEALS

(a) Any owner may appeal a decision made by the Director in the application of this Rule. Appeals shall be conducted in accordance with North Carolina General Statutes 130A-24(b) through (d).

(b) No person shall take any action prohibited by the Director until there is a final resolution of the grievance.

SECTION 6: INSPECTION AND REPORTS

(a) The Director shall make such inspections, surveys, and investigations, collect samples of water and other substances found on the premises of public swimming pools, and make or cause to be made such laboratory analyses as may be necessary to determine that every public swimming pool complies with the standards and requirements set forth in this rule. The Director is authorized and empowered to enter upon and make inspections of the premises of any public swimming pool while it is in operation or in use and at any other reasonable time. The operator shall assist in any reasonable way with such inspections.

(b) It shall be the duty of every public swimming pool owner or operator to maintain and furnish the Director such records and information as may be required for ascertaining compliance with this rule.

SECTION 7: LIFEGUARD/SAFETY REQUIREMENTS

(a) The following classifications shall apply to public swimming pools for the purpose of determining lifeguard requirements:

(1) Type "A" - Any pool operated by a municipality, community organization, neighborhood association, school, college, university, athletic club, institutional facility, country club, or similar facility.

(2) Type "B" - Any pool operated by a hotel, motel, apartment complex, condominium owners association, or similar facility.

(3) Type "C" - Any public spa.

(b) Type A pools with a pool depth of five feet or less shall provide, on the premises, a lifeguard or other person trained in lifesaving techniques who regularly surveys the pool area but is not required to remain in the pool area. A suitable alarm shall be provided at poolside to summon such lifeguard or other person to the pool area in the event of an emergency.
MARCH 7, 2018

(c) Type A pools with a pool depth greater than five feet shall provide a lifeguard or lifeguards trained in lifesaving techniques at poolside at all times when the pool is open for operation.

(d) Lifeguards shall not be required at Type B or Type C pools; however, no pool, regardless of type, shall be used when a lifeguard or other person is not present.

(e) When practical difficulties or unnecessary hardships would result from application of the lifeguard requirements of this Rule, the person owning the pool may request a variance from the requirements. The Director may vary or modify the lifeguard requirements on a case by case basis to accommodate such difficulties or hardships.

SECTION 8: CLOSURE/ABANDONMENT OF POOLS

(a) At the end of the swimming season, the pool water, structure, or chamber shall be treated, altered, or maintained so as to prevent the development of insanitary conditions.

(b) Pools under construction or which are no longer being operated shall be maintained in a manner so as to prevent the development of insanitary conditions, potential injury, or possible drowning.

SECTION 9: WASTEWATER DISPOSAL STANDARDS

(a) Wastewater from the swimming pool, including backwash water and water resulting from periodic drainage of the pool, shall be discharged into a sanitary sewer. There shall be no direct physical connection between the sewer system and any drain from the swimming pool or circulation system.

(b) Alternate equivalent methods of wastewater disposal may be approved by the Director. No method of wastewater disposal is permissible which would create a public health hazard or public nuisance.

SECTION 10: PENALTIES AND REMEDIES

(a) Any person who violates any provision of this Rule shall be guilty of a misdemeanor in accordance with NCGS 14-4 and punished by a fine not to exceed five hundred dollars ($500.00).

(b) The Director may bring a civil proceeding in the Mecklenburg County Superior Court to enforce the provisions of this Rule in accordance with Article 1 Part 2 of Chapter 130A of the General Statutes of the State of North Carolina.

SECTION 11: SEVERABILITY/CONFLICT

(a) If any provision or clause of this rule shall be declared invalid, such declaration shall not invalidate any other provisions or clause of this rule.

(b) If any rule contained in this rule conflicts with any State rule governing the construction, remodeling, or operation of a public swimming pool, the more stringent rule, as determined by the Director, shall apply.

SECTION 12: PRIOR RULES REPEALED

All ordinances, rules, and regulations heretofore adopted by the Mecklenburg County Board of Health regulating public swimming pools are hereby repealed.

SECTION 13: EFFECTIVE DATE

These regulations shall be in full force and effective from and after March 20, 2018.

Regulations recorded in full in Minute/Ordinance Book 47-A, Document #227.

18-4537 PUBLIC HEARING - NAMING OF THIRD WARD PARK TO "JAMES DENNIS RASH THIRD WARD NEIGHBORHOOD PARK"

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cofham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing on the request to name Third Ward Park to the "James Dennis Rash Third Ward Neighborhood Park."

1345
Note: In 1978, under the leadership of Hugh McColl and Dennis Rash, NCNB (now Bank of America) formed the first U.S. bank-owned, community development corporation to promote the revitalization of inner-city residential neighborhoods. Dennis became its first President and served as such for the next 23 years.

In 1981, NCNB Community Development Corporation (CDC) became interested in the renewal of Third Ward, which was then a neighborhood of detached, single-family homes in the shadow of a scrapyard stretching from the railroad tracks to Cedar Street. The City had already acquired and cleared some of the Third Ward land and had initiated efforts to acquire the scrapyard land. Mr. Rash envisioned the development of urban-scale townhouses on some of the City’s vacant land, but was eager not to disturb the existing neighborhood or displace its residents. To that end, he created a nonprofit corporation for the neighborhood, The Committee to Restore and Preserve Third Ward, Inc. (with resident Mildred Baxter Davis as its president), which in turn formed a joint venture with NCNB CDC.

Mr. Rash who passed away on July 25, 2017, was a lifetime champion of urban neighborhoods, such as Third Ward and Fourth Ward in Charlotte. “For that and his other considerable contributions to this city and state, renaming the park in his memory and honor would be entirely deserved.”

The naming application was endorsed by both the Central Park Region Advisory Council and the Park and Recreation Commission.

The following person appeared to speak in favor of the renaming:

Former N.C. Senator Charlie Dannelly, who spoke during Public Appearance, spoke in support of naming Third Ward Park the "James Dennis Rash Third Ward Neighborhood Park."

He said Mr. Rash devoted a great deal of his time to making Third Ward what it was today. He said all of Mr. Rash’s work with respect to development in Third Ward was done with much care and concern for residents of Third Ward.

Former Senator Dannelly concluded and said Mr. Rash did “tremendous” things, not just for Third Ward, but for the City of Charlotte, the University of NC at Charlotte, and for the State of NC.

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing and approve the naming Third Ward Park, the "James Dennis Rash Third Ward Neighborhood Park."

ADVISORY COMMITTEE REPORTS

18-4541 LIBRARY BOARD OF TRUSTEES ANNUAL REPORT

The Board received as information the annual report of the Library Board of Trustees.

The report was given by Library Board of Trustees Vice-Chairman Robert E. Harrington. He was joined at the podium by Lee Keesler, Chief Executive Officer, Charlotte-Mecklenburg Library.

Mr. Harrington and Mr. Keesler addressed questions from Board members.

Note: The Board’s Appointment Policy states all Committees must report at least annually to the Board of Commissioners on their activities. Reports can be submitted to the Clerk for distribution to the Board in writing or for formal presentation at a Regular Board Meeting.
Board members thanked the presenters for their report.

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

**MANAGER’S REPORT**

County Manager Diorio reported on the NACo Legislative Conference held March 3-7 in Washington, DC that she, along with other staff and Board members, Fuller, Clarke, and Dunlap attended.

Commissioners Clarke, Dunlap, and Fuller also commented on the conference.

County Manager Diorio introduced the County’s new Legislative Liaison Skylar Tanner.

**DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS**

**STAFF REPORTS & REQUESTS**

18-4485  **SOLID WASTE MANAGEMENT PROGRAM STAFFING – LUESA**

LUESA Director Ebenezer Gujjarlapudi addressed staffing needs for Solid Waste Management.

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the addition of eleven (11) staff positions for Solid Waste LUESA, as noted below. Authorize necessary fund transfer in the Solid Waste Enterprise Fund for equipment, as noted below.

Note: LUESA’s Solid Waste Management staff regularly evaluates business operations to identify opportunities for improved service delivery. LUESA has identified two areas where certain solid waste activities can be internalized and save money - 1) Household Hazardous Waste and 2) Recycling Collection at County buildings. LUESA Solid Waste would internalize the Household Hazardous Waste operations that currently exist at all of the Full Service Drop Off Centers. To adequately cover all of the Full Service Acceptance Facilities, seven (7) employees would be needed for the Household Hazardous Waste function. This would save approximately $300,000 annually. Additionally, four (4) full time employees would be added to internalize the recycling collection activities that occur at County, CPCC and CMS locations. LUESA also would acquire two trucks to complete this work, and funding for that is contained within the Solid Waste Enterprise Fund. This would save $1.89 million over a seven-year period. The external contracts that facilitate the existing work will expire in June 2018, and it is desired to obtain permission from the Board of County Commissioners to add the additional employees this fiscal year, in order to provide seamless transition of work in July 2018. The specific positions that would be added to LUESA Solid Waste would be:

- seven (7) Maintenance & Operations Specialists,
- two (2) Sr. Maintenance & Operations Techs and;
- two (2) Environmental Supervisors.

The cost of these employees will be absorbed in FY 2018 by lapsed salaries. Employees would be brought on-board during the 4th quarter of FY 2018. These additional County employees will also enhance service by providing assistance to our customers needing help unloading heavy items and providing seamless service at all Mecklenburg County solid waste drop-off sites.

*A copy of the presentation is on file with the Clerk to the Board.*
MARCH 7, 2018

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

CONSENT ITEMS

Motion was made by Commissioner Dunlap, 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):

18-4529 STORM WATER PROGRAM - FY18 HAZARD MITIGATION FLOODPLAIN ACQUISITION

Accept the Offer of Sale of Real Estate from Tomoaki, LLC, owner of property located at 3601 Urbana Drive, Charlotte, NC (tax parcel 059-131-04), for $120,000 and 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.).

18-4533 TAX REFUNDS

Approve refunds in the amount of $43,603.19 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 $1,479.49.

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

18-4540 MINUTES

Approve Minutes of Regular meeting held February 20, 2018 and Closed Session January 3, 2018 and February 20, 2018.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

18-4531 GRANT APPLICATION - HOUSING OPPORTUNITIES FOR PEOPLE WITH AIDS

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 a grant application totaling $30,000 for a one-year period (July 1, 2018 - June 30, 2019) to the Carolinas CARE Partnership to provide housing case management and short-term rent, mortgage and utility payments to prevent homelessness of qualified persons living with HIV/AIDS; and if awarded, recognize, receive and appropriate awarded funds.

Commissioner Leake removed this item from Consent for more public awareness and for clarity on what the funds would be used for.

18-4532 GRANT APPLICATION - SMART START OF MECKLENBURG COUNTY
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 two renewal grant applications totaling $849,674 for a one-year period (July 1, 2018 - June 30, 2019) to Mecklenburg Partnership for Children of Mecklenburg County to support programs promoting child health and safety; and if awarded, recognize, receive and appropriate awarded funds.

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

18-4536 LIGHTING SERVICE CONTRACTS DUKE ENERGY - SECOND WARD GYM

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 3 contracts with Duke Energy at the Second Ward Gym:

1. 3-year contract at $18.64 per month for an exterior flood light
2. 10-year contract at $99.60 per month for parking lot lighting
3. 10-year contract at $155.30 per month for pedestrian walkway lighting

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

ADJOURNMENT

Motion was made by Commissioner Puckett, seconded by Commissioner Ridenhour 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 8:15 p.m.

Janice S. Paige, Clerk

Ella B. Scarborough, Chair
MARCH 20, 2018

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 20, 2018.

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 Tyrone C. Wade
Clerk to the Board Janice S. Paige

Absent: None

____________________

-INFORMAL SESSION-

Commissioners 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.

STAFF BRIEFING

18-4581 2017 COMMUNITY HEALTH ASSESSMENT PRIORITY AREAS

The Board received a presentation from Health Director Gibbie Harris on the 2017 Community Health Assessment Priority Areas.

Commissioners Puckett and Ridenhour entered the meeting during the presentation.

Note: The Community Health Assessment (CHA) is a best practice and a requirement for state funding and accreditation. ESSENTIAL SERVICE 1 of the Ten Essential Services of Public Health is to monitor health status to identify community health problems. This is accomplished through routine surveillance, tracking, monthly and annual reports and every four years, a Community Health Assessment. The CHA is used for monitoring indicators, identifying populations at risk, planning, designing and funding interventions. In 2017 health priorities were assessed through a community-wide survey, community meetings, and a priority setting event. The top 4 priority health issues identified were Mental Health, Chronic Disease, Access to Care, and Violence.

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

Comments

Chair Scarborough said she’d like local ministerial groups to receive the presentation. She encouraged Board members to share with staff the names of groups that they were aware of.
Commissioner James asked about health insurance for the poor, which was addressed.

Commissioner Fuller entered the meeting.

Commissioner Leake asked about the uninsured and what happens when they go to the emergency room, which was addressed.

Commissioner Clarke said taxpayers pay for the uninsured.

Chair Scarborough thanked Director Harris for the report.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) to be removed from Consent and voted upon separately. The items identified were: 18-4548, 18-4554, 18-4562, 18-4563, 18-4566, 18-4568, and 18-4576.

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 move Items 18-4563 Proclamation-Alcohol Awareness Month April 2018 and 18-4576 Proclamation-Child Abuse Prevention Month from the Consent section of the agenda to the Awards/Recognition section.

18-4558 PUBLIC APPEARANCE

County Attorney Wade reminded the Board of their policy regarding public appearance speakers, particularly the section that states “Members of the Board will not engage in dialogue with public appearance speakers. Comments will be received and followed up on as applicable by County staff and/or members of the Board.”

It was the consensus of the Board to comply with the policy.

Commissioner James questioned whether topics permissible during public appearance should be limited to matters the County had control over.

It was the consensus of the Board that persons should continue to be allowed to speak on any matters, not currently excluded.

CLOSED SESSION

18-4560 CONSULT WITH ATTORNEY

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 go into Closed Session for the following purpose: Consult with Attorney.

The Board went into Closed Session at 5:42 p.m. and came back into Open Session at 5:44 p.m.

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

-FORMAL SESSION-
MARCH 20, 2018

Chair Scarborough called this portion of the meeting to order and 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.

AWARDS/RECOGNITION

18-4563  PROCLAMATION ALCOHOL AWARENESS MONTH APRIL 2018 (CHAIR SCARBOROUGH)

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 Proclamation declaring April 2018 as Alcohol Awareness Month in Mecklenburg County.

The proclamation was read by Commissioner Puckett and accepted by Michael Pella with the Anuvia Prevention and Recovery Center.

18-4576  PROCLAMATION - CHILD ABUSE PREVENTION MONTH

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 2018 as Child Abuse Prevention Month in Mecklenburg County and the City of Charlotte.

The proclamation was read by Commissioner Leake.
The following persons appeared to speak during the Public Appearance portion of the agenda:

Melba Evans, president of National Organization for Women, Charlotte Chapter, Barbara Randolph, Emily Stephenson-Green with Charlotte Women's March, Leisha Acosta, Oliver Merino, Stefnia Arteaga, Immigration Attorney Becca O'Neil, and Adam Suprock spoke in opposition to Section 287(g) of the Immigration and Nationality Act and the Mecklenburg County Sheriff's Office participation in the program. They asked that the Sheriff be requested to provide data regarding the 287(g) program; that the contract be terminated; that the Board of Commissioners look into the matter because in 2006, the Board, at that time, approved the Sheriff's participation in the program through a Memorandum of Understanding with the federal government. Further, that Board members sign the open letter that had been prepared to go to the Sheriff asking that he end the program; that the Board adopt a resolution opposing the 287(g) program.

It was said that being in the United States undocumented was not a felony as indicated by Sheriff Carmichael.

A copy of handouts from speakers is on file with the Clerk to the Board.

The following persons spoke in support of the 287(g) program: Paul Jones, a retired federal government employee that worked in the area of immigration and Marcus Philemon.
It was stated the purpose of the program, when initiated in 2006, was to slow the progress of “what was seen as dangerous individuals who were not here in the country to make a positive impact on the immigrant community or the country.” It was stated that since 2006 over 15,000 illegal immigrants had been deported from Mecklenburg County and nearly 4,000 of that number were arrested for impaired or drunk driving.

It was stated also that 287(g) was a tool used to “up hold the law” and that it keeps the community “safer.”

Gail Adams addressed the need for affordable housing and suggested a Housing Academy (rooming house) building be opened using a vacant school or nursing home facility.

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

Comments

Commissioner Dunlap asked the County Manager to get a report from the Sheriff regarding the 287(g) program and that the contract be reviewed to determine if the agreement was between the County and the federal government or the Sheriff and the federal government.

Commissioner Fuller requested the minutes of the meeting referenced by the speakers regarding the Board’s approval of a Memorandum of Understanding as it related to the 287(g) program.

Commissioner Fuller acknowledged his opposition to 287(g).

Commissioner Ridenhour noted that an email was received from the County Manager dated March of 2017, that provided a lot of contextual information regarding the history of the 287(g) program in Mecklenburg County.

**Note: The following persons signed up to speak but were not present: Nikolai Mather and Sharon Wilson.**

**APPOINTMENTS**

**18-4572 APPOINTMENT -- TOWN OF MINT HILL ZONING BOARD OF ADJUSTMENT**

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 Debi Powell to the Mint Hill Zoning Board of Adjustment as an Extraterritorial Jurisdiction Member (ETJ) as recommended by the Town of Mint Hill Board of Commissioners for a term expiring December 31, 2020.

**18-4578 APPOINTMENTS - JUVENILE CRIME PREVENTION COUNCIL**

The vote was taken on the following nominees for appointment consideration to the Juvenile Crime Prevention Council:

Phyllis Barnette  
Deandre Dukes  
Jana Savory  

Commissioner Leake  
Commissioners Clarke, Dunlap, Fuller, James, and Puckett  
Commissioners Clarke, Dunlap, Fuller, Leake, and Scarborough  

Voting should have ceased because the number of persons needed had been appointed.
Chair Scarborough announced the appointment of Deandre Dukes to the Juvenile Crime Prevention Council to fill an unexpired term expiring June 30, 2018 and Jana Savory to fill an unexpired term expiring June 30, 2019, both as general public representatives.

*Note: They replaced Eric Johnson and Erica Ruckman.*

18-4561 NOMINATIONS/APPOINTMENTS

**Bicycle Committee**

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 Debra Franklin to the Bicycle Committee for a three-year term expiring March 31, 2021.

**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 Paul Bass, William Hawkins, Rufus Hutchinson, and Joyce Reid to the Board of Equalization and Review for three-year terms expiring April 16, 2021.

Commissioner Puckett nominated all applicants for appointment consideration to the Board of Equalization and Review: Fela Babb, Julian Cuthbertson, Pamela Hemphill, George Munn, and Jeff Scott.

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

Commissioner Dunlap nominated an additional person, whose application was pending receipt by the Clerk’s Office, Barrett Berry. There was no objection to Mr. Berry being added to the list of nominees.

*Note: Appointments 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, Fuller, Leake, and Ridenhour.*

Note: Appointments will occur on April 3, 2018.

**Charlotte-Mecklenburg Community Relations Committee**

The following persons were nominated for appointment consideration to the Charlotte-Mecklenburg Community Relations Committee:

Kendall Brooks by Commissioner Fuller
Appointments will occur on April 3, 2018.

**Domestic Violence Advisory 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 Neil Bloomfield and Ryan Lougheed to the Domestic Violence Advisory Board for three-year terms expiring April 30, 2021.

Commissioner Fuller nominated all applicants for appointment consideration to the Domestic Violence Advisory Board: Tyrone Bennett, Tiffany Harris, Deshall Hill, Wanda McWilliams, Dawn Studymine-Evans, and Rebekah Talley.

Appointments will occur on April 3, 2018.

**Human Resources Advisory Committee**

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 Larry Valenti to the Human Resources Advisory Committee as recommended by the Human Resources Advisory Committee.

*Note: Per the committee’s by-laws, the committee will review applications and provide a recommendation to the Board of County Commissioners for its consideration.*

*Note: He replaced Latrice Haywood.*

Commissioner Fuller questioned the purpose of the committee. He said their purpose seemed to lean more towards management rather than employees.

Commissioner Dunlap said the way to get non-management level representatives on the committee would be for the Board to remember that when considering future applicants.

County Manager Diorio reminded the Board that although a recommendation was received from the committee, per their by-laws, the Board was not obligated to accept the recommendation and therefore, could appoint another applicant on the list.

Commissioner Puckett said this was not a committee for addressing employee concerns and elaborated on what he saw as the committee’s purpose.

Commissioner Fuller said he’d like to see a committee that focused on the concerns of employees and in a proactive manner.

County Manager Diorio said management of employees was her responsibility and that there were many venues and avenues in place to address employee concerns.

Commissioner Dunlap said the committee was scheduled to present to the Board in September and at that time Board members would have an opportunity to ask questions of the
committee. He said after hearing from the committee, the Board could then decide if the committee was needed.

Commissioner James commented on the role of the County Manager versus that of the Board when it came to the management of employees. He said it was responsibility of the County Manager and not the Board.

Commissioner Fuller said at a later date he would present a proposal to establish a different type of advisory committee that would represent employees and address their concerns.

Chair Scarborough said she would not be supportive of having another human resources advisory committee. She said employees with concerns should share them with the County Manager.

Information Services & Technology Committee

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 Nicole Calhoun, Nathaniel Lewis, Derrick Love, Gary Rautenstrauch, Branden Rosenlief, and Lutemuka Zuendoki to the information Services & Technology Committee for three-year terms expiring February 28, 2021.

The following persons were nominated for appointment consideration to the Information Services and Technology Committee:

- Brian Adams by Commissioner Dunlap
- Kris Chambers-Woodruff by Commissioner Fuller
- Erica Frazier by Commissioner Dunlap

Appointments will occur on April 3, 2018.

PUBLIC HEARINGS

18-4555 PUBLIC HEARING ON CLOSING OF A PORTION OF RIGHT-OF-WAY FOR GRAND PALISADES PARKWAY

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 open the public hearing to hear comments with respect to the closing of a portion of Grand Palisades Parkway right-of-way.

Brian Sikes with LUESA addressed the proposed closing.

Note: The property owner petitioned to close a 0.181-acre portion of the right-of-way for Grand Palisades Parkway. The portion of said right-of-way was currently two turnout areas that would not be utilized once the parcel was developed as a multi-family tract. General Statute 153A-241 requires a public hearing and approval of the order for closing by the Board of County Commissioners in order to abandon and close a right-of-way in an unincorporated part of the county.

Commissioner Dunlap asked that the new property owner be contacted directly to see if they were in support of the request, since the petitioned was filed by the previous property owner. He suggested the Board defer taking action.
MARCH 20, 2018

Commissioner Clarke returned to the dais.

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 continue the public hearing to hear comments with respect to the closing of a portion of Grand Palisades Parkway right-of-way, until the Board’s April 3, 2018 meeting at 6:30 p.m.

ADVISORY COMMITTEE REPORTS

18-4567 PUBLIC ART COMMISSION ANNUAL REPORT

The Board received as information the annual report of the Public Art Commission. The report was presented by Sherri Benfield, Vice-Chair of the Public Art Commission and Carla Hanzal, Vice President of Public Art. They were introduced by Mark Hahn, Director of Asset and Facility Management.

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

Comments

Commissioners thanked the presenters for the report.

Commissioner Ridenhour said he’d like to see more projects in Districts 5 & 6.

Commissioner Ridenhour asked had consideration been given to using landscape art or creative architectural design for buildings rather than using sculptures all the time, which was addressed.

Commissioner Cotham asked for clarity on how the amount to be spent on any one project was determined, which was addressed.

Commissioner James asked about the cost of the public art at the Matthews Sportsplex, which was addressed.

MANAGER’S REPORT

18-4571 MEMORIAL STADIUM UPDATE

Assistant County Manager Mark Foster gave an update regarding renovations to American Legion Memorial Stadium and the potential partnership (cost sharing) model. The Board was asked to consider approval of a capital project ordinance relating to the stadium.

Note: Mecklenburg County owns and operates a facility known as the American Legion Memorial Stadium which was acquired from the City as a part of the 1992 agreement to merge and consolidate the City Recreation Department into the County Park & Recreation Department. Mecklenburg County has been in collaborative discussions with the Charlotte Independence regarding a long-term tenant lease at a renovated, American Legion Memorial Stadium. It has also had preliminary discussions with the City of Charlotte / CRVA regarding a possible capital investment. Staff has analyzed the cost and event availability of using natural turf versus synthetic turf.

A copy of the presentation is on file with the Clerk to the Board.
Commissioner Dunlap thanked staff for the work that had been done to date with respect to this matter. He said he was pleased with what was presented.

Commissioner Dunlap asked about the safety aspect of synthetic turf versus natural grass, which was addressed.

Commissioner James asked was it correct that the name of the stadium would remain the American Legion Memorial Stadium. The response was yes.

Commissioner James asked about the process for discussing the creation of memorials to all armed service veterans. The response was that nothing had occurred regarding this yet.

Commissioner James asked about the base rent fee to be paid by Queen City Soccer Club (QCSC), which was addressed.

Commissioner James asked about the City of Charlotte’s participation with respect to the turf, which was addressed.

Commissioner Fuller said the County was moving in the right direction with respect to plans for Memorial Stadium.

Commissioner Fuller commented on the revenue sharing component of the lease terms. He asked was there a provision that would “guarantee” the County access to “authentic” information about the revenue that’s generated, so the County could verify that the revenue sharing amounts were accurate, which was addressed.

Commissioner Fuller asked about the County’s right to terminate the agreement, which was addressed.

Commissioner Fuller asked about paying for security at events, which was addressed.

Commissioner Fuller said the project could be an economic opportunity and perhaps there could be an apprentice program associated with the project or some kind of opportunity for people in the community to benefit from it; creating opportunities for people to learn a trade. Commissioner Fuller said he’d like to see this type of opportunity addressed when the matter came back to the Board for further consideration.

Commissioner Puckett expressed satisfaction with where the County was now with respect to Memorial Stadium.

Commissioner Cotham asked about the durability of synthetic turf, which was addressed.

Commissioner Ridenhour asked about the public’s access to use the facility if an event was not taking place. He asked would someone be able to enter the facility and use it or would a reservation be needed. Assistant County Manager Foster said he would have to defer to Park and Recreation, but those specifics had not been determined at this point.

Commissioner Ridenhour asked about the cost difference between the proposal for stadium renovations in the amount of $32 million and the $21 million prior proposal amount, which was addressed.

Commissioner Ridenhour said he wanted to make sure County dollars were maximized as much as possible and that if it doesn't require the entire $32 million, perhaps the remaining amount
could be used for other projects. He said he didn’t want it to be that because $32 million was available for the project that all of it had to be used.

Commissioner Clarke expressed excitement for the project.

Commissioner Clarke expressed support for the $32 million that was being proposed for stadium renovations, which he said was still cutting it “tight” in his opinion. He said sufficient funds needed to be spent to ensure the facility was renovated properly. He said often during renovations you run into things that you weren’t expecting, which could impact the cost.

Commissioner Clarke said when staff gets to the design stage, the context in which the stadium sits should be taken into consideration. Commissioner Clarke said it should be thought of as being a part of Independence Park and not something separate from the park.

Commissioner Clarke said Independence Park in a way was really a greenway.

Commissioner Clarke said it should be made clear in the RFP that one of the things that must be thought about was not just the stadium, but that this was also the connection between Independence Park and the Little Sugar Creek Greenway.

Commissioner Clarke said consideration needed to be given to whether a traffic study was needed for this area. Also, thought needed to be given to how parking would be controlled within neighborhood streets when events were held.

Commissioner Clarke thanked staff for including funding for improvements to Independence Park, which he said was long overdue.

Commissioner Clarke said the County may want to try and convince the N.C. General Assembly to allow the County to remove the “highly offensive” monument to “white supremacy” that was on the grounds of the stadium area.

Commissioner Clarke asked about the use of the Matthews Sportsplex going forward, which was addressed.

Commissioner Leake expressed satisfaction with where things were now with respect to renovating Memorial Stadium.

Commissioner Leake asked about the ability of the Battle of the Bands to take place at Memorial Stadium going forward. The response was yes, Park and Recreation should be able to accommodate the event, which would be addressed during the scheduling process.

Commissioner Leake addressed the need for the elevators to work in the parking facilities.

Commissioner Leake asked that Park and Recreation consider a request that was made by youth in the community for more skate board parks. She acknowledged that this was not a part of the stadium project but she wanted to bring the matter to the attention of Park and Recreation.

Commissioner Puckett noted for the record that although he voted in the negative the last time this matter was before the Board, he would be voting in the affirmative this time because it was “so much better” than what was originally proposed. He said the numbers now made “sense.”

Commissioner Ridenhour asked about the Grady Cole Center. It was noted that Grady Cole would remain as is for now.
Commissioner Ridenhour said he liked where things were headed with respect to Memorial Stadium, however, he was not comfortable with the dollar amount for renovations.

Commissioner Leake asked that it be noted in the minutes that the County Manager was to be commended for all her hard work on the Memorial Stadium project.

The following person appeared to speak in support of the proposal as presented by staff: Jesse Newsom.

Mr. Newsom 1) thanked the Board for getting the Memorial Stadium project to the point where it was; 2) spoke in support of grass fields rather than synthetic turf; and 3) spoke in support of art deco design for the stadium.

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

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and carried 8-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes and Commissioner Ridenhour voting no to, approve FY2018 Authorization Park and Recreation Capital Project Ordinance in the amount of $32,000,000.

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 20th DAY OF MARCH 2018:

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

Memorial Stadium Renovations  $32,000,000

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, $32,000,000 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:

2017-2018 fiscal year $3,000,000
2018-2019 fiscal year $14,500
2019-2020 fiscal year $14,500

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 #228.

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

18-4574 PROPOSED LAW ENFORCEMENT SERVICE DISTRICTS

Derrick Ramos, Assistant County Manager/Chief of Staff addressed proposed Law Enforcement Service Districts.

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

1) Receive a report regarding the creation of Law Enforcement Service Districts in Mecklenburg County for services in the extra territorial jurisdiction (ETJ) areas of the City of Charlotte, Town of Huntersville, Town of Pineville, Town of Cornelius, Town of Mint Hill and Town of Davidson;

2) Schedule public hearings to receive comments on proposed Law Enforcement Service Districts in Mecklenburg County for services in the extra territorial jurisdiction (ETJ) areas of the City of Charlotte, Town of Huntersville, Town of Pineville, Town of Cornelius, Town of Mint Hill and Town of Davidson on Tuesday, May 1, 2018 at 6:30 p.m.;

3) Direct the Clerk to the Board to publish required notices of public hearing; and

4) Direct the Tax Office to a) mail required notices of public hearing to the owners, as shown by the county tax records as of the preceding January 1 (and at the address shown thereon) of all property located within the proposed district and b) provide certification to the Board that the mailing was completed and their certificate is conclusive in the absence of fraud.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

CONSENT ITEMS

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 approve the following item(s):

18-4551 BUDGET AMENDMENT - COMMUNITY SUPPORT SERVICES
(REVENUE INCREASE)

Recognize, receive and appropriate $11,785 in estimated additional revenue to be generated from New Options for Violent Actions (NOVA) Program fees and charges before June 30, 2018.

Note: Revenue overage will be utilized for replacement to meet technology needs of the program.
Authorize the County Manager to negotiate and execute a one (1) year lease extension with the Town of Mint Hill for office space for the Assessor’s Office Budget and Audit Section located at Mint Hill Town Hall, 4430 Mint Hill Village Lane, Mint Hill.

ITEM REMOVED: MINUTES

LAND DONATION FOR MCALPINE CREEK GREENWAY

Authorize the County Manager to negotiate and execute all documents necessary for the donation of Tax Parcel 211-612-01 (±1.14 acres) from James F. King, III and John M. Gazak for McAlpine Creek Greenway.

NCDOT GRANT FUNDING FOR SOUTH TRADE STREET/FOUR MILE CREEK GREENWAY IN MATTHEWS

1) Recognize, receive and appropriate additional grant funding in the amount of $330,473 awarded by Charlotte Regional Transportation Planning Organization (CRTPO);

2) Commit to providing the funding for the required match;

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

4) Approve funding as required by NCDOT; and

5) Authorize the County Manager to enter into agreements necessary for this project.

Note: This funding is for South Trade Street/Four Mile Creek Greenway in Matthews.

TAX REFUNDS

1. Approve refunds in the amount of $5,771.05 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 $35,082.77 and interest as statutorily required to be paid as requested by the County Assessor Staff Contact: Lotrel Feaster, County Assessor’s Office.

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 $786.10.

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

BUDGET AMENDMENT - COUNTY ASSESSOR’S OFFICE
1) Amend the Assessor’s Office budget to recognize and receive additional revenue in the amount of $179,507.13 resulting from discoveries made by Tax Management Associates (TMA).

2) Appropriate a portion of the additional revenue to pay TMA in the amount of $52,057.07.

18-4588 AUTHORIZATION TO FUND PREDEVELOPMENT COSTS RELATED TO 7TH AND TRYON

Authorize the County Manager to identify $390,000 within the FY18 operating budget to fully fund Mecklenburg County’s estimated costs for phases 1-4 of the predevelopment costs associated with 7th and Tryon.

Note: The above action was requested as a follow up to the presentation given at BOCC Public Policy Meeting on March 13, 2018. The identified funding source will avoid using funding from the Main Library capital project. Mecklenburg County’s pro-rata portion of the predevelopment costs reflect the County’s land holdings in a two-block, 6.8 AC site assemblage bounded by East Sixth, North Tryon, East Eighth, and North College Streets. Mecklenburg County owns 23.1% of the total acreage.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

18-4548 AUCTION FOR DISPOSAL OF SURPLUS PERSONAL PROPERTY

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 the list of vehicles and equipment (Exhibit A), included in the agenda material as surplus; and

2. Adopt a resolution authorizing sale of surplus personal property by public auction on April 7, 2018 at 9:00 a.m. at 5550 Wilkinson Boulevard, Charlotte, NC.

Mecklenburg Board Of County 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 Board of County 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 7, 2018 at 9:00 am at 5550 Wilkinson Boulevard, 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 & Exhibit A recorded in full in Ordinance/Minute Book 47-A, Document #229.

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

18-4554  BUDGET AMENDMENT - DSS: FY18 HOME AND COMMUNITY CARE BLOCK GRANT (HCCBG) AMENDMENTS

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

1) Approve amended FY18 Home and Community Care Block Grant Funding Plan with the updated reimbursement rates.

2) Approve amended FY18 Home and Community Care Block Grant Funding Plan with the FY18 increase incorporated into the total funding amounts.

3) Recognize, receive and appropriate a net increase of $110,136.00 for FY18 funding from Centralina Council of Governments (COG) for the Home and Community Care Block Grant.

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). During the fiscal year, adjustments to the funding plan may be required for rate or funding changes. Action item 1 represents adjustments in rates in the approved plan. Action item 2 represents changes in the plan as a result of increased funding. 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 additional required match is included in the DSS Fiscal Year 2018 operating 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.

Commissioner Clarke returned to the dais.

18-4562  DEPARTMENT OF SOCIAL SERVICES MECKLENBURG TRANSPORTATION SYSTEM (MTS) DRUG AND ALCOHOL POLICY

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) Amend the current Human Resources Policy and Procedures to remove Drug and Alcohol references to Federal Transit Administration (FTA) covered employees for MTS Drug and Alcohol; and

2) Amend the Department of Social Services Mecklenburg Transportation System (MTS) Federal Transit Administration Drug and Alcohol Policy.

Note: The Department of Social Services Mecklenburg Transportation System (MTS) is required to have a Drug and Alcohol Policy that meets Federal and State funding guidelines. Due to changes in the regulatory environment, the existing MTS policy will be removed from the County-wide drug testing policy, and MTS will maintain a Drug and Alcohol Policy specific solely
to its safety sensitive employees. The purpose of the proposed amendment is to align MTS policy with the US Department of Transportation, the Federal Transit Administration, and the NC Department of Transportation policies.

MTS Federal Transit Administration Drug and Alcohol Policy recorded in full in Ordinance/Minute Book 47-A, Document #230.

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

18-4566 SOUTHVIEW BALLFIELD DEVELOPMENT, USE AND MAINTENANCE AGREEMENT - QUEENS UNIVERSITY

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 rescind the December 19, 2017 authorization for the County Manager to negotiate and execute an agreement with Queens University for development, use and maintenance of one baseball field and amenities at Southview Park.

Note: Queens University requested permission from the County to make improvements to the baseball field prior to finalizing and executing a development, use and maintenance agreement with the County. The County and Queens University executed a Right of Entry Agreement on January 9, 2018 to allow Queens access to the field to construct bullpen mounds, enhance the infield dirt, install foul line poles, install batting cages and place a storage container adjacent to the field. Queens did not complete any of the improvements nor did they place a storage container at the field. On March 2, 2018, Queens University informed the County that it is pursuing other options to develop a baseball complex and is no longer interested in entering into an agreement to develop, improve and maintain the field at Southview Park.

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

18-4568 TOWN OF PINEVILLE CAPITAL IMPROVEMENT FUNDING REQUEST FOR PINEVILLE MEMORIAL BALLPARK

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 fund a request for $100,000 from PayGo towards the cost of installing lights at Pineville Memorial Ballpark adjacent to Pineville Elementary School.

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

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 9:37 p.m.
ATTENDANCE

Present: Chair Ella B. Scarborough and Commissioners 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 Tyrone C. Wade Clerk to the Board Janice S. Paige

Absent: Commissioner Dumont Clarke

-INFORMAL SESSION-

Commissioner Fuller 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. The items were 18-4577, 18-4591, 18-4593, 18-4599, and 18-4603.

CLOSED SESSION

18-4596 CONSULT WITH ATTORNEY

18-4606 LAND ACQUISITION

Prior to going into Closed Session, County Attorney Wade announced there were no Consult with Attorney matters to be discussed in Closed Session.

County Attorney Wade announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcels # 09711122 and 09711199.

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and carried 7-0 with Commissioners Cotham, Dunlap, 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 5:20 p.m. and came back into Open Session at 5:25 p.m.
Commissioner Fuller was present when the Board came back into Open Session. He entered the meeting during Closed Session.

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to move Item 18-4603 Proclamation-Scottish Heritage Week from Consent to the Awards/Recognition section of the agenda.

Board members discussed the Board of Equalization and Review appointments scheduled for later in 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 Fuller, the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.

AWARDS/RECOGNITION

18-4603 PROCLAMATION - SCOTTISH HERITAGE WEEK (COMMISSIONER PUCKETT)

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a proclamation designating the week of April 2, 2018 as Scottish Heritage Week in Mecklenburg County.

The proclamation was read by Commissioner Puckett and accepted by Jeff Fissel, Director of Historic Rural Hill, Bob McIntosh, Chairman of the Rural Hill board, and Maurice McIntosh.
PUBLIC APPEARANCE

18-4594 PUBLIC APPEARANCE

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

Note: Donnette Latimer registered to speak but did not appear.

APPOINTMENTS

18-4602 APPOINTMENTS

Board of Equalization & Review

Commissioner Cotham presented the Ad Hoc Interview Committee recommendation for appointments to the Board of Equalization and Review. The committee members were Commissioners Cotham (Chair), Fuller, Leake, and Ridenhour.

The committee recommended the appointment of Fela Babb and Barrett Berry.

A copy of the Committee’s recommendation is on file with the Clerk to the Board.

The vote was taken on the following nominees for appointment consideration to the Board of Equalization and Review:

Fela Babb Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough
Barrett Berry Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough
Julian Cuthbertson Commissioner Puckett
Pamela Hemphill Commissioners Dunlap, Fuller, Leake, and Scarborough
Jeff Scott None

Note: George Munn was nominated on March 20, 2018 but unable to accept the interview invite.

Chair Scarborough announced the appointment of Fela Babb and Barrett Berry to the Board of Equalization and Review for three-year terms expiring April 16, 2021.

Note: They replaced Cleve Daniels and Carol Fortenberry.

Commissioner Leake volunteered to serve on the next Ad Hoc Interview Committee when appropriate.

Community Relations Committee

The vote was taken on the following nominees for appointment consideration to the Charlotte-Mecklenburg Community Relations Committee:

Kendall Brooks Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, and Ridenhour
Gail Johnson Commissioners Dunlap, Leake, and Scarborough
Arun Nair Commissioners Cotham, Fuller, James, Puckett, and Ridenhour
Chair Scarborough announced the appointment of Kendall Brooks, Rhonda Rivers, and Gina Sirhan to the Charlotte-Mecklenburg Community Relations Committee to fill unexpired terms expiring July 31, 2020 and Arun Nair to fill an unexpired term expiring August 31, 2018.

*Note: They replaced David McIntyre, Colin Pinkney, Jennifer Styczen, and Felicia Thompkins.*

**Domestic Violence Advisory Board**

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

- **Tyrone Bennett**
  Commissioners Dunlap, Fuller and James
- **Tiffany Harris**
  Commissioner Puckett
- **Deshall Hill**
  Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough
- **Wanda McWilliams**
  Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough
- **Dawn Studymine-Evans**
  None
- **Racquel Ward**
  Commissioners Cotham, Dunlap, Fuller, James, Puckett, Ridenhour, and Scarborough

Round Two

- **Tyrone Bennett**
  Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough
- **Tiffany Harris**
- **Dawn Studymine-Evans**

Voting Ceased

Chair Scarborough announced the appointment of Tyrone Bennett, Deshall Hill, Wanda McWilliams, and Racquel Ward to the Domestic Violence Advisory Board to fill unexpired terms expiring April 30, 2018 and then three-year terms, effective May 1, 2018, expiring April 30, 2021.

*Note: They replaced Tonya Marshall, Janice Shirley, Ricardo Suarez, and Jasmine Williams.*

**Information Services and Technology**

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to appoint Brian Adams, Kris Chambers-Woodruff, and Erica Frazier to the Information Services and Technology Committee for three-year terms expiring February 28, 2021.

*Note: They replaced Derrick Love, Lance Munger, and Kenneth Tripp.*

**PUBLIC HEARINGS**
Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to continue the public hearing to hear comments with respect to the closing of a portion of Grand Palisades Parkway right-of-way.

Dave Canaan with LUESA addressed the request. He said staff received confirmation from the current property owner that he was not opposed to the request.

Note: There was someone in the audience that indicated they were there on behalf of the current property owner and that the current property was not in opposition as stated by staff.

Note: On March 20, 2018, the Board of County Commissioners continued the public hearing for the Grand Palisades Parkway right-of-way closing until April 3, 2018 and asked for evidence that the current property owner knew about the petition for closing on this hearing. The petition for closing was signed by a former owner of the adjacent property at the request of the new/current owner. In February 2018, LUESA sent a copy of the Intent to Close to the new/current owner via certified mail. Following the March 20th meeting, LUESA also obtained the signature of the new/current owner on the petition. The portion of said right-of-way for which the closing has been requested is currently two turnout areas that will not be utilized once the parcel is developed as a multi-family tract by the new/current owner. General Statute 153A-241 requires a public hearing and approval of the Order of Closing by the Board of County Commissioners to close a right-of-way in an unincorporated part of the County.

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to close the public hearing on the closing of a portion of right-of-way for Grand Palisades Parkway; and adopt the Order of Closing For A Portion Of Grand Palisades Parkway Right-Of-Way.

MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
ORDER OF CLOSING FOR A PORTION OF GRAND PALISADES PARKWAY
RIGHT-OF-WAY

WHEREAS, North Carolina General Statute 153A-241 specifies that a county may permanently close 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 0.181-acre portion of the right-of-way for Grand Palisades Parkway as shown on the Exhibit A map attached hereto be closed; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency has determined that in its opinion the closing of the portion of said right-of-way of Grand Palisades Parkway would not deprive any individual owning land in the vicinity of said right-of-way of reasonable ingress and egress to their property, and would not be contrary to the public interest; and has determined that the North Carolina Department of Transportation does not maintain said right-of-way of Grand Palisades Parkway; and

WHEREAS, on February 6, 2018, the Mecklenburg Board of County Commissioners declared its intent to close the 0.181-acre portion of right-of-way for Grand Palisades Parkway which is shown on the attached Exhibit A map, and did set a public hearing on the question of whether to close said portion of the right-of-way of Grand Palisades Parkway for 6:30 pm on March 20, 2018 in the Meeting Chamber, first floor of the Charlotte–Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, and did instruct the Clerk to the Board to publish a notice of the intent of the Board of County Commissioners to close said portion of the right-of-way, and did instruct the Project Manager to send or have sent copies of the resolution declaring the intent to close said portion of the right-of-way to the owners of the adjoining properties who did not join in the request to have said
WHEREAS, N.C.G.S. 153A-241 states the effect of a road closing on adjoining landowners and on public utilities as follows: "Upon the closing of a public road or an easement pursuant to this section, all right, title, and interest in the right-of-way is vested in those persons owning lots or parcels of land adjacent to the road or easement, and the title of each adjoining landowner, for the width of his abutting land, extends to the center line of the public road or easement. However, the right, title or interest vested in an adjoining landowner by this paragraph remains subject to any public utility use or facility located on, over, or under the road or easement immediately before its closing, until the landowner or any successor thereto pays to the utility involved the reasonable cost of removing and relocating the facility"; and

WHEREAS, at said public hearing held on March 20, 2018, the Mecklenburg Board of County Commissioners gave an opportunity to all interested persons to speak on whether the closing of the 0.181-acre portion of right-of-way for Grand Palisades Parkway which is shown on the attached Exhibit A map would be detrimental to the public interest or deprive any individual owning land in the vicinity of said right-of-way of reasonable ingress and egress to their property; and

WHEREAS, at said public hearing held on March 20, 2018, the Mecklenburg Board of County Commissioners continued the public hearing until 6:30 pm on April 3, 2018; and

WHEREAS, at said public hearing held on April 3, 2018, the Mecklenburg Board of County Commissioners gave an opportunity to all interested persons to speak on whether the closing would be detrimental to the public interest or any individual property rights; now therefore, be it

RESOLVED, that the Mecklenburg Board of County Commissioners has determined and is satisfied that the closing of the portion of said right-of-way of Grand Palisades Parkway as shown on the attached map hereto is not contrary to public interest, and that no individual owning property in the vicinity of said right-of-way would thereby be deprived of reasonable ingress and egress to their property when said right-of-way is closed; and be it

FURTHER RESOLVED, that the Mecklenburg Board of County Commissioners does hereby adopt this Order of Closing of the portion of said right-of-way of Grand Palisades Parkway; pursuant to the North Carolina General Statute 153A-241, effective once this Order of Closing has been approved; and be it

FURTHER RESOLVED, that the Clerk to the Board of County Commissioners is directed to file a certified copy of this Order for Closing of said right-of-way in the office of the Register of Deeds of Mecklenburg County. The recordation of this Order for Closing shall provide conclusive evidence of the closing of the 0.181-acre portion of right-of-way for Grand Palisades Parkway which as shown on the attached map hereto as Exhibit A.

Order recorded in full in Ordinance/Minute Book 47-A, Document #231.

ADVISORY COMMITTEE REPORTS

18-4584      WOMEN'S ADVISORY BOARD 2017 REPORT

The Board received the annual report of the Women’s Advisory Board.

The report was presented by Zhivi Williams, Chair of the Women’s Advisory Board. She was joined at the podium by Vice-Chair Melissa Lefko. Other Advisory Board members were present in the audience.

Board Members thanked the committee for their report and commended them on their reorganization efforts.

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

MANAGER’S REPORT

18-4623      INTERLOCAL AGREEMENT WITH TOWN OF CORNELIUS FOR EXTRA TERRITORIAL JURISDICTION (ETJ) LAW ENFORCEMENT SERVICES
Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt Resolution Approving a Law Enforcement Services Interlocal Agreement Between Mecklenburg County and the Town of Cornelius for Law Enforcement Services in the extra territorial jurisdiction areas of the Town.

Derrick Ramos, Assistant County Manager/Chief of Staff presented the matter to the Board.

Commissioner Dunlap asked about the termination clause, which was addressed.

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 County Manager was also asked to negotiate and bring back to the Board for its consideration an agreement with the Town of Cornelius to provide law enforcement services to its ETJ area.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION APPROVING A LAW ENFORCEMENT SERVICES INTERLOCAL AGREEMENT BETWEEN MECKLENBURG COUNTY AND THE TOWN OF CORNELIUS

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 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 Town Manager, and their staff, have been negotiating terms for an agreement with the Town of Cornelius for the Cornelius Police Department to provide law enforcement services within the extraterritorial jurisdiction areas of the Town; and

WHEREAS, the County Manager has presented to the Board, as part of the agenda of the meeting at which this resolution has been adopted, a proposed five (5) year interlocal agreement with the Town of Cornelius for the Town to provide law enforcement services within the extraterritorial jurisdiction areas of the Town, which proposed agreement has been negotiated with the Town Manager and staff; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby approve the interlocal agreement with the Town entitled “Law Enforcement Services Interlocal Agreement Between Mecklenburg County and the Town of Cornelius” as presented to the Board at the meeting at which this Resolution has been adopted, to be effective July 1, 2018, for the Town to provide law enforcement services within the ETJ area of the Town, including Lake Norman waters and shoreline, as defined in the interlocal agreement, and authorizes the County Manager to execute such Agreement in substantially the form presented to the Board.

Resolution/Agreement recorded in full in Ordinance/Minute Book 47-A, Document #232.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

CLOSED SESSION

18-4606  LAND ACQUISITION – BALANCE OF NORTHPARK MALL/KIMBRELL’S
Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the land acquisition of the balance of the NorthPark Mall/Kimbrell’s property, parcels 09711122 and 09711199, located at 101 Eastway Drive and authorize the County Manager to negotiate and execute, as applicable, an assignment and assumption agreement (the “Assignment”) under the specific terms and conditions as set forth in Action Item 18-4606 for a purchase price of $2,675,000.00; and as stated in the Action Item: pursuant to which MPV shall assign all of its right, title and interest in the contract to Mecklenburg County (the “County”) to purchase parcels 09711122 and 09711199 (less and except a portion to be retained by Kimbrell’s, the exact acreage of which remains to be determined but which shall contain (a) the existing building owned and operated by Kimbrell’s, and (b) not less than 37 designated parking spaces). The Assignment is expected to be executed following negotiation and execution of the contract; and to consummate the County’s subsequent acquisition of the Property under the terms and conditions of the Contract and Assignment, which among others:

(a) require 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) provide County three separate non-refundable options to extend the inspection period (which is currently six months from the date on which County assumes the Contract) under the Contract. The first option is for an additional month at a cost of $10,000.00; the second option is for an additional second month at a cost of $15,000.00; and the third option is for an additional third month at a cost of $15,000.00. Assuming closing occurs, any option costs will be applied to the purchase price for the Property, which is $2,675,000.00.

(c) provide a closing date of not later than thirty days following the expiration of the inspection period [as may be extended per subsection (b) above] under the Contract; and

(d) require at closing, payment by County to MPV of:

(i) an assignment fee equal to $40,125.00 (which represents 1.5% of the purchase price for the Property); and

(ii) reimbursement of MPV’s due diligence expenses with respect to the Property in the amount of $7,506.30; and

(e) require at closing, payment by County to Kimbrell’s of the purchase price of $2,675,000.00 (as adjusted by the terms of the Contract for pro-rations of taxes and any other required adjustments).

Agreement recorded in full in Ordinance/Minute Book 47-A, Document #233.

CONSENT ITEMS

Commissioner Ridenhour asked that Item 18-4582 be removed from Consent and voted on separately. There was no objection.

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

18-4585 GRANT APPLICATION - RESPONDING TO OPIOID CRISIS (CRIMINAL JUSTICE SERVICES)
APRIL 3, 2018

Approve submission of a grant application for private funding in the amount of $20,000 over two years to the UNC School of Government and Blue Cross of NC; and if awarded, recognize, receive and appropriate funds for the amount awarded for the duration of the grant period.

Note: The “Responding to the Opioid Crisis” grant is a partnership between the UNC School of Government and Blue Cross of NC. It seeks to use a collective impact approach in addressing the opioid crisis across NC and within local communities. Mecklenburg County’s Substance Use Disorder Task Force will utilize these funds to develop and implement the County’s response to this crisis. Funds can be used over a two-year period.

18-4587  BUDGET AMENDMENT - DSS (REVENUE INCREASE/DECREASE)

Recognize, receive and appropriate multi-year State Adoption Promotion funding in the amount of $48,000.

18-4589  BUDGET AMENDMENT - WINGET SCHOOL RECREATION SITE SUMMER CAMP (PARK & RECREATION)

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. The additional revenue is coming from participant registration, $80 per week.

18-4590  TAX REFUNDS

Approve refunds in the amount of $8,675.08 and any accrued 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. These are refunds resulting from Board of Equalization Review determinations, so there is no accrued interest on these refunds.

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

18-4592  CAPITAL RESERVE EXPENDITURE - RAY’S SPLASH PLANET (PARK AND RECREATION)

Approve the re-appropriation of $40,000 from the Consolidated Aquatic Capital Reserve fund previously approved for the repair of the mechanical pump room at Ray's Splash Planet.

Note: On May 2, 2017, the BOCC approved the funding of a Family Locker Room expansion project and repair of mechanical pump room at Ray’s Splash Planet. During the design process, it was discovered that the space could accommodate three new family rooms. While this maximized the number of family changing rooms, it resulted in the project being over budget by approximately $65,000, as construction bids were higher than what was anticipated. For the project to proceed, staff requests approval of additional funds by the re-appropriation of $40,000 previously approved for repair of the mechanical pump room (repair was completed with the use of other funds). The approval of this funding will allow for the Family Locker Room
space at Ray’s Splash Planet to be tripled, offering families an alternative to the men and women changing facilities.

18-4595 MINUTES

Approve Minutes of Regular meeting held March 7, 2018.

18-4597 EASEMENT CONVEYANCE AND MEMORANDUM OF AGREEMENT - STEWART CREEK TRIBUTARY

1. Authorize the County Manager to negotiate and execute a Memorandum of Agreement between the County and Southeastern Land Development, LLC for the remediation of an unauthorized encroachment onto County-owned Tax Parcel 067-031-11; and

2. Authorize the County Manager to negotiate and execute all documents necessary to grant a Temporary Construction Easement (±0.06 acres) to Southeastern Land Development, LLC on County-owned Tax Parcel 067-031-11 for the remediation of the unauthorized encroachment; and

3. Recognize and receive payment of $1,925 from Southeastern Land Development, LLC for payment of a Temporary Construction Easement.

Memorandum of Agreement recorded in full in Ordinance/Minute Book 47-A, Document #234.

18-4598 LAND DONATION - LONG CREEK

Accept donation of Tax Parcel 033-273-34 (±/- 3.582) from Randy Humphrey, Inc. for Park & Recreation and storm water purposes.

Note: The vacant property is located southwest of the Fox Chase subdivision and the intersection of Mt. Holly/Huntersville Road and Beatties Ford Road in Charlotte. The subject property is located entirely within the FEMA-designated floodplain along Long Creek. Acquisition of this parcel continues the County’s efforts to create contiguous land holdings along this portion of Long Creek for potential greenway development and the preservation of the floodplain.

18-4600 GRANT APPLICATION - 2018 USTA NORTH CAROLINA 10 AND UNDER TENNIS EQUIPMENT GRANT

Approve submission of a grant application to the USTA of North Carolina for tennis equipment valued at $1,200; and if awarded, recognize and receive the equipment for related grant; and recognize and receive the required matching donation from Partners for Parks in the amount of $1,339.40

THIS CONCLUDED ITEMS APPROVED BY CONSENT

18-4577 INTERLOCAL AGREEMENT WITH THE TOWN OF PINEVILLE
APRIL 3, 2018

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

1) Adopt Resolution authorizing Interlocal Agreement for funding of Little Sugar Creek 485-Polk Site Stream Restoration Project; and

2) Recognize, receive and appropriate up to $68,575 from the Town of Pineville for its share of the Little Sugar Creek Stream Restoration Project by June 30, 2020.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION AUTHORIZING EXECUTION OF THE INTERLOCAL AGREEMENT BETWEEN MECKLENBURG COUNTY AND THE TOWN OF PINEVILLE FOR FUNDING OF THE LITTLE SUGAR CREEK WATER STREAM RESTORATION

WHEREAS, on May 17, 1993, the Mecklenburg County Board of Commissioners (the "Board") adopted the "Mecklenburg County Storm Water Management Plan" (the "Plan"), which sets forth guiding principles and a financial plan for the operation of the comprehensive storm water management program in Mecklenburg County, North Carolina (the "County"); and

WHEREAS, 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 agreements with each other in order to execute certain undertakings, 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, County and the Town of Pineville (the "Town") have negotiated and finalized an Interlocal Agreement for Funding of the Little Sugar Creek Stream Restoration Project, dated on or about the date hereof (the "ILA"); and

WHEREAS, N.C. Gen. Stat. § 160A-461 further requires that such an agreement "...shall be ratified by resolution of the governing board of each unit and spread upon its minutes";

NOW, THEREFORE, BE IT RESOLVED, by the Board, that the County manager is hereby authorized and directed to execute the ILA in substantially the form attached as Exhibit A to this Resolution, and that this Resolution shall be spread upon the County minutes.

Resolution/Agreement recorded in full in Ordinance/Minute Book 47-A, Document #235.

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

18-4591 DONATION OF TRISHAWS (MOTOR ASSISTED BICYCLES)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize and receive four (4) Trishaws (Motor Assisted Bicycles) valued at $35,895 from Southminster Residential Retirement Community to support the Cycling Without Age Program.

Note: Southminster Residential Retirement Community is gifting four (4) Trishaws to Mecklenburg County (Park & Recreation Department) to provide Cycling Without Age to senior citizens. This program allows senior citizens and those with disabilities to enjoy greenways. The Trishaws will be housed at Wallace Pruitt Recreation Center and Arbor Glen Outreach Center to allow access to Irwin Greenway. The Trishaws also will be used during special events and transported to other greenways throughout the county.

Commissioner Leake removed this item from Consent for more public awareness.
Lee Jones, Director of Park and Recreation addressed this matter.

18-4593  GRANT APPLICATION - SR. HLTH INSURANCE INFORMATION PROGRAM-MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS ACT

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, 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 FY18 and will be used to expand Medicare and Low-Income Subsidy Education, Counseling and Enrollment Services offered in the community. No match is required for these funds. These are federal Medicare Improvements for Patients and Providers Act (MIPPA) funds controlled and distributed by North Carolina Department of Insurance SHIIP office. Park and Recreation staff recruit and support volunteer counselors who offer the Medicare counseling services to the community. The services are offered at Senior Centers, Recreation Centers, Senior Nutrition sites, Libraries and Community Health Clinics. The additional grant funding allows the services to be extended into additional community settings including churches and Charlotte Housing Partnership locations.

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

18-4599  RETAIL TENANT LEASE - GOVERNMENT DISTRICT PARKING DECK

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a resolution titled “Mecklenburg County Board of Commissioners Resolution Declaring Intent to Lease Property to John and Hresanthe Georgopoulos, Owners of Little Village Grill.”

Note: The County has secured a prospective tenant for one of the retail suites attached to the Government District Parking Deck at Fourth & McDowell Streets. John and Hresanthe Georgopoulos, owners of Little Village Grill, have submitted a proposal to lease Suite A.

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

Mark Hahn, Director of Asset and Facilities Management addressed this matter.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION DECLARING INTENT TO LEASE PROPERTY TO JOHN AND HRESANTE GEORGOPOULOS OWNERS OF LITTLE VILLAGE GRILL

WHEREAS, Mecklenburg County is the owner of the Government District Parking Deck, located at 901 E. 4th Street, Charlotte, NC, parts of which were designed for use as retail space; and

WHEREAS, John and Hresanthe Georgopoulos, owners of Little Village Grill, have submitted a proposal to lease one retail space attached to the Government District Parking Deck at 4th and McDowell Streets; and

WHEREAS, Collier’s Commercial, LLC, the real estate firm secured by the County to obtain tenants for the retail portion of the parking deck is in agreement with the following proposed business terms:

Location 901 E. 4th Street, Suite A

Total Square Footage 1,457 SF
Lease Term  Five (5) years & Six (6) Months

Option to Renew - One extension option: Four (4) years and one hundred and seventy-nine (179) days

Base Lease Rate $20.00 per sq. ft. (29,140/yr.)

Annual Increases Years 2 – 5.5: 3% annually; Option Years: 3% annually

Revenue (Years 1-5)
Year 1 (Months 1 – 6) $0.00
Year 1 (Months 7 – 12) $20.00/SF $2,428/month
Year 2 (Months 13 – 24) $20.60/SF
Year 3 (Months 25 – 36) $21.22/SF
Year 4 (Months 37 – 48) $21.85/SF
Year 5 (Months 49 – 60) $22.51/SF
Year 6 (Months 61 – 66) $23.19/SF

Insurance - Tenant is required to maintain required insurance including liability, property, Worker's Compensation and Professional Errors & Omissions insurance.

Maintenance & Janitorial- Tenant is responsible for all maintenance and janitorial services required within the Premises. Tenant shall be responsible for building systems within the Premises including, but not limited to, fire alarm, electrical, and plumbing. Tenant agrees to enter into a service contract for preventive maintenance of HVAC equipment, including regular inspections. Tenant is responsible for HVAC repairs under $5,000. For major HVAC repairs exceeding $5,000, Landlord agrees to contribute to a replacement unit by waiving Tenant’s Base Rent for three (3) consecutive months.

Common Area Maintenance - In addition to Base Rent (Revenue), Tenant will pay Landlord their pro-rata share of the exterior maintenance, landscaping, trash removal and general maintenance. Tenant’s pro-rata share amount in year 1 is estimated to be $404.32/month.

Delivery of Premises - Tenant to take Premises “as is”.

Commission - County shall pay a total of 4% commission on the guaranteed base rent for years 1-5 to County’s broker, Steve Rich of Colliers International. The total commission to be paid by the County for Little Village Grill will be $6,281.15.

WHEREAS, the County’s Asset and Facility Management Department has determined that the space that John and Hresanthe Georgopoulos, owners of Little Village Grill, desire to lease will not be needed by the County during the term of the lease; 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 John and Hresanthe Georgopoulos, owners of Little Village Grill; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby declare its intent to enter into a lease arrangement with John and Hresanthe Georgopoulos, owners of Little Village Grill, as described above, and directs the Clerk of the Board to publish a notice of the Board’s intent to approve the lease arrangement with John and Hresanthe Georgopoulos, owners of Little Village Grill, at the Board’s May 15th, 2018 meeting as required by law.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #236.

18-4582 CONSTRUCTION CONTRACT - TRAFFIC IMPROVEMENTS AT MARION DIEHL CENTER

Motion was made by Commissioner Puckett, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to award a construction contract to Dakota Contracting Company in the amount of $647,747.98 for the construction of the Traffic Improvements at Marion Diehl Center project located at 2229 Tyvola Road.
April 3, 2018

Note: The project is funded through an NCDOT grant with a match by the City of Charlotte (no County funding is required). Mecklenburg County Asset and Facility Management is managing the project. It includes removing the median and installing signal lights at the existing access to the Queens University Athletic facilities/Marion Diehl Recreation Center and the new access for the trailhead for the Little Sugar Creek Greenway.

Commissioner Ridenhour removed this item from Consent for more public awareness. Lee Jones, Director of Park and Recreation and Mark Hahn, Director of Asset and Facilities Management addressed this matter, including a question from Commissioner Fuller regarding the design.

Adjournment

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried 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 7:38 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 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 17, 2018.

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 Tyrone Wade 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) to be removed from Consent and voted upon separately. The items identified were: 18-4611, 18-4612, 18-4613, 18-4614, 18-4616, 18-4624, 18-4629, and 18-4644.

CLOSED SESSION

18-4609 BUSINESS LOCATION AND EXPANSION

18-4620 CONSULT WITH ATTORNEY

Prior to going into Closed Session, County Attorney Wade said there were no Consult with Attorney matters to be discussed in Closed Session.

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 go into Closed Session for the following purpose: Business Location and Expansion.

The Board went into Closed Session at 5:20 p.m. and came back into Open Session at 6:07 p.m.

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

-FORMAL SESSION-
**AWARDS/RECOGNITION**

**18-4625 INDEPENDENCE HIGH SCHOOL BASKETBALL CHAMPS 2018**  
(COMMISSIONER COTHAM)

The Board recognized the Independence High School basketball team.

*Note: On March 10, 2018, the Independence High School Patriots won the NCHSAA 4A State Championship. They defeated Wake Forest Heritage 71-60.*

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 adopt a Proclamation declaring April 23 - 27, 2018 as Independence High School Week in Mecklenburg County.

The Proclamation was sponsored by Commissioner Cotham, read by Commissioner James and accepted by Coach Preston Davis and Independence High School Principal David Legrand.

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**PUBLIC APPEARANCE**

**18-4618 PUBLIC APPEARANCE**

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

Oliver Merino spoke in opposition to 287(g). He said information requested at prior meetings by he and others, as well as, Commissioners Dunlap and Clarke regarding the Sheriff’s Office
participation in the 287(g) program had not been received. He requested the County provide any information it had regarding the program. Mr. Merino said the Board approved entering in a Memorandum of Understanding with respect to 287(g) in 2006. He asked the Board to adopt a resolution opposing 287(g).

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

Corine Mack, President, Charlotte Chapter of the NAACP, asked the Board to conduct an independent investigation of the Health Department regarding concerns dating back to April of 2016 that had not been resolved. She said Mecklenburg County was the only county in the state where elected officials oversaw public health, rather than a board of health professionals. She asked the Board to consider creating an independent board of health to oversee public health in Mecklenburg County.

Ms. Mack said Dale Adams, a former employee of the Health Department, who accompanied her at the podium, came to her a month ago with concerns about the Health Department. Ms. Mack said she’d also received over 82 other complaints. Note: Ms. Mack was also accompanied at the podium by Bobbie Cobb, a Mecklenburg County retiree that worked at the Health Department.

Note: Chuck Kewin registered to speak but was not present.

Comments

Commissioner Dunlap asked for a point of personal privilege and addressed what he felt was a “loophole” in a section of the County’s Public Appearance policy regarding the Board not engaging with Public Appearance speakers.

“Members of the Board will not engage in dialogue with public appearance speakers. Comments will be received and followed up on as applicable by County staff and/or members of the Board.”

Commissioner Dunlap asked the County Manager and the County Attorney to prepare for the Board’s consideration an amendment to the policy to add that Board members would not make comments regarding issues brought forth by Public Appearance speakers.

Commissioner Puckett suggested, “Members of the Board will not engage in dialogue with public appearance speakers, nor make comments regarding issues brought forth by Public Appearance speakers.”

Commissioner Dunlap said the amendment would help resolve the issue the Board had been dealing with recently regarding discussing matters brought up during Public Appearance at a given meeting.

Commissioner Puckett spoke in support of such an amendment. He said matters brought up during Public Appearance should be “received and followed up on as applicable by County staff and/or members of the Board,” (currently stated in the policy) and subsequently placed on an agenda for discussion if deemed appropriate.

Commissioner Puckett said engaging in dialogue during the meeting at which a matter was brought forth was not the appropriate time.

Commissioner Fuller said he was opposed to any policy prohibiting Board members from speaking. He said it was important for the Board to acknowledge receipt of comments from speakers at the time received. He said it didn’t mean the Board had to take action at that time.
Commissioner Fuller said what was being proposed would prohibit Board members from making any comments.

Commissioner Fuller said Board members should be able to address any matter they desire to address.

Chair Scarborough noted from the policy that “The Board reserves the right to alter these rules on a case by case basis as necessary for the efficient and effective conduct of business.”

Commissioner Dunlap said, “often times Commissioners speak out of term;” often the full depth of the issue was not known; and that it was not fair to the County Manager, staff or to the citizen requesting information. He said staff should be given time to research and provide a “correct” response.

Commissioner Dunlap said the Board’s policy should either restrict comments from being made until an adequate response was provided or there shouldn’t be any restrictions on commenting.

Commissioner Dunlap said the intent was not to restrict anyone from speaking because being an elected representative of the public gave one the “right” to speak. He said the Board “tries to operate with a sense of decorum and with rules that everyone can abide by.”

Commissioner Fuller said he was accused of violating the policy once when he commented on an issue that had been brought forth during Public Appearance. He said currently there was nothing in the policy prohibiting Board members from engaging in discussion amongst themselves regarding something that was addressed by Public Appearance speakers. He said the policy only addressed dialogue with speakers and at that time, he was not engaging in dialogue with the speaker.

Commissioner James said discussing a possible policy change was not in order because the matter was not on the agenda.

Chair Scarborough concurred and discussion of the matter ended.

**APPOINTMENTS**

**18-4632 NOMINATIONS/APPOINTMENTS**

Citizen’s Capital Budget Advisory Committee

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 William Rakatansky to the Citizen’s Capital Budget Advisory Committee to fill an unexpired term expiring July 31, 2019.

*Note: He replaced Suresh Vottikonda who resigned.*

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 reappoint Samantha Abt-Bumgarner,
PUBLIC HEARINGS

18-4637 PUBLIC HEARING - BUSINESS INVESTMENT GRANT: ERNST & YOUNG US, LLP

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 Ernst & Young US, LLP [EY-US].

No one appeared to speak.

Note: Ernst & Young US, LLP [EY-US] is a subsidiary of E & Y, an international professional services firm headquartered in London, England and is one of the “Big Four” accounting firms. EY-US has over 231,000 employees in 700 offices in 150 countries. EY-US has 71,000 employees, including 872 employees in its Uptown Charlotte location. E& Y is establishing a global network of a limited number of innovation centers [WaveSpaces] that will provide cross discipline intelligence and experience, to focus on helping clients meet disruptive technologies head on, including:

• Artificial intelligence
• Robotics Process Automation
• Blockchain
• Data analytics
• Digital Customer Experience

The 15 existing WaveSpaces serve large geographic regions and generate significant client travel. The proposed WaveSpace center will be the fifth in the U.S. and will serve as a regional Southeast Financial Services and National Energy Innovation Wavespace Hub. Core employee disciplines will include: Forensic investigation; Disputes data analytics; Digital development; Robotics. EY-US proposed project meets all the following Business Investment Program guidelines for a five-year grant, specifically:

A taxable investment of $8,200,000 to be completed in the next Five years.
- Creation of 375 new jobs with an average wage of $84,414 (which is equal to 170% of the average for the Charlotte-Gastonia-Rock Hill M.S.A.).
- There is competition for this project from Atlanta, Georgia and New York, New York.
- EY has existing facilities and employees in Charlotte, making it eligible for an additional 2 years of term
- Because Project Wave will serve clients nationally that will travel to Mecklenburg and is competitive with 2 other states, it does not meet the professional services exclusion test. The Business Investment Program grant is a 50% grant over 5 years, with an estimated total amount of up to $146,173.

The general terms and condition of this grant include:
- A portion of the grant must be repaid if the company moves this investment from Charlotte within 5 years of the end of the grant term.
- Actual grant payments are based on the value of the investment as appraised by the Mecklenburg County Tax Office.
- All property taxes due from the company must be paid before a grant payment is made.

A copy of the report is on file with the Clerk to the 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 close the public hearing on a proposed
Business Investment Program grant to Ernst & Young US, LLP [EY-US] and adopt a resolution approving a Business Investment Program grant to [EY-US] for a total estimated amount of $146,173 and authorize the County Manager to negotiate and execute the contract.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR ERNST & YOUNG US, LLP

WHEREAS, Ernst & Young US, LLP is seeking to establish a regional Southeast Financial Services and National Energy Innovation WaveSpace Hub in Charlotte, NC; and

WHEREAS, the company evaluated sites in Atlanta, Georgia and New York, New York; 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 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 January 03, 2018 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 $8.2 million and will create 375 new jobs within five years at an average annual salary of approximately $84,414. The Business Investment Program grant is a 50% grant over 5 years, with an estimated total amount of up to $146,173. 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 #237.

ADVISORY COMMITTEE REPORTS

18-4610 DOMESTIC VIOLENCE ADVISORY BOARD 2018 ANNUAL REPORT

The Board received as information the Domestic Violence Advisory Board annual report.

The report was presented by Neil Bloomfield, Chair and Lauren Egleston, Vice-Chair of the Domestic Violence Advisory Board.

Note: The Domestic Violence Advisory Board (DVAB) has been charged with reporting to the Board of County Commissioners and City Council about the state of Domestic Violence in our community. The DVAB has met with providers, advocates, and DV survivors to gather information to prepare its annual report. The DVAB has identified gaps and developed recommendations that require support from the BOCC and the City Council.

The following recommendations were made by the DVAB:
Rental Subsidy – Provide a rental subsidy to survivors of domestic violence to allow those that have longer term housing needs—without the need for a secure facility—the opportunity to move out of the DV Shelter and prevent others from being turned away when their needs are the most critical.

Domestic Violence Advocate at the Salvation Army – Fund a position to provide services to survivors of domestic violence that wind up seeking temporary housing services outside of the DV shelter. We have seen a particular need for this at the Salvation Army shelter where survivors of domestic violence receive assistance but not services targeted to their needs as survivors of domestic violence.

Additional Personnel to Assist with the E-Filing Initiative – Provide funding to the Mecklenburg County Clerk of Court to retain at least one additional resource to assist in the processing of protective orders and domestic violence matters more generally to address the additional demands in converting records to an electronic format and addressing the expected continuing increase in survivors seeking protective orders as the electronic filing initiative expands within the county.

Outreach and Prevention Position for Community Support Services – Fund a position within Community Support Services (“CSS”) focused on outreach and prevention of domestic violence.

Monitoring for the Implementation of Strangulation Training – Require the monitoring of the implementation of the Training Institute’s Strangulation Prevention training program to make sure that the important lessons provided by this program are implemented throughout the county.

It was stated these recommendations were an effort to improve the services provided in the community. It’s believed these recommendations should be funded in addition to—not in replace of—the existing services for survivors of domestic violence.

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

Comments

Commissioner Leake requested information on 1) the role of the Sheriff’s Office as it relates to the issue of domestic violence, 2) whether persons referenced in the report that received services were residents of Mecklenburg County, 3) are those committing the violence residents of Mecklenburg County, and 4) was there collaboration with CMS staff such as counselors, psychologist, or nurses to address this issue.

She encouraged collaboration with CMS and communication with parents.

Commissioner Fuller spoke in support of the committee’s recommendations, but not necessarily the dollar amounts associated with the recommendations.

Commissioner Fuller asked about advisory board membership issues, the mechanism for tracking the County’s responsiveness to the recommendations, and electronic filings, all were addressed.

Commissioner Clarke thanked the presenters for the detailed report.

Commissioner Ridenhour asked about the recommendation regarding additional personnel to assist with electronic filing in the Clerk of Court’s Office, which was addressed.

Commissioner Ridenhour asked had the Clerk of Court’s request been received prior to the presentation. County Manager Diorio said yes and that it would be responded to during the budget process.
Commissioner Ridenhour asked about the County’s process for responding to recommendations received from advisory boards. He used as an example, the advisory board’s recommendation that a position be funded in the County’s Community Support Services department. He asked had the recommendation been presented to the department and subsequently in their budget request. *County Manager Diorio said the recommendation was not presented to the department for inclusion in its budget request.*

*County Manager Diorio* said she was aware of some, but not all, of the recommendations that were brought forth. She said now that she’s aware of them, they would be reviewed.

Commissioner Puckett addressed the need for a Magistrate’s Office in the northern part of the County and the status of that effort. He encouraged the presenters to continue to help with that effort.

Commissioner Cotham asked about the advisory board’s interaction with victims, which was addressed.

Commissioner Cotham asked about their work with 50C Orders, if any. *The response was that the focus had been on 50B Orders.*

Commissioner Cotham asked that consideration be given to including 50C Orders, as well.

Commissioner Cotham asked were there other groups in the community that interacted with victims, which was addressed.

Commissioner Cotham suggested the various groups meet jointly occasionally.

Commissioner Leake said everyone was not technology savvy, especially seniors, therefore information should be accessible to all and in layman’s terms.

Commissioner Dunlap said he would like to know how staff and management responded or would respond to recommendations received from advisory boards or anyone appearing before the Board with recommendations or a request. He said if there was a mechanism in place for responding, how could the Board be informed of those responses.

Commissioner Dunlap commented on the need for a Magistrate’s Office in the northern part of the County.

This concluded the discussion.

Chair Scarborough thanked the presenters.

18-4631 **CHARLOTTE-MEEKLENBURG COMMUNITY RELATIONS COMMITTEE ANNUAL REPORT**

The Board received the Charlotte-Mecklenburg Community Relations Committee (CRC) annual report.

The report was presented by Patricia Albritton, Chair of the CRC and Willie Ratchford, Executive Director.

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

Comments
Commissioner Dunlap asked Director Ratchford to address who’s a citizen of Charlotte/Mecklenburg County. The response was there were two types of people in Charlotte/Mecklenburg County, citizens and residents. Director Ratchford said everyone was a resident, but not everyone was a citizen. He said anyone living in Charlotte/Mecklenburg documented as a citizen of the United States was a citizen and not just a resident.

Commissioner Dunlap said he asked because recently there had been a lot of discussion regarding 287(g) and whether persons being impacted were citizens or residents.

Commissioner Dunlap said it was helpful for people to understand the difference between being a citizen and a resident.

Commissioner Dunlap asked had consideration been given to having community meetings around the issue of 287(g). Director Ratchford said his department was contacted by several groups desiring that type of dialogue. He said something would probably be scheduled in the next three-six months.

Commissioner Leake asked what could be done to get “beyond yesterday” in order to make the community a “livable” place for everyone. She said a lot of the problems that existed years ago, existed today, housing, education, and economics.

Commissioner Cotham commented on their American with Disabilities Act work. She said she’d heard from a lot of disabled individuals who were finding it difficult to get around the city because of all the construction that was taking place. She asked if the CRC addressed those types of concerns. The response was yes and that staff, including the Department of Transportation were in the process of addressing those concerns.

Commissioner Cotham asked that the Board be informed of the outcome of addressing those concerns.

Director Ratchford said the CRC also received complaints about bicycles located around the city being left on the sidewalk, thus interfering with passage.

Commissioner Cotham said she was concerned that persons riding those community bikes were not wearing helmets, which was a safety concern. Commissioner Cotham asked that the CRC look into that concern, as well.

This concluded the discussion.

Chair Scarborough thanked the presenters for the report. She noted that she served on the CRC years ago.

MANAGER’S REPORT

18-4633 FY18 TECHNOLOGY RESERVE FUNDING REQUEST

The Board received a report from Keith Gregg, Chief Information Officer regarding a FY18 Technology Reserve Funding Request.

The following was noted:

- Securing the business platform is a key objective of Mecklenburg County’s Information Technology Services (ITS) strategic business plan.
After the December cyber incident, ITS implemented new security policies and practices and amended its strategic plan to improve system performance and increase the protection of County data.

The revised plan accelerates the delivery of projects to address the ever-increasing cyber security threats and other risks to County systems.

For FY18, ITS has identified a need for an additional $2.3 million to fund projects that will strengthen HIPAA (Health Insurance Portability and Accountability) and PCI (Payment Card Industry) compliance, improve its ability to monitor security threats, reduce exposure to unsecured connections and unauthorized system access, prevent release of sensitive data during public information requests, and to improve employee awareness and response to email phishing and other cyber threats.

The funds will enable ITS to begin the following projects in FY18:
- Security information and event management (SIEM) tool replacement
- Data backup & recovery appliance replacement
- Phishing alert & training system
- Network vulnerability scanning
- Network monitoring licenses
- Network access controllers
- Multifactor authentication
- Active directory hardening
- Public records request tool
- Text messaging archiving

FY18 one-time funding of $2,307,000 will be transferred from General Fund (0001) fund balance to the Technology Reserve Fund (9009) and appropriated for use either in the current or subsequent fiscal years for purposes as described in the Technology Reserve Fund Ordinance.

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

Comments

Commissioner Dunlap asked to what degree had the information presented been shared with the Information Technology Advisory Committee. Director Gregg said the presentation had not been shared with the Committee at this point. Director Gregg said he thought it was appropriate to bring it to the Board first. Director Gregg said the information provided to the Board at its Budget Retreat in January relating this issue had been shared with the Committee.

Commissioner Dunlap said he asked because of concerns expressed to him by members of the Committee regarding their role as an advisory committee to the department. He said many of them felt the committee should be helping staff develop some of the things being presented to the Board because of their information technology experience. He said many of them felt different decisions could possibly be made were they allowed to provide input.

Commissioner Dunlap said he was also trying to figure out what the proper role of the committee was.

Commissioner Dunlap said the Committee would like to be involved on the front end, rather than on the back end with staff just informing them of decisions made.

Commissioner Dunlap asked how safe and to what degree should information shared with the Board be shared with the public, which was addressed.

Commissioner Dunlap said he’d liked to hear about some of the in-depth technical issues in Closed Session.
Commissioner Leake said it was the County Manager who was responsible for holding the Information Technology department director and his staff accountable and not the advisory committee. She said staff were the experts.

Commissioner Dunlap said the Board was responsible for appointing members to the Information Technology Committee and that the committee was made up of experts in the field. Commissioner Dunlap said they understand the County has the ultimate say. He said the Committee wanted to be more helpful and engaged with staff.

Commissioner Fuller asked about the Committee’s review of the plan presented. Director Gregg said it was not reviewed by the Committee.

Commissioner Fuller questioned why the matter was not presented to the Committee for input, prior to being presented to the Board.

Commissioner Fuller said he was not questioning staff’s expertise, but had a problem with the process. Commissioner Fuller said input or a response from the Committee to staff’s request would have been preferred, because of the amount of the request. He said that’s what the Committee was for.

County Manager Diorio said every year at budget time the Board was asked to approve a technology reserve budget totaling around $15 million that does not go through the IT committee.

Commissioner Fuller said the point he was making was that if there’s an advisory committee in place, they should be used.

County Manager Diorio said the Committee was used when it was felt they were needed. She said this was a budgetary matter. County Manager Diorio said not every decision made was taken to a committee.

Commissioner Fuller said considering the amount of the request, it should have gone to the Committee.

Director Gregg said he’d never shared a financial recommendation with the Committee but if that’s the direction the Board wanted him to follow, he would.

Commissioner Ridenhour said he concurred with Commissioner Dunlap regarding the need to discuss certain technical matters in Closed Session for security reasons.

Commissioner Ridenhour said with respect to the advisory committee, what was presented by staff was not something that had to go through the committee. He said what was presented was fundamental to the department’s operations, the “nuts and bolts, must haves.”

Commissioner Clarke said the security of the County’s information technology system was the greatest risk the County was faced with.

Commissioner Clarke said he was supportive of having advisory committees but not everything had to be ran by them. He said it would be a “nightmare” for the IT Department if it had to run everything by their advisory committee. He said the department needed to be able to move quickly when deemed necessary, because of the nature of its work.

Commissioner Clarke said he was supportive of moving forward and encouraged Director Gregg to share the information with the advisory committee for its input.

Commissioner Clarke said advisory board members should communicate with all
Commissioners regarding their concerns and not just a few.

Commissioner Cotham spoke in support of moving forward. Commissioner Cotham said she was supportive of having advisory boards but did not feel everything had to be ran by them, especially in this area.

Commissioner James asked about the funding associated with text messages, which was addressed.

Commissioner James said some committees were involved in with budget matters, such as the Citizens Capital Budget Advisory Committee.

Commissioner James said generally technical committees advise on technical matters and not budget matters. Commissioner James said he was not opposed to the advisory committee providing advice, but cyber security matters must be confidential.

Commissioner James said the recommendation from staff was reasonable and he would support it.

Commissioner James said it was not necessary to “mandate” oversight by the advisory committee because that would “bog” the budget process down.

Commissioner Puckett addressed the value of advisory committees but said in this instance, it wasn’t necessary that they be directly involved because of the nature of the request.

County Manager Diorio read into the record the purpose of the committee which was “the Information Services & Technology Committee will serve as an advisory group to the Board of County Commissioners and will review plans at a conceptual level for major new automated systems. The Committee also validates the processes associated with implementation of automation plans and monitors the implementation of major automation projects.”

Motion was made by Commissioner Ridenhour, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to appropriate $2,307,000 from General Fund balance to the technology reserve fund to accelerate the delivery of information technology security projects.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

18-4626 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information monthly department management reports for April 2018.

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

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

18-4627 FEATURE DEPARTMENT/AGENCY PRESENTATION: LAND USE AND ENVIRONMENTAL SERVICES AGENCY

The Board received a presentation from the Land Use and Environmental Services Agency Director Ebenezer Gujjarlapudi, on the latest efforts underway within the department.
A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Leake brought to Director Gujjarlapudi’s attention, a concern raised by one of her constituents, Tammy Hill, regarding storm water issues in her community. Director Gujjarlapudi said he was familiar with Ms. Hill and that his staff was working with her regarding her concerns.

Commissioner Leake also addressed a constituent concern regarding trash and debris being left on property in the extra territorial jurisdiction of the County in District Two. Director Gujjarlapudi said he would get the name of the constituent from Commissioner Leake and follow up.

Commissioner Clarke asked about ozone levels, which was addressed.

Commissioner Dunlap asked about the impact of the federal government rolling back regulations, as it related to ozone levels. Director Gujjarlapudi said there were no federal or state regulations regarding emissions. He said fuel economy was what was regulated and he elaborated on the County’s efforts.

Chair Scarborough thanked Director Gujjarlapudi for his report.

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

18-4630 AUDIT REVIEW COMMITTEE ANNUAL REPORT & RECOMMENDATIONS (COMMISSIONER JAMES)

Commissioner James, Chair of the Board’s Audit Review Committee, presented the Committee’s annual report. He confirmed that all the responsibilities outlined in the Audit Review Charter had been carried out. The Board was asked to consider extending the County’s contract with Cherry Bekaert, LLC by one-year.

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

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 receive and accept the annual report from the Audit Review Committee; and approve a one-year extension of the Audit contract with Cherry Bekaert, LLC.

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):

18-4586 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds in the amount of $7,349 for Asset and Facility Management and $9,299 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.

18-4607  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 Brenda Linker, Bruce Cookson, and Aaron Tucker as Review Officers and to delete Jennifer Sandoval and Alexander Rodriguez.

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. Brenda Linker, Bruce Cookson, Aaron Tucker are 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 these names.  
2. Jennifer Sandoval shall be deleted from the Resolution adopted on December 20, 2016; Alexander Rodriguez shall be deleted from the Resolution adopted on October 21, 2008.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #238.

18-4617  CONTRACT AWARD - ELEVATOR MODERNIZATION PROJECT

Award a contract to Carolina Elevator Service Inc. in the amount of $1,089,810.49 for the Judge Clifton E. Johnson Building, the County and Courts Office Building (CCOB), and the Former Civil Courts Building, Elevator Modernization Project.

18-4619  MINUTES

Approve Minutes of Regular meeting held April 3, 2018 and March 20, 2018 and Closed Session held April 3, 2018.

18-4621  STORM WATER PROGRAM - FY18 HAZARD MITIGATION FLOODPLAIN ACQUISITION

Accept the Offer of Sale of Real Estate from IH3 Property North Carolina, LLP, owner of property located at 6220 Colchester Place, Charlotte, NC (tax parcel 173-071-07), for $320,000; and 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.).

18-4628 TAX REFUNDS

1. Approve refunds in the amount of $9,518.56 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 $7,763.23 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. There is no accrued interest related to these refunds.

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

   THIS CONCLUDED ITEMS APPROVED BY CONSENT

18-4611 CHARLOTTE-MECKLENBURG SCHOOLS LEASE OF PROPERTY - SKY NC, LLC

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 adopt a resolution entitled "Mecklenburg County Board of Commissioners Resolution Authorizing Charlotte-Mecklenburg Board of Education to Negotiate and Execute Lease with Sky NC, LLC" for the eLearning Academy and other general use for CMS.

Note: North Carolina G.S. 115C-530 stipulates that operational leases of real and 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. Terms of the agreement are as follows:

   Location - 744 Tyvola Road, Charlotte, NC 28217
   Total Square Footage - Approximately 7,979 SF
   Lease Term - Five (5) Years with option to renew for additional five years
   Rent - Annual rent in Year 1 shall be $10/SF with annual renewals to be no more than 3%
   Other - Landlord is responsible for maintenance of the location. Utilities will be paid by the Landlord. Minimal upfit to be the responsibility of CMS and is anticipated to include data and furniture.

MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION AUTHORIZING CHARLOTTE-MECKLENBURG
BOARD OF EDUCATION TO NEGOTIATE AND EXECUTE A LEASE WITH
SKY NC, LLC.

WHEREAS, Charlotte-Mecklenburg Board of Education has submitted a request to the Mecklenburg
WHEREAS, Charlotte-Mecklenburg Schools finds that the proposed lease space at 744 Tyvola Road will adequately meet its needs; and

WHEREAS, Charlotte-Mecklenburg Schools has agreed to the following proposed business terms:

Location 744 Tyvola Road, Charlotte, NC 28217
Total Square Footage Approximately 7,979 SF
Lease Term Five (5) Years with option to renew for additional five years
Rent Annual rent in Year 1 shall be $10/SF with annual renewals to be no more than 3%
Other Landlord is responsible for maintenance of the location. Utilities will be paid by Landlord. Minimal
up-fit to be responsibility of CMS and is anticipated to include data and furniture.

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 the eLearning Academy or other general office use for CMS at 744 Tyvola 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 Sky NC, LLC consistent with the business terms outlined above.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #239.

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

18-4612 CHARLOTTE-MECKLENBURG SCHOOLS LEASE OF PROPERTY - ALDERSGATE UNITED METHODIST RETIREMENT COMMUNITY, INC.

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 adopt a resolution titled “Mecklenburg County Board of Commissioners Resolution Authorizing Charlotte-Mecklenburg Board of Education to negotiate and execute lease with Aldersgate United Methodist Retirement Community, Inc.” for the Garinger FOCUS Academy and other general office use for CMS.

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. Terms of the agreement are as follows:

Location - 3400 Shamrock Drive, Charlotte, NC
Total Square Footage - Approximately 20,000 SF
Lease Term - Ten (10) Years
Rent - Years 1 - 10: $0
Other - Tenant is responsible for utilities and maintenance on the property. Tenant will Upfit the building for its use.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION AUTHORIZING CHARLOTTE-MECKLENBURG BOARD OF EDUCATION TO NEGOTIATE AND EXECUTE A LEASE WITH ALDERSGATE UNITED METHODIST RETIREMENT COMMUNITY, INC.

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 to be used for the Garinger FOCUS Academy or other general office use for CMS; and

WHEREAS, Charlotte-Mecklenburg Schools finds that the proposed lease space at 3400 Shamrock Drive would meet the needs of the Garinger FOCUS Academy and other general office use for CMS.
Shamrock Drive will adequately meet its needs; and

WHEREAS, Charlotte-Mecklenburg Schools has agreed to the following proposed business terms:
- Location 3400 Shamrock Drive, Charlotte, NC
- Total Square Footage Approximately 20,000 SF
- Lease Term Ten (10) Years
- Rent Years 1 – 10: $0
- Other Tenant is responsible for utilities and maintenance of the property.
- Tenant will upfit the building for its use.

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 the Garinger FOCUS Academy or other general office use for CMS at 3400 Shamrock 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 Aldersgate United Methodist Retirement Community, Inc. consistent with the business terms outlined above.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #240.

Commissioner Leake removed this item from Consent for more public awareness. Peggy Hays with Charlotte-Mecklenburg Schools addressed the request.

Commissioner Leake requested information on the Board of Directors for Aldersgate United Methodist Retirement Community, Inc.

18-4613 DECLINE RIGHT OF FIRST REFUSAL - CHARLOTTE-MECKLENBURG SCHOOLS LEASE AGREEMENT - MIDWOOD INTERNATIONAL & CULTURAL CENTER, LLC

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried by Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to decline the County’s statutory right of first refusal for a five-year lease extension with subsequent automatic year to year renewals for up to five years after the initial lease extension term of the Charlotte-Mecklenburg Schools lease to Midwood International & Cultural Center, LLC.

Note: North Carolina General Statute (NCGS) 115C-518(a) requires local school boards of education to give local boards of county commissioners the first opportunity to acquire any school owned real estate that is proposed for disposal. To comply with this statute, CMS must offer the above lease space to the County prior to entering into a lease agreement with Midwood International & Cultural Center. The BOCC previously declined its statutory right of first refusal on April 19, 2011. Terms of the agreement are as follows:

- Location - 1817 Central Avenue, Charlotte, NC 28205
- Property - Building and land on which it is located are shown on Exhibit A of the Lease Extended Lease Term - Continued occupancy until June 15, 2023 with automatic annual renewals until June 15, 2028 unless terminated by either party with one-year notice or default. After the initial lease extension term (after June 16, 2023), landlord or tenant can terminate with one year’s written notice.
- Rent - Tenant shall pay $35,000 per year in monthly installments with no escalations. Tenant will pay utilities and daily maintenance.
- Capital Improvements - Landlord and tenant will each set aside $20,000 per year for potential repairs deemed to be "Needed Capital Improvements" as defined in the lease amendment. Needed Capital Improvements beyond the funds in the accounts shall be
shared between the parties. At the termination of the lease, each party will be able to retain by remaining balance in the fund.
Other - All other terms and conditions of the current lease remain in full force and effect.

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

18-4614 DECLINE RIGHT OF FIRST REFUSAL - CHARLOTTE-MECKLENBURG SCHOOLS LEASE AGREEMENT - CROWN CASTLE TOWERS 06-2 LLC

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 decline the County’s statutory right of first refusal for a five-year extension of the current lease term of the Charlotte-Mecklenburg Schools with Crown Castle Towers 06-2 LLC for cell towers at Jay M. Robinson Middle School and Myers Park High School.

Note: North Carolina General Statute (NCGS) 115C-518(a) requires local school boards to give local boards of county commissioners the first opportunity to acquire any school owned real estate that is proposed for disposal. The BOCC previously declined its statutory right of first refusal on August 14, 2012. To comply with this statute, CMS must offer the above cell tower sites to the County prior to entering into a lease extension with Crown Castle Towers 06-LLC. The terms of both agreements are as follows:

Locations - Jay M. Robinson MS - 5925 Ballantyne Commons Parkway, Charlotte, NC and Myers Park HS - 2322 Colony Road, Charlotte, NC
Extended Lease Term - Current lease term for each lease will be extended to continue until March 31, 2023
Other - All other terms and conditions of the current Lease remain in full force and effect.

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

18-4616 BUDGET AMENDMENT - HEALTH DEPARTMENT (REVENUE INCREASE/DECREASE)

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, receive, and appropriate an increase in other revenue of $100,013 from the Susan G. Komen Foundation, to remain available until expended; and

Note: The Mecklenburg County Health Department has been awarded funding from the Susan G. Komen Foundation for the period of April 1, 2018 through March 31, 2019. This funding will augment the funding we currently receive from the state to provide breast and cervical cancer screenings for uninsured women. These funds will support:

· Continuation of the Person to Person Program to provide screening mammograms and diagnostic services for low-income women, uninsured/underinsured women.
· Providing access for more eligible minority women residing in Mecklenburg County.
· Providing outreach and education focused on breast health and access to available resources.

2. Recognize, receive, and appropriate a net decrease in revenue in the amount of $142,005. (The net decrease is to reflect actual state and federal 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 decrease of state and federal allocations is $142,005.

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

18-4624 CAPITAL RESERVE EXPENDITURE REQUEST - PHASE II - ELON PARK SYNTHETIC TURF REPLACEMENT (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 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.

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

18-4629 GRANT APPLICATION: FY2018-2019 JCPC ALTERNATIVES TO COMMITMENT PROGRAMS

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 submission of a grant application for state funding in the amount of $100,000 to the N.C. Department of Public Safety, Division of Adult Correction and Juvenile Justice, FY2018-2019 JCPC Alternatives to Commitment Programs; and if awarded, recognize, receive, and appropriate funds for the amount awarded for the duration of the grant period.

Note: The requested funding will allow Mecklenburg County Criminal Justice Services to deliver comprehensive case management and supportive services to juvenile offenders, ages 16 years of age and above, returning to Mecklenburg County following release from a North Carolina Youth Development Center or other community placement. Primary support services include pre- and post-release planning with juvenile and family members; completion of primary education and support secondary education; specific vocational skills training, employment readiness and retention skills training; and job placement assistance.

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

Commissioner Dunlap returned to the dais.

18-4644 REQUEST FOR PROPOSAL - CARDINAL INNOVATIONS HEALTHCARE

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 Request for Proposal (RFP) to Cardinal Innovations Healthcare to receive funds up to $1.5 million for capital, equipment, and/or programmatic needs; and if awarded, recognize, receive, and appropriate such funds in the General Fund, to be available for the duration of the program period.

Note: Mecklenburg County is requesting funding through the Cardinal Innovations Healthcare Community Reinvestment Program to develop and open a Psychiatric Residential Treatment Facility (PRTF) for female adolescents, in partnership with an identified child mental health
provider [subcontract] in the community. The PRTF will provide non-acute inpatient facility care for NC Medicaid (Medicaid) beneficiaries who have mental illness, possible concomitant mild intellectual challenges or a substance use disorder, and need 24-hour supervision and gender-specific specialized intervention. This 6-bed facility will serve females between 13 and 21 years of age. The funding will be used to retrofit an existing facility for this population, as well as, to engage in consultation and evaluation from best practice experts.

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

County Manager Diorio addressed the request.

The following comments were made prior to the above vote:

Commissioner Leake asked about the site for the facility. County Manager Diorio said staff had a site in mind but would need the grant money to pursue it.

Commissioner Leake asked that the Board receive periodic reports regarding this if the grant was received.

Commissioner James asked for clarity on the amount of potential funding from Cardinal, which was addressed. County Manager Diorio noted that it was a competitive process.

Commissioner James asked about Cardinal’s reasoning for doing this. County Manager Diorio said it was her understanding that it was being done as a “good gesture” because of the issues they had with the prior CEO and his severance package, which was the same amount of money.

Commissioner James asked would this be an annual grant or one-time. County Manager Diorio said it would be one-time funding.

Commissioner James asked if the County would build a facility. County Manager Diorio said no, that an existing facility would be up-fitted that a contractor had available. She said if awarded the grant dollars would be for start-up costs and after that, it was felt the receipt of Medicaid and other state revenue would pay for the on-going cost associated with running the facility.

Commissioner Leake asked would it be a 24 hours facility. The response was yes.

Commissioner Fuller asked who would manage the Medicaid dollars, which was addressed.

Chair Scarborough asked would the County be liable. County Manager Diorio said it would be structured such that it would be fully funded by state and federal dollars, as well as, with the startup funding from Cardinal.

Commissioner Leake asked who would staff the facility. The response was the contractor.

Commissioner Dunlap asked was there a contingency plan if the County did not receive the grant from Cardinal. County Manager Diorio said there was no contingency plan. She said it was a service that was needed in the community and staff was hopeful that the grant would be received.

Commissioner Fuller asked was the contractor’s contract with the County. The response was that the contract would be with the County for the beds, as done by the County with other providers.

Commissioner Fuller asked would any County funding be needed. County Manager Diorio said none was anticipated based on the way it would be structured, but if that were to change, staff would come back to the Board and address that issue.
ADJOURNMENT

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, that there being no further business to come before the Board that the meeting be adjourned at 9:47 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 1, 2018.

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 Tyrone Wade Clerk to the Board Janice S. Paige

Absent: Commissioner Vilma D. Leake

-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) to be removed from Consent and voted upon separately.

No items were identified by those in attendance.

STAFF BRIEFING

18-4678 INTERLOCAL AGREEMENT WITH TOWN OF PINEVILLE FOR EXTRA TERRITORIAL JURISDICTION (ETJ) LAW ENFORCEMENT SERVICES

Assistant County Manager/Chief of Staff Derrick Ramos addressed the proposed interlocal agreement with the Town of Pineville for ETJ Law Enforcement Services. It was noted the Town of Pineville recently notified the County that it may change its mind and ask the Charlotte-Mecklenburg police to continue to provide service in the Town’s ETJ area, rather than the Pineville police doing it. It was noted, however, that the proposed agreement before the Board was one that had been developed between the Town of Pineville and County staffs.

The Town of Pineville will consider the matter on May 8, 2018 or sometime thereafter.

Assistant County Manager/Chief of Staff Ramos said if necessary, the matter would be brought back to the Board, because it would require an amendment to the agreement with the City of Charlotte.

Motion was made by Commissioner James, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour, and
MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION APPROVING A LAW ENFORCEMENT SERVICES INTERLOCAL AGREEMENT BETWEEN MECKLENBURG COUNTY AND THE TOWN OF PINEVILLE

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 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 Town Manager, and their staff, have been negotiating terms for an agreement with the Town of Pineville for the Pineville Police Department to provide law enforcement services within the extraterritorial jurisdiction areas of the Town; and

WHEREAS, the County Manager presented to the Board, as part of the agenda of the meeting at which this resolution was adopted, a proposed five (5) year interlocal agreement with the Town of Pineville for the Town to provide law enforcement services within the extraterritorial jurisdiction areas of the Town, which proposed agreement has been negotiated with the Town Manager and staff; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby approve the interlocal agreement with the Town entitled “Law Enforcement Services Interlocal Agreement Between Mecklenburg County and the Town of Pineville” as presented to the Board at the meeting at which this Resolution was adopted, to be effective July 1, 2018, for the Town to provide law enforcement services within the ETJ area of the Town, as defined in the interlocal agreement, and authorizes the County Manager to execute such Agreement in substantially the form presented to the Board.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #241.

CLOSED SESSION

18-4655 CONSULT WITH ATTORNEY

County Attorney Wade announced there were no Consult with Attorney matters to be discussed in 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 James and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

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

AWARDS/RECOGNITION – NONE

PUBLIC APPEARANCE
18-4653  PUBLIC APPEARANCE

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

Matthew DeAntonio and Solomon Franklin spoke in support of Universal Pre-K.

*Commissioner Ridenhour entered the meeting during Mr. DeAntonio’s remarks.*

APPOINTMENTS

18-4662  NOMINATIONS/APPOINTMENTS

**Transit Services 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 nominate and appoint Patrick Paige to the Transit Services Advisory Committee to fill an unexpired term expiring February 3, 2019.

*Note: He replaced Edward Jernigan.*

COUNTY MANAGER’S REPORT

18-4669  SET PUBLIC HEARING ON PROPOSED ABOLISHMENT OF CURRENT COUNTY-WIDE LAW ENFORCEMENT SERVICE DISTRICT

Assistant County Manager/Chief of Staff Derrick Ramos addressed the proposed abolishment of the current county-wide law enforcement service district.

*Note: As part of creating the six (6) proposed new law enforcement service districts, the current county-wide law enforcement district has to be abolished effective the end of the current fiscal year, June 30, 2018. The Board is required to hold a public hearing before adopting a resolution abolishing the current county-wide district.*

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 set a public hearing on May 15, 2018 at 6:30 p.m., or as soon thereafter as the agenda allows, in the Meeting Chamber of the Charlotte-Mecklenburg Government Center to receive public comments on proposed abolishment of current County-Wide Law Enforcement Service District; and direct the Clerk to publish the required Notice of Public Hearing.

COUNTY COMMISSIONERS REPORTS & REQUESTS

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 move Item 18-4673 up on the agenda for discussion at this time.

18-4673  HEALTH DEPARTMENT GOVERNANCE AND OVERSIGHT (COMMISSIONER PUCKETT)
Commissioner Jim Puckett addressed governance and oversight of the Health Department. He noted the following:

“In light of the continued calls from the public for reform and better oversight of operations in the Health Department, as well as concerns heard both from and on behalf of employees and clients, I am asking the BOCC to consider a change in governance of the Mecklenburg County Health Department. Our current structure places all responsibility for hiring, management oversight and evaluation of the Director of Health and by extension the Health Department, solely in the hands of the County Manager. The current structure does not require the Manager seek advice from, nor does it provide a process, insuring the Manager be aided by anyone in the medical/healthcare field. With all due respect, county managers (current and past) lack the training and experience within the healthcare field to make properly analytical decisions regarding public health oversight or offer proficient medical/health related diagnostic and methodological suggestions and recommendations.”

Motion was made by Commissioner Puckett, seconded by Commissioner Ridenhour, to direct the Board Chair to appoint an ad hoc committee to investigate options available to change the current method of governance and oversight of the Mecklenburg County Health Department and make recommendations as appropriate to that end.

Public Comments

Minister Corine Mack, President of the Charlotte Chapter of the NAACP, spoke in support of Commissioner Puckett’s request to the Board.

Board Comments

Commissioner Ridenhour said the proposal by Commissioner Puckett was worth exploring, however, he was not interested in setting up another advisory board.

Commissioner Clarke expressed opposition to the proposal. Commissioner Clarke said the County Manager was more than capable of managing the Health Department.

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

Commissioner Puckett addressed why he brought the proposal forward.

Commissioner Fuller said things at the Health Department had not been “smooth sailing” for the past year and acknowledged that the department was going through a period of transition.

Commissioner Fuller said he was not opposed to what was being proposed, but he was not supportive of setting up a separate board of health. Commissioner Fuller said the Board was responsible for determining whether the right structure was in place for managing the Health department.

Commissioner Ridenhour returned to the dais.

Commissioner Cotham spoke in support of the proposal.

Commissioner James asked County Manager Diorio to comment on what was being proposed.

County Manager Diorio said she was not opposed to an ad hoc committee being formed. She said ultimately it was the Board’s decision.
Commissioner James said the focus of the committee should not be about disgruntled employees, but rather, governance of the Health department.

Commissioner James, chair of the Board’s Audit Review Committee, said the Audit Review Committee would continue to meet and discuss Health department issues as done in the past.

Commissioner James said he was not opposed to considering privatization of the Health department.

Commissioner Puckett said the ad hoc committee would be comprised of four (4) members.

Commissioner Dunlap expressed his support of the proposal. Commissioner Dunlap said he was comfortable with the Board remaining as the Board of Health and with the County Manager managing the Health department.

Commissioner Dunlap commented on the difficulty the Health department had had for several years with changing the cultural of the organization. He said consultants that were brought in said it would take a few years for the cultural to change.

Commissioner Dunlap said any model adopted should not prohibit the County Manager from supervising employees of the Health department.

Commissioner Clarke said the proposal would complicate the efforts of the County Manager and the Director of the Health department to make changes at the Health department.

Commissioner Fuller said he would be opposed to privatization of the Health Department.

Chair Scarborough spoke in opposition to the proposal. Chair Scarborough said the County Manager was responsible for handling human resource matters.

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

Motion was made by Commissioner Puckett, seconded by Commissioner Ridenhour and carried 6-2 with Commissioners Cotham, Dunlap, Fuller, James, Puckett, and Ridenhour voting yes and Commissioners Clarke and Scarborough voting no, to direct the Board Chair to appoint an ad hoc committee to investigate options available to change the current method of governance and oversight of the Mecklenburg County Health Department and make recommendations as appropriate to that end.

PUBLIC HEARINGS

18-4638 TEFRA HEARING - AHF-TIMBER RIDGE, LLC, ATLANTIC HOUSING FOUNDATION, INC.

Commissioner Jim Puckett 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 MULTIFAMILY HOUSING REVENUE BONDS (AHF SOUTHEAST PORTFOLIO ACQUISITION), IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $22,000,000

WHEREAS, AHF-Timber Ridge, LLC, a Delaware limited liability company, of which Atlantic Housing Foundation, Inc., a South Carolina nonprofit corporation and organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the “Code”), is the sole

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member (collectively, “Borrower”) has requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the “Authority”), issue its Multifamily Housing Revenue Bonds (AHF Southeast Portfolio Acquisition), in one or more series (the “Bonds”), in an aggregate principal amount not to exceed $22,000,000, and loan approximately $944,000 of the proceeds of the Bonds to the Borrower for the following purposes:

(A) finance the acquisition of a 101-unit, multi-family affordable housing development, known as Timber Ridge Apartments located at 7123 Barrington Drive, Charlotte, North Carolina 28215 (the “Project”); and

(B) pay certain expenses incurred in connection with the authorization and issuance of the Bonds.

WHEREAS, the Project will be owned and operated by the Borrower.

WHEREAS, pursuant to Section 147(f) of the Code and Treasury Regulations Section 5f.103-2(f), as amended (collectively, “Federal Tax Requirements”) and pursuant to 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 Public Finance Authority dated as of September 28, 2010 (collectively, “Authority Requirements”), prior to their issuance and after a public hearing held following reasonable public notice, 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;

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 Federal Tax Requirements and the Authority Requirements; 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 the Federal Tax Requirements and the Authority Requirements, the Board hereby approves (a) the Authority’s issuance of the Bonds in an aggregate principal amount of not to exceed $22,000,000, and (b) the financing 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 Bonds or for any costs incurred by the Borrower with respect to the Bonds or the Project.

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

On motion of Commissioner Jim Puckett, seconded by Commissioner Bill James, the foregoing resolution entitled “RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS MULTIFAMILY HOUSING REVENUE BONDS (AHF SOUTHEAST PORTFOLIO ACQUISITION), IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $22,000,000” was duly adopted by the following vote:

AYES: Commissioners Dumont Clarke, Patricia “Pat” Cotham, George Dunlap, Trevor M. Fuller,
NOTICE OF PUBLIC HEARING
FOR THE BOARD OF COMMISSIONERS
OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA
WITH RESPECT TO MULTIFAMILY HOUSING REVENUE BONDS
(AHF SOUTHEAST PORTFOLIO ACQUISITION)
TO BE ISSUED BY THE PUBLIC FINANCE AUTHORITY
IN AN AMOUNT NOT TO EXCEED
$22,000,000

NOTICE IS HEREBY GIVEN that on May 1, 2018, 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 Multifamily Housing Revenue Bonds (AHF Southeast Portfolio Acquisition), in one or more series (the “Bonds”), in an amount not to exceed $22,000,000, 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 by the Authority pursuant to 66.0304 of the Wisconsin Statutes, as amended, and the Authority will loan an approximately $944,000 portion of the proceeds from the sale of the Bonds to the “Borrower” identified below and used to (i) finance the acquisition of a 101-unit, multi-family affordable housing development, known as Timber Ridge Apartments (“Project”), and (ii) pay certain fees and costs associated with the issuance of the Bonds.

The Project is located at 7123 Barrington Drive, Charlotte, North Carolina 28215. The Project will be owned by AHF-Timber Ridge, LLC, a Delaware limited liability company, of which Atlantic Housing Foundation, Inc., a South Carolina nonprofit corporation and organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, is the sole member (collectively, the “Borrower”). The maximum aggregate principal amount of tax-exempt Bonds proposed to be issued by the Authority in connection with the Project is $22,000,000.

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 trust indenture for the Bonds.

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 of the Project. Any person 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 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 4th Street, 11th floor, Charlotte, North Carolina 28202. This notice is given pursuant to the provisions of Section 147(f) of the Code, Section 66.0304[11](a)(3) of the Wisconsin Statutes and Section 4 of the Amended and Restated Joint Exercise of Powers Agreement Relating to the Authority dated as of September 28, 2010.

Note: AHF-Timber Ridge, LLC is using the Wisconsin Public Finance Authority as the issuer of the Bonds because of a 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. Additionally, the acquisition of the Project is a part of a larger transaction which involves the acquisition of multiple affordable housing facilities in multiple states. The Public Finance Authority, because it is a national issuer, allows Atlantic Housing Foundation to complete the multistate acquisition in one consolidated transaction. In order to comply with federal tax law, and the code and Public Finance Authority’s statutory requirements, the Borrower has requested that the Mecklenburg County Board of Commissioners approve the issuance of the Bonds.
Commissioners hold a public hearing and approve the Resolution. This approval will not make the County responsible in any way for the Bonds or the Project financed with bond proceeds. Hosting the public hearing and approving the issuance of the Bonds are merely ministerial acts that will enable the Borrower to comply with federal tax law requirements in order that interest on the Bonds be exempt from federal income tax. Representatives of the Borrower are planning to attend the hearing to answer any questions any Board members might have about the bonds or the project.

Extract/Resolution recorded in full in Ordinance/Minute Book 47-A, Document #242.

18-4652  PUBLIC HEARING ON PROPOSED LAW ENFORCEMENT SERVICE DISTRICT WITHIN THE EXTRATERRITORIAL JURISDICTION AREA OF THE CITY OF CHARLOTTE, NC

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 certification that the notice of public hearing was mailed by first class mail to the owners, as shown by the county tax records as of January 1, 2017, of all property located within the proposed Law Enforcement Service District (LESD); and

2. Open the public hearing to receive comments on the proposed LESD Within The Extraterritorial Jurisdiction Area of the City of Charlotte, NC.

Note: In 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow the levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 “Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Original Agreement). On April 18, 2017, the Board of County Commissioners terminated the agreement effective June 30, 2018. On February 20, 2018, the Board adopted a resolution authorizing the County Manager to start the process for creating six (6) law enforcement service districts, to become effective July 1, 2018. The separate Interlocal Agreement with the City of Charlotte allows the City to provide law enforcement services to the ETJ areas of the City, Davidson, and Mint Hill, and within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant. Conducting a public hearing on the proposed LESD is a part of the statutory requirement for establishing a LESD.

No one appeared to speak.

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 close the public hearing on proposed LESD Within The Extraterritorial Jurisdiction Area of the City of Charlotte, NC and adopt resolution, titled "Mecklenburg County Board of Commissioners Resolution Creating the City of Charlotte Law Enforcement Service District."

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION CREATING THE CITY OF CHARLOTTE LAW ENFORCEMENT SERVICE DISTRICT

WHEREAS, in 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow the levy of a law enforcement service district tax just in that area
to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 “Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Original Agreement”); and

WHEREAS, effective July 1, 1996 the County and the City entered into an “Agreement for the Continued Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Current Agreement”) which Agreement was terminated by the Board of County Commissioners effective June 30, 2018; and

WHEREAS, the County Manager has negotiated and the Board of County Commissioners has approved the interlocal agreement with the City entitled “2018 Agreement Between the City of Charlotte and Mecklenburg County for the Continued Consolidation of the Charlotte Mecklenburg Police Department” to be effective July 1, 2018, for the City to provide law enforcement services within the ETJ areas of the City, Davidson, Mint Hill, and within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant; and

WHEREAS, since the costs for providing law enforcement services under each such agreement may result in different law enforcement service district tax rates being charged in different ETJ areas over time, the County Manager has recommended the creation of separate law enforcement service districts for each of the six (6) ETJ areas so as to provide the necessary flexibility for the Board of County Commissioners to set different rates in each area; and

WHEREAS, in accordance with the statutory requirements outlined in G.S. 153A-302, the Board of County Commissioners has found that all the following apply:

(1) There is a demonstrable need for providing in the district one or more of the services listed in G.S. 153A-301.

WHEREAS, The 1996 Agreement that provided for law enforcement services by the Charlotte-Mecklenburg Police Department (“CMPD”) in the Extra-Territorial Jurisdictions (“ETJ”) of municipalities in Mecklenburg County was terminated by the County, effective June 30, 2018; and,

WHEREAS, During all years of that Agreement, there have been multiple calls for law enforcement services from residents and others in this district as shown by the chart under subsection (4); and,

WHEREAS, for the foreseeable future, the ETJs will continue to have residents in need of law enforcement services as calls for service will certainly continue to be made; and,

WHEREAS, new Law Enforcement Service Districts (LESDs), including one for this district, are being created to provide for continuity of law enforcement services; and,

(2) It is impossible or impracticable to provide these services on a county-wide basis.

WHEREAS, there is no near-term practical ability for Mecklenburg County to provide law enforcement services on a county-wide basis as the County terminated the 1996 Agreement that provided for law enforcement services by the CMPD in the ETJ of municipalities effective June 30, 2018; and,

WHEREAS, the new LESDs, including the one for this district, will provide funding to local municipalities to support Interlocal Agreements with Mecklenburg County which authorize the municipal police forces to provide law enforcement services for all ETJ residents; and,

(3) It is economically feasible to provide the proposed services in the district without unreasonable or burdensome annual tax levies.

WHEREAS, at present, Mecklenburg County levies a law enforcement service district rate of $0.2146, per one hundred dollars valuation, in the entire unincorporated area of the County to fund law enforcement services; and,

WHEREAS, new, five-year Interlocal Agreements (starting July 1, 2018) have been negotiated to provide law enforcement services to the unincorporated areas of the County, including for this district; and,

WHEREAS, in each Interlocal Agreement, including the Interlocal Agreement which would provide law enforcement services for this district, the cost for law enforcement services is not anticipated to exceed revenues generated from an assumed $0.2146 tax rate or an equivalent revenue neutral tax rate; and,

(4) There is a demonstrable demand for the proposed services by persons residing in the district.

WHEREAS, the Board of County Commissioners and the Charlotte City Council have approved an interlocal agreement between the City of Charlotte and the County for the CMPD to provide law enforcement services within the ETJ areas of the City, Davidson, Mint Hill, and within that certain portion of the ETJ of the Town of Huntersville that includes the McGuire Nuclear Plant; and,
### CMPD Uniformed Patrol Workload: Mecklenburg County Unincorporated Areas 2014-2016

<table>
<thead>
<tr>
<th>Area</th>
<th>Calls for Service (includes Emergency, Urgent, Immediate, &amp; Routine Calls)</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charlotte ETJ</td>
<td></td>
<td>27690</td>
<td>25750</td>
<td>19044</td>
</tr>
<tr>
<td>Cornelius ETJ</td>
<td></td>
<td>40</td>
<td>36</td>
<td>54</td>
</tr>
<tr>
<td>Davidson ETJ</td>
<td></td>
<td>18</td>
<td>30</td>
<td>23</td>
</tr>
<tr>
<td>Huntersville ETJ</td>
<td></td>
<td>1022</td>
<td>961</td>
<td>1111</td>
</tr>
<tr>
<td>Mint Hill ETJ</td>
<td></td>
<td>3803</td>
<td>2909</td>
<td>1870</td>
</tr>
<tr>
<td>Pineville ETJ</td>
<td></td>
<td>1169</td>
<td>1287</td>
<td>794</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>33742</td>
<td>30973</td>
<td>22896</td>
</tr>
</tbody>
</table>

### Average Response Times for Different Priority Calls

**Mecklenburg County Unincorporated Areas 2014-2016**

<table>
<thead>
<tr>
<th>Area</th>
<th>Priority</th>
<th>Average Response Time in Minutes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2014</td>
<td>2015</td>
</tr>
<tr>
<td>Charlotte ETJ</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 (emergency)</td>
<td>8.8</td>
<td>8.8</td>
</tr>
<tr>
<td>2 (urgent)</td>
<td>14.6</td>
<td>14.7</td>
</tr>
<tr>
<td>3 (immediate)</td>
<td>17.7</td>
<td>17.7</td>
</tr>
<tr>
<td>5 (routine)</td>
<td>33.3</td>
<td>31.8</td>
</tr>
<tr>
<td>Cornelius ETJ</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 (emergency)</td>
<td>n/a</td>
<td>11.6</td>
</tr>
<tr>
<td>2 (urgent)</td>
<td>n/a</td>
<td>34.5</td>
</tr>
<tr>
<td>3 (immediate)</td>
<td>28.1</td>
<td>23.8</td>
</tr>
<tr>
<td>5 (routine)</td>
<td>43.9</td>
<td>33.1</td>
</tr>
<tr>
<td>Davidson ETJ</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 (emergency)</td>
<td>n/a</td>
<td>8.0</td>
</tr>
<tr>
<td>3 (immediate)</td>
<td>26.8</td>
<td>26.7</td>
</tr>
<tr>
<td>5 (routine)</td>
<td>30.4</td>
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<tr>
<td>Huntersville ETJ</td>
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<tr>
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<td>2 (urgent)</td>
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</tr>
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<td>3 (immediate)</td>
<td>22.4</td>
<td>21.3</td>
</tr>
<tr>
<td>5 (routine)</td>
<td>39.9</td>
<td>35.1</td>
</tr>
<tr>
<td>Mint Hill ETJ</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 (emergency)</td>
<td>9.4</td>
<td>9.4</td>
</tr>
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<td>2 (urgent)</td>
<td>14.1</td>
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<td>16.8</td>
</tr>
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<td>5 (routine)</td>
<td>31.2</td>
<td>29.4</td>
</tr>
<tr>
<td>Pineville ETJ</td>
<td></td>
<td></td>
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<tr>
<td>1 (emergency)</td>
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<td>9.5</td>
</tr>
<tr>
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<td>14</td>
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<td>3 (immediate)</td>
<td>16.9</td>
<td>16.4</td>
</tr>
<tr>
<td>5 (routine)</td>
<td>30.6</td>
<td>28.4</td>
</tr>
</tbody>
</table>

* n/a means there were no calls that met the criteria for calculating response time

**WHEREAS,** the CMPD also reported their average response times to emergency, urgent, immediate, and routine calls to the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Creating new LESDs will allow for law enforcement services to be provided by town police departments in the ETJs of Cornelius, Pineville, and Huntersville – which the Towns anticipate may result in decreased response times. The CMPD will continue to cover services in the ETJs of Charlotte, Mint Hill and Davidson, and a portion of the ETJ of Huntersville where the Duke Energy McGuire Plant is located; and,
MAY 1, 2018

; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby create a law enforcement service district for the ETJ areas of the City of Charlotte, as reflected in Attachment A, to become effective July 1, 2018.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #243.

18-4664 PUBLIC HEARING ON PROPOSED LAW ENFORCEMENT SERVICE DISTRICT WITHIN THE EXTRATERRITORIAL JURISDICTION AREA OF THE TOWN OF CORNELIUS

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 certification that the notice of public hearing was mailed by first class mail to the owners, as shown by the county tax records as of January 1, 2017, of all property located within the proposed Law Enforcement Service District (LESD); and

2. Open the public hearing to receive comments on the proposed LESD Within The Extraterritorial Jurisdiction Area of the Town of Cornelius.

Note: In 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 “Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Original Agreement”). On April 18, 2017, the Board of County Commissioners terminated the agreement effective June 30, 2018. On February 20, 2018, the Board adopted a resolution authorizing the County Manager to start the process for creating six (6) law enforcement service districts, to become effective July 1, 2018. The separate Interlocal Agreement with the Town of Cornelius allows the Town to provide law enforcement services within the ETJ area of the Town, including Lake Norman waters and shoreline. Conducting a public hearing on the proposed LESD is a part of the statutory requirement for establishing a LESD.

No one appeared to speak.

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 close the public hearing on proposed LESD Within The Extraterritorial Jurisdiction Area of the Town of Cornelius and adopt resolution, titled "Mecklenburg County Board of Commissioners Resolution Creating the Town of Cornelius Law Enforcement Service District."

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION CREATING THE TOWN OF CORNELIUS LAW ENFORCEMENT SERVICE DISTRICT

WHEREAS, in 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow the levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 “Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Original Agreement”); and
WHEREAS, effective July 1, 1996 the County and the City entered into an “Agreement for the Continued Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Current Agreement”) which Agreement was terminated by the Board of County Commissioners effective June 30, 2018; and

WHEREAS, the County Manager has negotiated and the Board of County Commissioners has approved the interlocal agreement with the Town entitled “Law Enforcement Services Interlocal Agreement Between Mecklenburg County and the Town of Cornelius” to be effective July 1, 2018, for the Town to provide law enforcement services within the ETJ area of the Town, including Lake Norman waters and shoreline, as defined in the interlocal agreement; and

WHEREAS, since the costs for providing law enforcement services under each such agreement may result in different law enforcement service district tax rates being charged in different ETJ areas over time, the County Manager has recommended the creation of separate law enforcement service districts for each of the six (6) ETJ areas so as to provide the necessary flexibility for the Board of County Commissioners to set different rates in each area; and

WHEREAS, in accordance with the statutory requirements outlined in G.S. 153A-302, the Board of County Commissioners has found that all the following apply:

(1) There is a demonstrable need for providing in the district one or more of the services listed in G.S. 153A-301.

WHEREAS, The 1996 Agreement that provided for law enforcement services by the Charlotte-Mecklenburg Police Department (“CMPD”) in the Extra-Territorial Jurisdictions (“ETJ”) of municipalities in Mecklenburg County was terminated by the County, effective June 30, 2018; and,

WHEREAS, During all years of that Agreement, there have been multiple calls for law enforcement services from residents and others in this district as shown by the chart under subsection (4); and,

WHEREAS, for the foreseeable future, the ETJs will continue to have residents in need of law enforcement services as calls for service will certainly continue to be made; and,

WHEREAS, new Law Enforcement Service Districts (LESDs), including one for this district, are being created to provide for continuity of law enforcement services; and,

(2) It is impossible or impracticable to provide these services on a county-wide basis.

WHEREAS, there is no near-term practical ability for Mecklenburg County to provide law enforcement services on a county-wide basis as the County terminated the 1996 Agreement that provided for law enforcement services by the CMPD in the ETJ of municipalities effective June 30, 2018; and,

WHEREAS, the new LESDs, including the one for this district, will provide funding to local municipalities to support Interlocal Agreements with Mecklenburg County which authorize the municipal police forces to provide law enforcement services for all ETJ residents; and,

(3) It is economically feasible to provide the proposed services in the district without unreasonable or burdensome annual tax levies.

WHEREAS, at present, Mecklenburg County levies a law enforcement service district rate of $0.2146, per one hundred dollars valuation, in the entire unincorporated area of the County to fund law enforcement services; and,

WHEREAS, new, five-year Interlocal Agreements (starting July 1, 2018) have been negotiated to provide law enforcement services to the unincorporated areas of the County, including for this district; and,

WHEREAS, in each Interlocal Agreement, including the Interlocal Agreement which would provide law enforcement services for this district, the cost for law enforcement services is not anticipated to exceed revenues generated from an assumed $0.2146 tax rate or an equivalent revenue neutral tax rate; and,

(4) There is a demonstrable demand for the proposed services by persons residing in the district.

WHEREAS, the Board of County Commissioners and the Cornelius Board of Commissioners have approved an interlocal agreement between the Town of Cornelius and the County for the Cornelius Police Department to provide law enforcement services within the ETJ area of the Town, including Lake Norman waters and shoreline; and,

WHEREAS, according to information provided by the Charlotte-Mecklenburg Police Department in June 2017, there has been a demonstrated demand as well as need for law enforcement services in the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Need for policing services has been demonstrated in the data
WHEREAS, the CMPD also reported their average response times to emergency, urgent, immediate, and routine calls to the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Creating new LESDs will allow for law enforcement services to be provided by town police departments in the ETJs of Cornelius, Pineville, and Huntersville – which the Towns anticipate may result in decreased response times. The CMPD will continue to cover services in the ETJs of Charlotte, Mint Hill and Davidson, and a portion of the ETJ of Huntersville where the Duke Energy McGuire Plant is located.

### Average Response Times for Different Priority Calls

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<th>Area</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>2014</td>
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</tr>
<tr>
<td>Charlotte ETJ</td>
<td>1 (emergency)</td>
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<td>33.3</td>
</tr>
<tr>
<td>Cornelius ETJ</td>
<td>1 (emergency)</td>
<td>n/a</td>
</tr>
<tr>
<td></td>
<td>2 (urgent)</td>
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</tr>
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<td></td>
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<td>26.8</td>
</tr>
<tr>
<td></td>
<td>5 (routine)</td>
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<td>Huntersville ETJ</td>
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<tr>
<td></td>
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<td></td>
<td>3 (immediate)</td>
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<tr>
<td></td>
<td>5 (routine)</td>
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<tr>
<td>Mint Hill ETJ</td>
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<tr>
<td></td>
<td>3 (immediate)</td>
<td>16.9</td>
</tr>
<tr>
<td></td>
<td>5 (routine)</td>
<td>30.6</td>
</tr>
</tbody>
</table>

*n/a means there were no calls that met the criteria for calculating response time

; now, therefore, be it
RESOLVED that the Mecklenburg County Board of Commissioners does hereby create a law enforcement service district for the ETJ areas of the Town of Cornelius, as reflected in Attachment A, to become effective July 1, 2018.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #244.

18-4665  PUBLIC HEARING ON PROPOSED LAW ENFORCEMENT SERVICE DISTRICT WITHIN THE EXTRATERRITORIAL JURISDICTION AREA OF THE TOWN OF DAVIDSON

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 certification that the notice of public hearing was mailed by first class mail to the owners, as shown by the county tax records as of January 1, 2017, of all property located within the proposed Law Enforcement Service District (LESD); and

2. Open the public hearing to receive comments on the proposed LESD Within The Extraterritorial Jurisdiction Area of the Town of Davidson.

Note: In 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 “Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Original Agreement). On April 18, 2017, the Board of County Commissioners terminated the agreement effective June 30, 2018. On February 20, 2018, the Board adopted a resolution authorizing the County Manager to start the process for creating six (6) law enforcement service districts, to become effective July 1, 2018. The separate Interlocal Agreement with the City of Charlotte allows for the City of Charlotte (CMPD) to provide law enforcement services within the ETJ areas of the City, Davidson, and Mint Hill, and within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant. Conducting a public hearing on the proposed LESD is a part of the statutory requirement for establishing a LESD.

No one appeared to speak.

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 close the public hearing on proposed LESD Within The Extraterritorial Jurisdiction Area of the Town of Davidson and adopt resolution, titled "Mecklenburg County Board of Commissioners Resolution Creating the Town of Davidson Law Enforcement Service District."

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION CREATING THE TOWN OF DAVIDSON LAW ENFORCEMENT SERVICE DISTRICT

WHEREAS, in 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow the levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 “Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Original Agreement”); and
WHEREAS, effective July 1, 1996 the County and the City entered into an “Agreement for the Continued Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Current Agreement”) which Agreement was terminated by the Board of County Commissioners effective June 30, 2018; and

WHEREAS, the County Manager has negotiated and the Board of County Commissioners has approved the interlocal agreement with the City entitled “2018 Agreement Between the City of Charlotte and Mecklenburg County for the Continued Consolidation of the Charlotte Mecklenburg Police Department” to be effective July 1, 2018, for the City to provide law enforcement services within the ETJ areas of the City, Davidson, Mint Hill, and within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant; and

WHEREAS, since the costs for providing law enforcement services under each such agreement may result in different law enforcement service district tax rates being charged in different ETJ areas over time, the County Manager has recommended the creation of separate law enforcement service districts for each of the six (6) ETJ areas so as to provide the necessary flexibility for the Board of County Commissioners to set different rates in each area; and

WHEREAS, in accordance with the statutory requirements outlined in G.S. 153A-302, the Board of County Commissioners has found that all the following apply:

(1) There is a demonstrable need for providing in the district one or more of the services listed in G.S. 153A-301.

WHEREAS, The 1996 Agreement that provided for law enforcement services by the Charlotte-Mecklenburg Police Department (“CMPD”) in the Extra-Territorial Jurisdictions (“ETJ”) of municipalities in Mecklenburg County was terminated by the County, effective June 30, 2018; and,

WHEREAS, During all years of that Agreement, there have been multiple calls for law enforcement services from residents and others in this district as shown by the chart under subsection (4); and,

WHEREAS, for the foreseeable future, the ETJs will continue to have residents in need of law enforcement services as calls for service will certainly continue to be made; and,

WHEREAS, new Law Enforcement Service Districts (LESDs), including one for this district, are being created to provide for continuity of law enforcement services; and,

(2) It is impossible or impracticable to provide these services on a county-wide basis.

WHEREAS, there is no near-term practical ability for Mecklenburg County to provide law enforcement services on a county-wide basis as the County terminated the 1996 Agreement that provided for law enforcement services by the CMPD in the ETJ of municipalities effective June 30, 2018; and,

WHEREAS, the new LESDs, including the one for this district, will provide funding to local municipalities to support Interlocal Agreements with Mecklenburg County which authorize the municipal police forces to provide law enforcement services for all ETJ residents; and,

(3) It is economically feasible to provide the proposed services in the district without unreasonable or burdensome annual tax levies.

WHEREAS, at present, Mecklenburg County levies a law enforcement service district rate of $0.2146, per one hundred dollars valuation, in the entire unincorporated area of the County to fund law enforcement services; and,

WHEREAS, new, five-year Interlocal Agreements (starting July 1, 2018) have been negotiated to provide law enforcement services to the unincorporated areas of the County, including for this district; and,

WHEREAS, in each Interlocal Agreement, including the Interlocal Agreement which would provide law enforcement services for this district, the cost for law enforcement services is not anticipated to exceed revenues generated from an assumed $0.2146 tax rate or an equivalent revenue neutral tax rate; and,

(4) There is a demonstrable demand for the proposed services by persons residing in the district.

WHEREAS, the Board of County Commissioners and the Charlotte City Council have approved an interlocal agreement between the City of Charlotte and the County for the CMPD to provide law enforcement services within the ETJ areas of the City, Davidson, Mint Hill, and within that certain portion of the ETJ of the Town of Huntersville that includes the McGuire Nuclear Plant; and,

WHEREAS, according to information provided by the Charlotte-Mecklenburg Police Department in June 2017, there has been a demonstrated demand as well as need for law enforcement services in the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Need for policing services has been demonstrated in the data.
provided by the Charlotte Mecklenburg Police Department, through the total number of calls for service the CMPD Police Department responded to in each ETJ; and,

WHEREAS, the CMPD also reported their average response times to emergency, urgent, immediate, and routine calls to the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Creating new LESDs will allow for law enforcement services to be provided by town police departments in the ETJs of Cornelius, Pineville, and Huntersville – which the Towns anticipate may result in decreased response times. The CMPD will continue to cover services in the ETJs of Charlotte, Mint Hill and Davidson, and a portion of the ETJ of Huntersville where the Duke Energy McGuire Plant is located.

### Average Response Times for Different Priority Calls

**Mecklenburg County Unincorporated Areas 2014-2016**

<table>
<thead>
<tr>
<th>Area</th>
<th>Priority</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charlotte ETJ</td>
<td>1 (emergency)</td>
<td>8.8</td>
<td>8.8</td>
<td>9.2</td>
</tr>
<tr>
<td></td>
<td>2 (urgent)</td>
<td>14.6</td>
<td>14.7</td>
<td>15.6</td>
</tr>
<tr>
<td></td>
<td>3 (immediate)</td>
<td>17.7</td>
<td>17.7</td>
<td>18.9</td>
</tr>
<tr>
<td></td>
<td>5 (routine)</td>
<td>33.3</td>
<td>31.8</td>
<td>33.9</td>
</tr>
<tr>
<td>Cornelius ETJ</td>
<td>1 (emergency)</td>
<td>n/a</td>
<td>11.6</td>
<td>10.3</td>
</tr>
<tr>
<td></td>
<td>2 (urgent)</td>
<td>n/a</td>
<td>34.5</td>
<td>23.6</td>
</tr>
<tr>
<td></td>
<td>3 (immediate)</td>
<td>28.1</td>
<td>23.8</td>
<td>24.7</td>
</tr>
<tr>
<td></td>
<td>5 (routine)</td>
<td>43.9</td>
<td>33.1</td>
<td>37.3</td>
</tr>
<tr>
<td>Davidson ETJ</td>
<td>1 (emergency)</td>
<td>n/a</td>
<td>8.0</td>
<td>n/a</td>
</tr>
<tr>
<td></td>
<td>3 (immediate)</td>
<td>26.8</td>
<td>26.7</td>
<td>26.4</td>
</tr>
<tr>
<td></td>
<td>5 (routine)</td>
<td>30.4</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Huntersville ETJ</td>
<td>1 (emergency)</td>
<td>10.3</td>
<td>10.5</td>
<td>9.7</td>
</tr>
<tr>
<td></td>
<td>2 (urgent)</td>
<td>17.2</td>
<td>17.7</td>
<td>17.5</td>
</tr>
<tr>
<td></td>
<td>3 (immediate)</td>
<td>22.4</td>
<td>21.3</td>
<td>21.5</td>
</tr>
<tr>
<td></td>
<td>5 (routine)</td>
<td>39.9</td>
<td>35.1</td>
<td>37.1</td>
</tr>
<tr>
<td>Mint Hill ETJ</td>
<td>1 (emergency)</td>
<td>9.4</td>
<td>9.4</td>
<td>9.2</td>
</tr>
<tr>
<td></td>
<td>2 (urgent)</td>
<td>14.1</td>
<td>13.2</td>
<td>15.0</td>
</tr>
<tr>
<td></td>
<td>3 (immediate)</td>
<td>17.3</td>
<td>16.8</td>
<td>18.0</td>
</tr>
<tr>
<td></td>
<td>5 (routine)</td>
<td>31.2</td>
<td>29.4</td>
<td>30.8</td>
</tr>
<tr>
<td>Pineville ETJ</td>
<td>1 (emergency)</td>
<td>8.9</td>
<td>9.5</td>
<td>8.7</td>
</tr>
<tr>
<td></td>
<td>2 (urgent)</td>
<td>14.8</td>
<td>14</td>
<td>14.8</td>
</tr>
<tr>
<td></td>
<td>3 (immediate)</td>
<td>16.9</td>
<td>16.4</td>
<td>18.6</td>
</tr>
<tr>
<td></td>
<td>5 (routine)</td>
<td>30.6</td>
<td>28.4</td>
<td>29.4</td>
</tr>
</tbody>
</table>

*n/a means there were no calls that met the criteria for calculating response time*

; now, therefore, be it
RESOLVED that the Mecklenburg County Board of Commissioners does hereby create a law enforcement service district for the ETJ areas of the Town of Davidson, as reflected in Attachment A, to become effective July 1, 2018.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #245.

18-4666 PUBLIC HEARING ON PROPOSED LAW ENFORCEMENT SERVICE DISTRICT WITHIN THE EXTRATERRITORIAL JURISDICTION AREA OF THE TOWN OF HUNTERSVILLE

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 certification that the notice of public hearing was mailed by first class mail to the owners, as shown by the county tax records as of January 1, 2017, of all property located within the proposed Law Enforcement Service District (LESD); and

2. Open the public hearing to receive comments on the proposed LESD Within The Extraterritorial Jurisdiction Area of the Town of Huntersville.

Note: In 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 “Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments” ("Original Agreement). On April 18, 2017, the Board of County Commissioners terminated the agreement effective June 30, 2018. On February 20, 2018, the Board adopted a resolution authorizing the County Manager to start the process for creating six (6) law enforcement service districts, to become effective July 1, 2018. The separate Interlocal Agreement with the Town of Huntersville allows the Town to provide law enforcement services within the Modified ETJ areas of the Town. Conducting a public hearing on the proposed LESD is a part of the statutory requirement for establishing a LESD.

The following person appeared to speak:

Richard Ferrell, Huntersville resident and retired Mecklenburg County Police Officer, spoke in support of the proposed LESDs. Mr. Ferrell said it was long overdue.

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 close the public hearing on proposed LESD Within The Extraterritorial Jurisdiction Area of the Town of Huntersville and adopt resolution, titled "Mecklenburg County Board of Commissioners Resolution Creating the Town of Huntersville Law Enforcement Service District."

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION CREATING THE TOWN OF HUNTERSVILLE LAW ENFORCEMENT SERVICE DISTRICT

WHEREAS, in 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow the levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 “Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments” ("Original Agreement"), and
WHEREAS, effective July 1, 1996 the County and the City entered into an “Agreement for the Continued Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Current Agreement”) which Agreement was terminated by the Board of County Commissioners effective June 30, 2018; and

WHEREAS, the County Manager has negotiated and the Board of County Commissioners has approved an interlocal agreement with the Town entitled “Law Enforcement Services Interlocal Agreement Between Mecklenburg County and the Town of Huntersville” to be effective July 1, 2018, for the Town to provide law enforcement services within the Modified ETJ areas of the Town as defined in the interlocal agreement; and

WHEREAS, since the costs for providing law enforcement services under each such agreement may result in different law enforcement service district tax rates being charged in different ETJ areas over time, the County Manager has recommended the creation of separate law enforcement service districts for each of the six (6) ETJ areas so as to provide the necessary flexibility for the Board of County Commissioners to set different rates in each area; and

WHEREAS, in accordance with the statutory requirements outlined in G.S. 153A-302, the Board of County Commissioners has found that all the following apply:

(1) There is a demonstrable need for providing in the district one or more of the services listed in G.S. 153A-301.

WHEREAS, The 1996 Agreement that provided for law enforcement services by the Charlotte-Mecklenburg Police Department (“CMPD”) in the Extra-Territorial Jurisdictions (“ETJ”) of municipalities in Mecklenburg County was terminated by the County, effective June 30, 2018; and,

WHEREAS, During all years of that Agreement, there have been multiple calls for law enforcement services from residents and others in this district as shown by the chart under subsection (4); and,

WHEREAS, for the foreseeable future, the ETJs will continue to have residents in need of law enforcement services as calls for service will certainly continue to be made; and,

WHEREAS, new Law Enforcement Service Districts (LESDs), including one for this district, are being created to provide for continuity of law enforcement services; and,

(2) It is impossible or impracticable to provide these services on a county-wide basis.

WHEREAS, there is no near-term practical ability for Mecklenburg County to provide law enforcement services on a county-wide basis as the County terminated the 1996 Agreement that provided for law enforcement services by the CMPD in the ETJ of municipalities effective June 30, 2018; and,

WHEREAS, the new LESDs, including the one for this district, will provide funding to local municipalities to support Interlocal Agreements with Mecklenburg County which authorize the municipal police forces to provide law enforcement services for all ETJ residents; and,

(3) It is economically feasible to provide the proposed services in the district without unreasonable or burdensome annual tax levies.

WHEREAS, at present, Mecklenburg County levies a law enforcement service district rate of $0.2146, per one hundred dollars valuation, in the entire unincorporated area of the County to fund law enforcement services; and,

WHEREAS, new, five-year Interlocal Agreements (starting July 1, 2018) have been negotiated to provide law enforcement services to the unincorporated areas of the County, including for this district; and,

WHEREAS, in each Interlocal Agreement, including the Interlocal Agreement which would provide law enforcement services for this district, the cost for law enforcement services is not anticipated to exceed revenues generated from an assumed $0.2146 tax rate or an equivalent revenue neutral tax rate; and,

(4) There is a demonstrable demand for the proposed services by persons residing in the district.

WHEREAS, the Board of County Commissioners and the Huntersville Board of Commissioners have approved an interlocal agreement between the Town of Huntersville and the County for the Huntersville Police Department to provide law enforcement services within the Modified ETJ areas of the Town as defined in the interlocal agreement; and,

WHEREAS, according to information provided by the Charlotte-Mecklenburg Police Department in June 2017, there has been a demonstrated demand as well as need for law enforcement services in the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Need for policing services has been demonstrated in the data provided by the Charlotte Mecklenburg Police Department, through the total number of calls for service the CMPD Police Department responded to in each ETJ; and,
## CMPD Uniformed Patrol Workload: Mecklenburg County Unincorporated Areas 2014-2016

<table>
<thead>
<tr>
<th>Area</th>
<th>Calls for Service (includes Emergency, Urgent, Immediate, &amp; Routine Calls)</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charlotte ETJ</td>
<td></td>
<td>27690</td>
<td>25750</td>
<td>19044</td>
</tr>
<tr>
<td>Cornelius ETJ</td>
<td></td>
<td>40</td>
<td>36</td>
<td>54</td>
</tr>
<tr>
<td>Davidson ETJ</td>
<td></td>
<td>18</td>
<td>30</td>
<td>23</td>
</tr>
<tr>
<td>Huntersville ETJ</td>
<td></td>
<td>1022</td>
<td>961</td>
<td>1111</td>
</tr>
<tr>
<td>Mint Hill ETJ</td>
<td></td>
<td>3803</td>
<td>2909</td>
<td>1870</td>
</tr>
<tr>
<td>Pineville ETJ</td>
<td></td>
<td>1169</td>
<td>1287</td>
<td>794</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>33742</td>
<td>30973</td>
<td>22896</td>
</tr>
</tbody>
</table>

### Average Response Times for Different Priority Calls Mecklenburg County Unincorporated Areas 2014-2016

<table>
<thead>
<tr>
<th>Area</th>
<th>Priority</th>
<th>Average Response Time in Minutes</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charlotte ETJ</td>
<td>1 (emergency)</td>
<td></td>
<td>8.8</td>
<td>8.8</td>
<td>9.2</td>
</tr>
<tr>
<td></td>
<td>2 (urgent)</td>
<td></td>
<td>14.6</td>
<td>14.7</td>
<td>15.6</td>
</tr>
<tr>
<td></td>
<td>3 (immediate)</td>
<td></td>
<td>17.7</td>
<td>17.7</td>
<td>18.9</td>
</tr>
<tr>
<td></td>
<td>5 (routine)</td>
<td></td>
<td>33.3</td>
<td>31.8</td>
<td>33.9</td>
</tr>
<tr>
<td>Cornelius ETJ</td>
<td>1 (emergency)</td>
<td></td>
<td>n/a</td>
<td>11.6</td>
<td>10.3</td>
</tr>
<tr>
<td></td>
<td>2 (urgent)</td>
<td></td>
<td>n/a</td>
<td>34.5</td>
<td>23.6</td>
</tr>
<tr>
<td></td>
<td>3 (immediate)</td>
<td></td>
<td>28.1</td>
<td>23.8</td>
<td>24.7</td>
</tr>
<tr>
<td></td>
<td>5 (routine)</td>
<td></td>
<td>43.9</td>
<td>33.1</td>
<td>37.3</td>
</tr>
<tr>
<td>Davidson ETJ</td>
<td>1 (emergency)</td>
<td></td>
<td>n/a</td>
<td>8.0</td>
<td>n/a</td>
</tr>
<tr>
<td></td>
<td>3 (immediate)</td>
<td></td>
<td>26.8</td>
<td>26.7</td>
<td>26.4</td>
</tr>
<tr>
<td></td>
<td>5 (routine)</td>
<td></td>
<td>30.4</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Huntersville ETJ</td>
<td></td>
<td></td>
<td>10.3</td>
<td>10.5</td>
<td>9.7</td>
</tr>
<tr>
<td>Mint Hill ETJ</td>
<td>1 (emergency)</td>
<td></td>
<td>9.4</td>
<td>9.4</td>
<td>9.2</td>
</tr>
<tr>
<td></td>
<td>2 (urgent)</td>
<td></td>
<td>14.1</td>
<td>13.2</td>
<td>15.0</td>
</tr>
<tr>
<td></td>
<td>3 (immediate)</td>
<td></td>
<td>17.3</td>
<td>16.8</td>
<td>18.0</td>
</tr>
<tr>
<td></td>
<td>5 (routine)</td>
<td></td>
<td>31.2</td>
<td>29.4</td>
<td>30.8</td>
</tr>
<tr>
<td>Pineville ETJ</td>
<td>1 (emergency)</td>
<td></td>
<td>8.9</td>
<td>9.5</td>
<td>8.7</td>
</tr>
<tr>
<td></td>
<td>2 (urgent)</td>
<td></td>
<td>14.8</td>
<td>14</td>
<td>14.8</td>
</tr>
<tr>
<td></td>
<td>3 (immediate)</td>
<td></td>
<td>16.9</td>
<td>16.4</td>
<td>18.6</td>
</tr>
<tr>
<td></td>
<td>5 (routine)</td>
<td></td>
<td>30.6</td>
<td>28.4</td>
<td>29.4</td>
</tr>
</tbody>
</table>

*n/a means there were no calls that met the criteria for calculating response time*

WHEREAS, the CMPD also reported their average response times to emergency, urgent, immediate, and routine calls to the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Creating new LESDs will allow for law enforcement services to be provided by town police departments in the ETJs of Cornelius, Pineville, and Huntersville — which the Towns anticipate may result in decreased response times. The CMPD will continue to cover services in the ETJs of Charlotte, Mint Hill and Davidson, and a portion of the ETJ of Huntersville where the Duke Energy McGuire Plant is located.

; now, therefore, be it
MAY 1, 2018

RESOLVED that the Mecklenburg County Board of Commissioners does hereby create a law enforcement service district for the ETJ areas of the Town of Huntersville, as reflected in Attachment A, to become effective July 1, 2018.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #246.

18-4667 PUBLIC HEARING ON PROPOSED LAW ENFORCEMENT SERVICE DISTRICT WITHIN THE EXTRATERRITORIAL JURISDICTION AREA OF THE TOWN OF MINT HILL

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:

1. Acknowledge receipt of certification that the notice of public hearing was mailed by first class mail to the owners, as shown by the county tax records as of January 1, 2017, of all property located within the proposed Law Enforcement Service District (LESD); and

2. Open the public hearing to receive comments on the proposed LESD Within The Extraterritorial Jurisdiction Area of the Town of Mint Hill.

Note: In 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 “Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Original Agreement”). On April 18, 2017, the Board of County Commissioners terminated the agreement effective June 30, 2018. On February 20, 2018, the Board adopted a resolution authorizing the County Manager to start the process for creating six (6) law enforcement service districts, to become effective July 1, 2018. The separate Interlocal Agreement with the City of Charlotte allows the City of Charlotte (CMPD) to provide law enforcement services within the ETJ areas of the City, Davidson, and Mint Hill, and within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant. Conducting a public hearing on the proposed LESD is a part of the statutory requirement for establishing a LESD.

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, Puckett, Ridenhour, and Scarborough voting yes, to close the public hearing on proposed LESD Within The Extraterritorial Jurisdiction Area of the Town of Mint Hill and adopt resolution, titled "Mecklenburg County Board of Commissioners Resolution Creating the Town of Mint Hill Law Enforcement Service District"

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION CREATING THE TOWN OF MINT HILL LAW ENFORCEMENT SERVICE DISTRICT

WHEREAS, in 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow the levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 “Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Original Agreement”)); and

WHEREAS, effective July 1, 1996 the County and the City entered into an “Agreement for the Continued Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Current Agreement”) which Agreement was terminated by the Board of County Commissioners effective June 30, 2018; and
WHEREAS, the County Manager has negotiated and the Board of County Commissioners has approved the interlocal agreement with the City entitled “2018 Agreement Between the City of Charlotte and Mecklenburg County for the Continued Consolidation of the Charlotte Mecklenburg Police Department” to be effective July 1, 2018, for the City to provide law enforcement services within the ETJ areas of the City, Davidson, Mint Hill, and within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant; and

WHEREAS, since the costs for providing law enforcement services under each such agreement may result in different law enforcement service district tax rates being charged in different ETJ areas over time, the County Manager has recommended the creation of separate law enforcement service districts for each of the six (6) ETJ areas so as to provide the necessary flexibility for the Board of County Commissioners to set different rates in each area; and

WHEREAS, in accordance with the statutory requirements outlined in G.S. 153A-302, the Board of County Commissioners has found that all the following apply:

(1) There is a demonstrable need for providing in the district one or more of the services listed in G.S. 153A-301.

WHEREAS, The 1996 Agreement that provided for law enforcement services by the Charlotte-Mecklenburg Police Department (“CMPD”) in the Extra-Territorial Jurisdictions (“ETJ”) of municipalities in Mecklenburg County was terminated by the County, effective June 30, 2018; and,

WHEREAS, During all years of that Agreement, there have been multiple calls for law enforcement services from residents and others in this district as shown by the chart under subsection (4); and,

WHEREAS, for the foreseeable future, the ETJs will continue to have residents in need of law enforcement services as calls for service will certainly continue to be made; and,

WHEREAS, new Law Enforcement Service Districts (LESDs), including one for this district, are being created to provide for continuity of law enforcement services; and,

(2) It is impossible or impracticable to provide these services on a county-wide basis.

WHEREAS, there is no near-term practical ability for Mecklenburg County to provide law enforcement services on a county-wide basis as the County terminated the 1996 Agreement that provided for law enforcement services by the CMPD in the ETJ of municipalities effective June 30, 2018; and,

WHEREAS, the new LESDs, including the one for this district, will provide funding to local municipalities to support Interlocal Agreements with Mecklenburg County which authorize the municipal police forces to provide law enforcement services for all ETJ residents; and,

(3) It is economically feasible to provide the proposed services in the district without unreasonable or burdensome annual tax levies.

WHEREAS, at present, Mecklenburg County levies a law enforcement service district rate of $0.2146, per one hundred dollars valuation, in the entire unincorporated area of the County to fund law enforcement services; and,

WHEREAS, new, five-year Interlocal Agreements (starting July 1, 2018) have been negotiated to provide law enforcement services to the unincorporated areas of the County, including for this district; and,

WHEREAS, in each Interlocal Agreement, including the Interlocal Agreement which would provide law enforcement services for this district, the cost for law enforcement services is not anticipated to exceed revenues generated from an assumed $0.2146 tax rate or an equivalent revenue neutral tax rate; and,

(4) There is a demonstrable demand for the proposed services by persons residing in the district.

WHEREAS, the Board of County Commissioners and the Charlotte City Council have approved an interlocal agreement between the City of Charlotte and the County for the CMPD to provide law enforcement services within the ETJ areas of the City, Davidson, Mint Hill, and within that certain portion of the ETJ of the Town of Huntersville that includes the McGuire Nuclear Plant; and,

WHEREAS, according to information provided by the Charlotte-Mecklenburg Police Department in June 2017, there has been a demonstrated demand as well as need for law enforcement services in the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Need for policing services has been demonstrated in the data provided by the Charlotte Mecklenburg Police Department, through the total number of calls for service the CMPD Police Department responded to in each ETJ; and,
WHEREAS, the CMPD also reported their average response times to emergency, urgent, immediate, and routine calls to the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Creating new LESDs will allow for law enforcement services to be provided by town police departments in the ETJs of Cornelius, Pineville, and Huntersville – which the Towns anticipate may result in decreased response times. The CMPD will continue to cover services in the ETJs of Charlotte, Mint Hill and Davidson, and a portion of the ETJ of Huntersville where the Duke Energy McGuire Plant is located.

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<td>Mint Hill ETJ</td>
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<td>Pineville ETJ</td>
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<td><strong>Total</strong></td>
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</table>

**Average Response Times for Different Priority Calls**

**Mecklenburg County Unincorporated Areas 2014-2016**

<table>
<thead>
<tr>
<th>Area</th>
<th>Priority</th>
<th>Average Response Time in Minutes</th>
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<tbody>
<tr>
<td></td>
<td></td>
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</tbody>
</table>

*n/a means there were no calls that met the criteria for calculating response time*
RESOLVED that the Mecklenburg County Board of Commissioners does hereby create a law enforcement service district for the ETJ areas of the Town of Mint Hill, as reflected in Attachment A, to become effective July 1, 2018.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #247.

18-4668 PUBLIC HEARING ON PROPOSED LAW ENFORCEMENT SERVICE DISTRICT WITHIN THE EXTRATERRITORIAL JURISDICTION AREA OF THE TOWN OF PINEVILLE

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:

1. Acknowledge receipt of certification that the notice of public hearing was mailed by first class mail to the owners, as shown by the county tax records as of January 1, 2017, of all property located within the proposed Law Enforcement Service District (LESD); and

2. Open the public hearing to receive comments on the proposed LESD Within The Extraterritorial Jurisdiction Area of the Town of Pineville.

Note: In 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 “Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Original Agreement). On April 18, 2017, the Board of County Commissioners terminated the agreement effective June 30, 2018. On February 20, 2018, the Board adopted a resolution authorizing the County Manager to start the process for creating six (6) law enforcement service districts, to become effective July 1, 2018. The separate Interlocal Agreement with the Town of Pineville allows the Town to provide law enforcement services within the ETJ area of the Town. Conducting a public hearing on the proposed LESD is a part of the statutory requirement for establishing a LESD.

No one appeared to speak.

Commissioner Dunlap asked about the Town of Pineville’s recent concern.

Assistant County Manager/Chief of Staff Ramos said the Town of Pineville recently notified the County that it may change its mind and ask the Charlotte-Mecklenburg police to continue to provide service in the Town’s ETJ area, rather than the Pineville police doing it. It was noted, however, that the proposed agreement presented and approved earlier by the Board was one that had been developed between the Town of Pineville and County staffs.

Staff was informed that the Town of Pineville would consider the matter on May 8, 2018 or sometime thereafter.

Assistant County Manager/Chief of Staff Ramos said if necessary, the matter would be brought back to the Board, because it would require an amendment to the agreement with the City of Charlotte.

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 close the public hearing on proposed LESD Within The Extraterritorial Jurisdiction Area of the Town of Pineville and adopt resolution, titled
MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION CREATING THE TOWN OF PINEVILLE LAW ENFORCEMENT SERVICE DISTRICT

WHEREAS, in 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow the levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 “Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Original Agreement”)); and

WHEREAS, effective July 1, 1996 the County and the City entered into an “Agreement for the Continued Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Current Agreement”) which Agreement was terminated by the Board of County Commissioners effective June 30, 2018; and

WHEREAS, the County Manager has negotiated and the Board of County Commissioners has approved the interlocal agreement with the Town entitled “Law Enforcement Services Interlocal Agreement Between Mecklenburg County and Town of Pineville” to be effective July 1, 2018, for the Town to provide law enforcement services within the ETJ area of the Town; and

WHEREAS, since the costs for providing law enforcement services under each such agreement may result in different law enforcement service district tax rates being charged in different ETJ areas over time, the County Manager has recommended the creation of separate law enforcement service districts for each of the six (6) ETJ areas so as to provide the necessary flexibility for the Board of County Commissioners to set different rates in each area; and

WHEREAS, in accordance with the statutory requirements outlined in G.S. 153A-302, the Board of County Commissioners has found that all the following apply:

(1) There is a demonstrable need for providing in the district one or more of the services listed in G.S. 153A-301.

WHEREAS, the 1996 Agreement that provided for law enforcement services by the Charlotte-Mecklenburg Police Department (“CMPD”) in the Extra-Territorial Jurisdictions (“ETJ”) of municipalities in Mecklenburg County was terminated by the County, effective June 30, 2018; and,

WHEREAS, during all years of that Agreement, there have been multiple calls for law enforcement services from residents and others in this district as shown by the chart under subsection (4); and,

WHEREAS, for the foreseeable future, the ETJs will continue to have residents in need of law enforcement services as calls for service will certainly continue to be made; and,

WHEREAS, new Law Enforcement Service Districts (LESDs), including one for this district, are being created to provide for continuity of law enforcement services; and,

(2) It is impossible or impracticable to provide these services on a county-wide basis.

WHEREAS, there is no near-term practical ability for Mecklenburg County to provide law enforcement services on a county-wide basis as the County terminated the 1996 Agreement that provided for law enforcement services by the CMPD in the ETJ of municipalities effective June 30, 2018; and,

WHEREAS, the new LESDs, including the one for this district, will provide funding to local municipalities to support Interlocal Agreements with Mecklenburg County which authorize the municipal police forces to provide law enforcement services for all ETJ residents; and,

(3) It is economically feasible to provide the proposed services in the district without unreasonable or burdensome annual tax levies.

WHEREAS, at present, Mecklenburg County levies a law enforcement service district rate of $0.2146, per one hundred dollars valuation, in the entire unincorporated area of the County to fund law enforcement services; and,

WHEREAS, new, five-year Interlocal Agreements (starting July 1, 2018) have been negotiated to provide law enforcement services to the unincorporated areas of the County, including for this district; and,
WHEREAS, in each Interlocal Agreement, including the Interlocal Agreement which would provide law enforcement services for this district, the cost for law enforcement services is not anticipated to exceed revenues generated from an assumed $0.2146 tax rate or an equivalent revenue neutral tax rate; and,

(4) There is a demonstrable demand for the proposed services by persons residing in the district.

WHEREAS, the Board of County Commissioners has approved, and the Pineville Town Council is expected to consider, an interlocal agreement between the Town of Pineville and the County for the Pineville Police Department to provide law enforcement services within the ETJ area of the Town; and

WHEREAS, according to information provided by the Charlotte-Mecklenburg Police Department in June 2017, there has been a demonstrated demand as well as need for law enforcement services in the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Need for policing services has been demonstrated in the data provided by the Charlotte Mecklenburg Police Department, through the total number of calls for service the CMPD Police Department responded to in each ETJ; and,

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WHEREAS, the CMPD also reported their average response times to emergency, urgent, immediate, and routine calls to the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Creating new LESDs will allow for law enforcement services to be provided by town police departments in the ETJs of Cornelius, Pineville, and Huntersville – which the Towns anticipate may result in decreased response times. The CMPD will continue to cover services in the ETJs of Charlotte, Mint Hill and Davidson, and a portion of the ETJ of Huntersville where the Duke Energy McGuire Plant is located.
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</table>

*n/a means there were no calls that met the criteria for calculating response time*
MAY 1, 2018

; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby create a law enforcement service district for the ETJ areas of the Town of Pineville, as reflected in Attachment A, to become effective July 1, 2018

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #248.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

18-4680 MECKLENBURG COUNTY BOARD OF COMMISSIONERS’ PROPOSED 2018 LEGISLATIVE AGENDA

Starla Tanner, Legislative Affairs Liaison presented the proposed Mecklenburg County Legislative Agenda for the 2018 Short Session of the N.C. General Assembly. The proposed items were:

1. Support Continued Efforts to Eliminate Pre-K Waiting List and Increase Statewide Childcare Subsidy Market Rate for ages 3-5
   Objective Support legislation and regulations to fully fund the elimination of Pre-K waiting lists statewide and pursue a subsidy market rate adjustment for ages 3-5 in Tier 3 counties.

2. Support Increasing Magistrates in North Mecklenburg
   Objective Secure funding for three additional magistrates to enable safer and more adequate service in the northern portion of the county.

3. Support Clarification and Implementation of Raise the Age Legislation
   Objective Support efforts to provide resources to fully implement the Juvenile Justice Reinvestment Act.

4. Support Increasing Public Education Teacher Pay
   Objective Support Charlotte-Mecklenburg Schools’ efforts to increase state funded pay increases for public school teachers, teacher assistants, principals, assistant principals and non-instructional staff.

5. Support HB866/SB542 School Capital Bond
   Objective Support enabling legislation for a school capital bond. It is estimated that CMS would receive over $100 million from the bond.

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 adopt the Board’s Legislative Agenda for the 2018 short session of the General Assembly.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS- NONE

STAFF REPORTS & REQUESTS – NONE

CONSENT ITEMS
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 approve the following item(s):

**18-4639 APPOINTMENT OF REVIEW OFFICER**

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 Michelle F. Smith as a Review Officer.

**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. Michelle F. Smith is hereby designated as 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.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #249.

**18-4647 PROCLAMATION - OLDER AMERICANS MONTH**

Adopt a Proclamation designating May 2018 as “Older Americans Month” in Mecklenburg County.
18-4648  PROCLAMATION - FOSTER CARE AWARENESS MONTH

Adopt a Proclamation designating May 2018 as “Foster Care Awareness” Month in Mecklenburg County.
MAY 1, 2018

18-4649 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of $1,504 for Sheriff’s Office, $6,570 for Land Use and Environmental Services and $20,438 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.

18-4654 ITEM REMOVED - MINUTES

18-4656 MECKLENBURG COUNTY NORTH MECKLENBURG RECYCLING CENTER SCALE INSTALLATION PROJECT

Authorize the County Manager to negotiate and execute a contract with Randolph & Sons Builders, Inc. for the Mecklenburg County North Mecklenburg Recycling Center Scale Installation project in the amount of $1,039,526.57.

18-4657 ITEM REMOVED - TRANSFER OF FUNDS FROM THE SOLID WASTE ENTERPRISE FUND TO THE SOLID WASTE CAPITAL RESERVE FUND

18-4658 CONSTRUCTION CONTRACT - BARTON CREEK GREENWAY

Award a construction contract to JD Goodrum Inc. in the amount of $2,379,804.65 for the construction of the new Barton Creek Greenway.
18-4659  CONSTRUCTION CONTRACT - LATTA PLANTATION NATURE PRESERVE VISITORS CENTER

Award a construction contract to W.C. Construction Company, LLC in the amount of $5,374,908 for the Latta Plantation Nature Preserve Visitors Center.

18-4661  TAX REFUNDS

Approve refunds in the amount of $50,356.11 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. There was no accrued interest related to these refunds.

18-4671  PROCLAMATION - STEPPING UP DAY OF ACTION

Adopt a proclamation declaring May 16, 2018 as Mecklenburg County’s Stepping Up Day of Action.

---

Mecklenburg County
North Carolina
Proclamation

WHEREAS, counties routinely provide treatment services to the estimated 2 million people with serious mental illnesses booked into jail each year; and

WHEREAS, Mecklenburg County and all counties take pride in their responsibility to protect and enhance the health, welfare and safety of their residents in efficient and cost-effective ways; and

WHEREAS, Mecklenburg County has a demonstrated long history of commitment to diversionary programs and collaborative partnerships to address the needs of people with mental illness who come into contact with the criminal justice system; and

WHEREAS, the National Association of Counties, The Council of State Governments Justice Center and the American Psychiatric Association Foundation started Stepping Up to encourage public, private and nonprofit partners to reduce the number of people with mental illnesses in jails; and

WHEREAS, Mecklenburg County joined Stepping Up on June 8, 2016 to show its commitment to working on this issue locally; and

WHEREAS, Stepping Up is hosting a Day of Action on May 16, 2018, for counties to hold an event or participate in local activities to share with constituents the progress they have made in addressing the prevalence of people who have mental illnesses in their jails; raise public awareness and understanding of this important issue; and emphasize their commitment to creating data-driven, systems-level changes to policy and practice to achieve their Stepping Up goals;

NOW, THEREFORE, BE IT RESOLVED, that the Mecklenburg Board of County Commissioners do hereby proclaim May 16, 2018 as Mecklenburg County’s Stepping Up Day of Action and encourage all county officials, employees and residents to participate in activities planned for this date in the Charlotte-Mecklenburg Government Center.

Adopted this 1st day of May 2018.

E. B. Scarborough, Chair
Mecklenburg Board of County Commissioners

18-4672  ORDINANCE AMENDMENT - FY2018 LIBRARY FACILITIES CAPITAL PROJECT ORDINANCE
Approve amendment to the FY2018 Authorization Library Facilities Main Capital Project Ordinance.

Note: The Board adopted the FY2018 Authorization Library Facilities Main Capital Project Ordinance on June 20, 2017 for the purpose of providing funds for the New Main Library project in the amount of $65,000,000. To begin conceptual design, this capital project ordinance amendment revises the FY2018 and FY2019 funding. The County’s financial commitment does not change; however, funding for FY2018 increases by $480,000, and funding for FY2019 decreases by $480,000.

MECKLENBURG COUNTY, NORTH CAROLINA
FY 2018 AUTHORIZATION LIBRARY FACILITIES MAIN CAPITAL PROJECT ORDINANCE

The following ordinance was offered as an amendment to and restatement of the June 20, 2017, 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 1st DAY OF MAY, 2018.

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>$ 1,030,000</td>
</tr>
<tr>
<td>2018-2019 fiscal year</td>
<td>2,827,557</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 Ordinance/Minute Book 47-A, Document #250.

18-4674 RETAIL TENANT LEASE - GOVERNMENT DISTRICT PARKING DECK

Adopt an amended resolution titled “Mecklenburg County Board of Commissioners Resolution Declaring Intent to Lease Property to John and Hresanthe Georgopoulos, Owners of Little Village Grill”

Note: The original resolution was approved on April 3, 2018. The resolution stated the Board’s intent to approve the proposed lease arrangement at the Board’s May 15th meeting, but because of a change in publication requirements, the meeting date changed from May 15th to June 5th. The Board is being asked to adopt an amended resolution to reflect this change.

AMENDED MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION DECLARING INTENT TO LEASE PROPERTY
TO JOHN AND HRESANTE GEORGOPOULOS OWNERS OF LITTLE VILLAGE GRILL
MAY 1, 2018

WHEREAS, Mecklenburg County is the owner of the Government District Parking Deck, located at 901 E. 4th Street, Charlotte, NC, parts of which were designed for use as retail space; and

WHEREAS, John and Hresanthe Georgopoulos, owners of Little Village Grill, have submitted a proposal to lease one retail space attached to the Government District Parking Deck at 4th and McDowell Streets; and

WHEREAS, Collier’s Commercial, LLC, the real estate firm secured by the County to obtain tenants for the retail portion of the parking deck is in agreement with the following proposed business terms:

Location 901 E. 4th Street, Suite A
Total Square Footage 1,457 SF
Lease Term Five (5) years & Six (6) Months
Option to Renew - One extension option: Four (4) years and one hundred and seventy-nine (179) days
Base Lease Rate $20.00 per sq. ft. (29,140/yr.)
Annual Increases Years 2 – 5.5: 3% annually; Option Years: 3% annually

Revenue (Years 1-5)
Year 1 (Months 1 – 6) $0.00
Year 1 (Months 7 – 12) $20.00/SF $2,428/month
Year 2 (Months 13 – 24) $20.60/SF
Year 3 (Months 25 – 36) $21.22/SF
Year 4 (Months 37 – 48) $21.85/SF
Year 5 (Months 49 – 60) $22.51/SF
Year 6 (Months 61 – 66) $23.19/SF

Insurance - Tenant is required to maintain required insurance including liability, property, Worker’s Compensation and Professional Errors & Omissions insurance.

Maintenance & Janitorial- Tenant is responsible for all maintenance and janitorial services required within the Premises. Tenant shall be responsible for building systems within the Premises including, but not limited to, fire alarm, electrical, and plumbing. Tenant agrees to enter into a service contract for preventive maintenance of HVAC equipment, including regular inspections. Tenant is responsible for HVAC repairs under $5,000. For major HVAC repairs exceeding $5,000, Landlord agrees to contribute to a replacement unit by waiving Tenant’s Base Rent for three (3) consecutive months.

Common Area Maintenance - In addition to Base Rent (Revenue), Tenant will pay Landlord their pro-rata share of the exterior maintenance, landscaping, trash removal and general maintenance. Tenant’s pro-rata share amount in year 1 is estimated to be $404.32/month.

Delivery of Premises - Tenant to take Premises “as is”.

Commission - County shall pay a total of 4% commission on the guaranteed base rent for years 1-5 to County’s broker, Steve Rich of Colliers International. The total commission to be paid by the County for Little Village Grill will be $6,281.15.

WHEREAS, the County’s Asset and Facility Management Department has determined that the space that John and Hresanthe Georgopoulos, owners of Little Village Grill, desire to lease will not be needed by the County during the term of the lease; 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 John and Hresanthe Georgopoulos, owners of Little Village Grill; and

WHEREAS, on April 3, 2018 the Board of Commissioners adopted a Resolution Declaring Intent to Lease Property to John and Hresanthe Georgopoulos, owners of Little Village Grill and directed the Clerk to the Board to publish a notice of the Board’s intent to approve the lease arrangement on May 15, 2018; and

WHEREAS, the publication of the notice occurred on April 27, 2018 and 30 days notice is required, now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby declare its intent to enter into a lease arrangement with John and Hresanthe Georgopoulos, owners of Little Village Grill, as described above, and the Clerk to the Board has published a notice of the Board’s intent to approve the lease arrangement with John and Hresanthe Georgopoulos, owners of Little Village Grill, at the Board’s June 5, 2018 meeting as required by law.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #251.
Approve amendment to the FY 2018 Authorization Central Piedmont Community College Facilities Capital Project Ordinance.

Note: This capital project ordinance amendment revises the projects identified by Central Piedmont Community College and approved by the Board of County Commissioners June 20, 2017. The County’s financial commitment does not change; however, land and design, originally included in Harris Campus-Phase III and Central Campus Phase IV, is now shown as a separate item.

MECKLENBURG COUNTY, NORTH CAROLINA
FY 2018 AUTHORIZATION
CENTRAL PIEDMONT COMMUNITY COLLEGE FACILITIES
CAPITAL PROJECT ORDINANCE

The following ordinance was offered as an amendment to and restatement of FY 2018 Authorization Central Piedmont Community College Facilities Capital Project Ordinance as adopted June 20, 2017,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA,
THIS THE 1st Day of MAY, 2018

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>Harris Campus-Phase III</td>
<td>$59,203,658</td>
</tr>
<tr>
<td>Central Campus Phase IV</td>
<td>$81,912,884</td>
</tr>
<tr>
<td>Land and Design</td>
<td>$10,000,000</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, $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:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Amount</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 Ordinance/Minute Book 47-A, Document #252.

Approve amendment to the FY 2016 Authorization Government Facilities Capital Project Ordinance.

Note: This capital project ordinance amendment revises the projects identified for Government Facilities and approved by the Board of County Commissioners July 6, 2016. The County’s financial commitment does not change; however, Spirit Square is now included.
MECKLENBURG COUNTY, NORTH CAROLINA
FY 2016 AUTHORIZATION
GOVERNMENT FACILITIES
CAPITAL PROJECT ORDINANCE

The following ordinance was offered as an amendment to and restatement of FY2016 Authorization Government Facilities Capital Project Ordinance as adopted July 6, 2016,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA,
THIS THE 1ST DAY OF MAY, 2018.

Sections I and II are amended as follows:

Section I. That for the purpose of providing funds, together with any other available funds, for the following projects:
- Government District Renovations/Relocations
- Courtroom Uplifts
- LUESA Relocation
- Valerie C. Woodard Center Renovations
- MEDIC Headquarters Relocation
- Board of Election Renovations
- Energy Upgrades
- Spirit Square

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 therefor, $184,764,400 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:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Estimated Revenues</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014-2015 fiscal year</td>
<td>$23,014,000</td>
</tr>
<tr>
<td>2015-2016 fiscal year</td>
<td>14,795,000</td>
</tr>
<tr>
<td>2016-2017 fiscal year</td>
<td>113,291,400</td>
</tr>
<tr>
<td>2017-2018 fiscal year</td>
<td>33,664,000</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, cash in an amount necessary to meet obligations until such time as permanent funding is arranged, at which time repayment, if required, will be made.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #253.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

ADJOURNMENT

Motion was made by Commissioner Ridenhour, 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 7:48 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 15, 2018.

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 Tyrone Wade
Clerk to the Board Janice S. Paige

Absent: None

-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) to be removed from Consent and voted upon separately. The items identified were 18-4685 Budget Amendment-DSS (Revenue Increase/Decrease, 18-4687 Construction Manager at Risk Selection-Northern Regional Recreation Center, and 18-4712 Proclamation-Mecklenburg Declaration of Independence Day.

STAFF BRIEFINGS – None

CLOSED SESSION

18-4660 LAND ACQUISITION

18-4683 CONSULT WITH ATTORNEY

Prior to going into Closed Session, County Attorney Wade announced there were no Consult with Attorney matters to be discussed in Closed Session.

Prior to going into Closed Session County Attorney Wade announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcel(s): 071-143-25 and 071-131-44.
MAY 15, 2018

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: Land Acquisition.

The Board went into Closed Session at 5:21 p.m. and came back into Open Session at 5:30 p.m.

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, and Scarborough voting yes, to move Items 18-4712 Proclamation-Mecklenburg Declaration of Independence Day and 18-4713 Proclamation-North Carolina Military Veteran’s Hall of Fame Weekend from the Consent section of the Agenda to the Awards/Recognition section.

Commissioners Ridenhour and Fuller 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 introductions, invocation by Commissioner James and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

18-4712 PROCLAMATION - MECKLENBURG DECLARATION OF INDEPENDENCE DAY (COMMISSIONER RIDENHOUR)

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 proclamation designating May 18, 2018 as "Mecklenburg Declaration of Independence Day in Mecklenburg County" in commemoration of the signing of the Mecklenburg Declaration of Independence on May 20, 1775.

Note: The proclamation was read by Commissioner Ridenhour.
MAY 15, 2018

18-4713  PROCLAMATION - NORTH CAROLINA MILITARY VETERANS HALL OF FAME WEEKEND (COMMISSIONER FULLER)

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 adopt a proclamation designating May 19, 2018 as "North Carolina Military Veteran's Hall of Fame Weekend" in Mecklenburg County, commending the North Carolina Military Hall of Fame and Sergeant First Class David Eugene Broadie.

Note: The proclamation was read by Commissioner Fuller and received by Sergeant First Class David Eugene Broadie.
PUBLIC APPEARANCE

18-4703  PUBLIC APPEARANCE

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

APPOINTMENTS

18-4684  NOMINATIONS/APPOINTMENTS

ABC 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 Earle Leake to the Alcoholic Beverage Control Board for a three-year term expiring June 30, 2021.

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 Earle Leake as Chairman of the Alcoholic Beverage Control Board for the duration of his term, expiring June 30, 2021.

CPCC Board of Trustees

Commissioner Dunlap nominated Arthur Griffin for appointment consideration to the Central Piedmont Community College Board of Trustees.
There were no other nominees.

Note: This is one of several boards that require an interview process of those nominated by an Ad Hoc Committee of the Board appointed by the Chair.

The following Commissioners volunteered to serve on the Ad Hoc Advisory Committee: Commissioners Fuller, Cotham, and Leake. Chair Scarborough selected Commissioner Leake to serve as chairman of the ad hoc committee.

The appointment will occur at the Board’s meeting on June 5 or June 19, 2018 depending upon when the interview is held.

**Historic Landmarks Commission**

Commissioner Dunlap nominated Akadius Berry for appointment consideration to the Historic Landmarks Commission.

There were no other nominees.

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 Akadius Berry to the Historic Landmarks Commission to fill an unexpired term expiring July 31, 2018.

Note: He replaced Mark Miller.

**Juvenile Crime Prevention**

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 Darryl Johnson to the Juvenile Crime Prevention Council for a three-year term expiring May 30, 2021 as the faith community representative.

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 Colleen Mullan to the Juvenile Crime Prevention Council to fill an unexpired term expiring June 30, 2019 as the juvenile defense attorney representative.

Note: She replaced Mitchell Feld.

**Nursing Home Community**

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 Monique Cartwright to the Nursing Home Community Advisory Committee for a three-year term expiring March 31, 2021.

**Planning 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 Bolyn McClung (Board of Education representative) and Nasif Majeed to the Charlotte/Mecklenburg Planning Commission for three-year terms expiring June 30, 2021.

The following persons were nominated for appointment consideration:

- Manuel Betancur by Commissioner Clarke
- Richard Black by Commissioner Ridenhour
- Melissa Lefko by Commissioner James
- Rajahm Sellers by Commissioner Ridenhour

Note: This is one of several boards that require an interview process of those nominated by an Ad Hoc Committee of the Board appointed by the Chair.

The following Commissioners volunteered to serve on the Ad Hoc Advisory Committee: Commissioners Fuller, Cotham, and Leake. Chair Scarborough selected Commissioner Leake to serve as chairman of the ad hoc committee.

The appointment will occur at the Board’s meeting on June 5 or June 19, 2018 depending upon when interviews are held.

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

Women's Advisory Board

Commissioner Dunlap nominated Gail Johnson for appointment consideration to the Women’s Advisory Board.

There were no other nominations.

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 nominate and appoint Gail Johnson to the Women’s Advisory Board to fill an unexpired term expiring April 30, 2021.

Note: She replaced Simone Hunter.

PUBLIC HEARINGS

18-4688 TEFRA HEARING - ACTS RETIREMENT-LIFE COMMUNITIES, INC.

TEFRA public hearing on the proposed financing by ACTS Retirement-Life Communities, Inc.

Note: To comply with federal tax law, and the code and Public Finance Authority’s statutory requirements, the Borrower has requested that the Mecklenburg County Board of Commissioners hold a public hearing and approve a resolution. This approval will not make the County responsible in any way for the Bonds or the Project financed with bond proceeds. Hosting the public hearing and approving the issuance of the Bonds are merely ministerial acts that will enable the Borrower to comply with federal tax law requirements in order that interest on the Bonds be exempt from federal income tax.

Commissioner Jim Puckett introduced the following resolution, a copy of which had been
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS ACTS RETIREMENT LIFE COMMUNITIES, INC. OBLIGATED GROUP, SERIES 2018 BONDS IN ONE OR MORE SERIES (THE "BONDS"), IN AN AMOUNT NOT TO EXCEED $97,000,000

WHEREAS, ACTS Retirement-Life Communities, Inc. ("Borrower") has requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the "Authority"), issue its ACTS Retirement Life Communities, Inc. Obligated Group, Series 2018 Bonds, in one or more series (the "Bonds"), in an aggregate principal amount not to exceed $97,000,000, and loan proceeds of the Bonds to the Borrower.

WHEREAS, the Bonds are expected to be issued by the Authority pursuant to 66.0304 of the Wisconsin Statutes, as amended, and the Authority will loan not to exceed $97,000,000 of the proceeds from the sale of the Bonds to the "Borrower" identified below and used to finance (i) the current refunding, refinancing and/or restructuring of all or a portion of a revolving line of credit issued by Bank of America to the Borrower; (ii) the current refunding, refinancing and/or restructuring of all or a portion of a construction loan made by Branch Banking and Trust Company for certain properties located in North Carolina (collectively, the "Bonds to be Refunded") and, (iii) financing or refinancing (including reimbursement) the costs of acquisition, construction, equipping and improvement of existing and additional facilities at the properties of the Borrower, including the financing of some or all of the costs of issuance, reserve funds (if any), and capitalized interest (if any), including, without limitation, miscellaneous capital improvements and renovations and the acquisition of capital equipment, including, but not limited to, renovations and upgrades to residential living units, health care facilities and common areas, the acquisition of new plant equipment, and other facility enhancements, including specifically central facility and auditorium renovations and dining/cafe enhancements, the replacement and expansion of the existing skilled nursing facility and renovation/ conversion of the existing skilled nursing facility to assisted living units. The projects financed or refinanced by the Bonds to be Refunded included costs of the acquisition, construction, equipping and improvement of existing and additional facilities at some or all of the continuing care retirement communities and other facilities owned and operated by the Borrower as described below. All the projects to be financed or refinanced as described herein are collectively referred to herein as the "Project".

WHEREAS, the Project will be owned and operated by the Borrower.

WHEREAS, pursuant to Section 147(f) of the Code and Treasury Regulations Section 5f.103-2(f), as amended (collectively, "Federal Tax Requirements") and pursuant to 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 Public Finance Authority dated as of September 28, 2010 (collectively, "Authority Requirements"), prior to their issuance and after a public hearing held following reasonable public notice, 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;
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 Project located within the County in order to satisfy the requirements Federal Tax Requirements and the Authority Requirements; 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;

Note: No one appeared to speak.

BE IT RESOLVED by the Board as follows:

Section 1. Pursuant to and in satisfaction of the requirements of the Federal Tax Requirements and the Authority Requirements, the Board hereby approves (a) the Authority’s issuance of the Bonds in an aggregate principal amount of not to exceed $97,000,000, and (b) the financing 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 Bonds or for any costs incurred by the Borrower with respect to the Bonds or the Project.

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

On motion of Commissioner Jim Puckett seconded by Commissioner Bill James, the foregoing resolution entitled "RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS ACTS RETIREMENT LIFE COMMUNITIES, INC. OBLIGATED GROUP, SERIES 2018 BONDS IN ONE OR MORE SERIES (THE "BONDS"), IN AN AMOUNT NOT TO EXCEED $97,000,000" was duly adopted by the following vote:

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

NAYS: None

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #254.
MAY 15, 2018

Borrower to comply with federal tax law requirements in order that interest on the Bonds be exempt from federal income tax.

WHEREAS, at 6:30 p.m., the Chair announced that the Board of Commissioners (the “Board”) for the County of Mecklenburg, North Carolina (the “County”) would proceed to hold a public hearing and would hear anyone who wished to be heard on the proposed issuance of one or more series of revenue bonds (the “Bonds”) to be issued by the Public Finance Authority (the “Authority”) in an aggregate principal amount not to exceed $150,000,000;

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 open the public hearing.

WHEREAS, the Bonds are expected to be issued pursuant to Section 66.0304 of the Wisconsin Statutes, as amended, by the Authority, a commission organized under and pursuant to the provisions of Section 66.0301, 66.0303 and 66.0304 of the Wisconsin Statutes, as amended, and the proceeds from the sale of the Bonds will be loaned to Southminster, Inc., a North Carolina nonprofit corporation (the “Borrower”), and used to (a) pay, or reimburse the Borrower, for all or a portion of the costs of acquiring, improving, constructing and equipping independent living, assisted living and health care facilities at the Borrower’s continuing care retirement community known as Southminster, including, but not limited to, (i) constructing and equipping of two new “Terrace” buildings, which will include 66 independent living units, (ii) constructing and equipping of a five-level replacement health care center, which will initially include 60 nursing beds, 25 assisted living beds, new common areas for dining, library and events, new office and storage space, a kitchen expansion and underground parking, (iii) relocating and constructing a new loading dock for the facility and (iv) renovating the prior health care center to provide for 23 independent living units (collectively, the “Project”), (b) refund existing indebtedness of the Borrower, the proceeds of which were used to pay a portion of the costs of the Project, (c) pay interest accruing on the Bonds during construction of the Project, (d) fund a debt service reserve fund for the Bonds and (e) pay certain fees and expenses incurred in connection with the sale and issuance of the Bonds;

WHEREAS, the Project is or will be owned and operated by the Borrower and is located on the Borrower’s campus at 8919 Park Road, Charlotte, Mecklenburg County, North Carolina 28210-7610;

WHEREAS, the Bonds will be special limited obligations of the Authority payable solely from the loan repayments to be made by the Borrower to the Authority, and certain funds and accounts established by the bond indenture for the bonds;

WHEREAS, the principal of, premium, if any, and interest on the Bonds will not constitute an indebtedness or liability of the County, 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;

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 the County of Mecklenburg, North Carolina;

WHEREAS, the Borrower has requested that the Board approve the financing of the Project, and the issuance of the Bonds in an amount not to exceed $150,000,000 in order to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended (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 April 27, 2018 a notice of public hearing was published in The Charlotte
Observer, setting forth a general, functional description of the type and use of the facilities to be financed, the maximum 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 Chair acknowledged due publication of the notice of public hearing in a newspaper with a general circulation in said County and directed the Clerk to the Board of County Commissioners to attach the affidavit showing publication in said paper on a date at least fourteen (14) days prior to the date hereof as Exhibit A hereto;

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 set forth in Exhibit B attached hereto; N/A

WHEREAS, the purpose of the above-described public hearing is to satisfy the public approval requirement of Section 147(f) of 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; and

WHEREAS, the Chair 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 Chair 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 Jim Puckett moved that the public hearing be closed. The motion was seconded by Commissioner Bill James and adopted 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to close the public hearing.

Thereupon, Commissioner Jim Puckett introduced the following resolution, the title of which was read and a copy of which had been distributed to each Commissioner:

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLEBBURG, NORTH CAROLINA, APPROVING THE ISSUANCE OF NOT TO EXCEED $150,000,000 OF TAX-EXEMPT BONDS TO BE ISSUED BY THE PUBLIC FINANCE AUTHORITY (THE “AUTHORITY) TO FINANCE CERTAIN COSTS OF VARIOUS RETIREMENT FACILITIES PROJECTS FOR THE BENEFIT OF SOUTHMINSTER, INC.

BE IT RESOLVED by the Board of Commissioners (the “Board”) for the County of Mecklenburg, North Carolina (the “County”) as follows:

Section 1. For the purpose of qualifying the interest on the proposed issuance of one or more series of revenue bonds (the “Bonds”) for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to the applicable provisions of the Internal Revenue Code of 1986, as amended (the “Code”), the Board hereby approves the issuance of the Bonds by the Public Finance Authority for the benefit of Southminster, Inc. (the “Borrower”) for the purpose of providing funds to (a) finance all or a portion of the costs of acquiring, improving, constructing and equipping independent living, assisted living and health care facilities at the Borrower’s continuing care retirement community known as Southminster, including, but not limited to, (i) constructing and equipping of two new “Terrace” buildings, which will include 66 independent living units, (ii) constructing and equipping of a five-level replacement health care center, which will initially include 60 nursing beds, 25 assisted living beds, new common areas for dining, library and events, new office and storage space, a kitchen expansion and underground parking, (iii) relocating and constructing a new loading dock for the facility and (iv) renovating the prior health care center to provide for 23 independent living units (collectively, the “Project”) and (b) refund existing indebtedness of the Borrower, the proceeds of which were used to pay a portion of the costs of the Project, provided that in no event shall the County, the State of North
Carolina (the “State”), or any political subdivision thereof, be liable for such Bonds nor shall the Bonds constitute a debt of the County, the State, 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, 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 Public Finance Authority, dated as of September 28, 2010.

Section 2. This resolution shall take effect immediately upon its passage.

Upon motion of Commissioner Jim Puckett, seconded by Commissioner Bill James, the foregoing resolution entitled “RESOLUTION APPROVING THE ISSUANCE OF NOT TO EXCEED $150,000,000 OF TAX-EXEMPT BONDS TO BE ISSUED BY THE PUBLIC FINANCE AUTHORITY TO FINANCE CERTAIN COSTS OF VARIOUS RETIREMENT FACILITIES PROJECTS FOR THE BENEFIT OF SOUTHSMINSTER, INC.” was adopted by the following vote:

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

NAYS: None

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #255.

18-4698 PUBLIC HEARING ON PROPOSED ABOLOISHMENT OF CURRENT COUNTY-WIDE LAW ENFORCEMENT SERVICE DISTRICT

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 the open public hearing to receive public comments on the proposed abolishment of the current county-wide Law Enforcement Service District.

Note: As part of creating the six (6) proposed new law enforcement service districts on May 1, 2018, the current county-wide law enforcement service district must be abolished effective the end of the current fiscal year, June 30, 2018. The Board is required to hold a public hearing before adopting a resolution abolishing the current county-wide law enforcement service district.

No one appeared to speak.

Commissioner Clarke returned to the dais.

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 1) acknowledge receipt of finding that the existing county-wide Law Enforcement Service District does not have outstanding bonds or notes issued to finance projects in the district; 2) close the public hearing on the proposed abolishment of the current county-wide Law Enforcement Service District; and 3) adopt a resolution abolishing the current countywide Law Enforcement Service District, effective June 30, 2018, titled: “Mecklenburg County Board of Commissioners Resolution to Abolish the Current County-Wide Law Enforcement Service District.”

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION TO ABOLOISH THE CURRENT COUNTY-WIDE LAW ENFORCEMENT SERVICE DISTRICT
WHEREAS, in 1996 the Board of Commissioners created a single law enforcement service district (LESD) for the entire unincorporated area of Mecklenburg County, to allow a tax levy for law enforcement services just in those areas, to pay the City of Charlotte for providing law enforcement services pursuant to an interlocal agreement between the County and the City (the 1993 “Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Original Agreement”)); and

WHEREAS, effective July 1, 1996 the County and the City entered into an “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 by the Board of Commissioners at its April 18, 2017 meeting, effective June 30, 2018; and

WHEREAS, the County has, or will have, interlocal agreements with municipalities for the provision of law enforcement services to cover all the extraterritorial jurisdiction (ETJ) areas of the County; and

WHEREAS, since the costs for providing law enforcement services under each agreement may result in a different law enforcement service district tax rate being charged in each different ETJ area over time, the Board of County Commissioners approved separate LESDs for each of the six (6) ETJ areas on May 1, 2018. The six (6) LESDs include the ETJ areas of: the City of Charlotte and the Towns of Davidson, Mint Hill, Huntersville, Cornelius and Pineville; and

WHEREAS, the County has no outstanding bonds or notes issued to finance projects in the single, County-wide LESD for the entire unincorporated area of Mecklenburg County, and there is no longer a need for the current County-wide LESD; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby abolish the County-wide LESD, in favor of the six (6) new LESDs, to become effective July 1, 2018.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #256.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

18-4708       RAISE THE AGE UPDATE

The Board received as information an update on the Raise the Age legislation, which was given by Sonya L. Harper, Director of Criminal Justice Services.

Note: The Juvenile Justice Reinvestment Act passed June 2017 and will go into effect December 1, 2019. Youth age 17 and younger will remain in Juvenile Court except:

- In cases with prior convictions in District or Superior Court
- A-G felonies will be mandatory transfers to Superior Court following Grand Jury indictment or finding of probable cause.

The update covered:

- Current and Projected Volume in Mecklenburg County
- Implementation Concerns
- Impact on Youth-Serving Resources
- Projected Impacts to the County

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

Comments

Commissioner Fuller asked about state funding, which was addressed.

Commissioner Fuller asked about the various positions and the funding of them, which was addressed.
Commissioner Fuller asked about the number of juveniles from Mecklenburg County that were being sent to other counties for detention purposes. Director Harper said in FY17, 229 were sent.

Commissioner Fuller asked if a juvenile facility was needed in Mecklenburg County. County Manager Diorio said no.

County Manager Diorio said at one time there was a juvenile detention facility in Mecklenburg County but it was closed. County Manager Diorio said it would behoove the County to see what would occur in Rockingham County where other capacity might exist before deciding to do something within the County.

County Manager Diorio said counties were required to provide space for state agencies, therefore, the County would have to ensure that the positions associated with this had sufficient space, which would be a cost to the County.

Director Harper clarified that the facility in Rockingham County was a youth development center, which was different from a detention facility.

Commissioner Fuller said at some point thought needed to be given to how youth were affected as a result of being transported back and forth.

Commissioner Fuller questioned whether Raise the Age would result in any savings.

Director Harper said Raise the Age was a good idea. She said the key would be making sure appropriate services and other things were in place, which would be where savings would come into play. She said the juvenile justice system was very focused on rehabilitation and keeping kids diverted from the adult system.

Commissioner James asked for clarity regarding what occurs currently when a juvenile was arrested, which was addressed. It was noted that youth were currently being sent to a detention facility in Cabarrus County as the first option.

Commissioner James said the issue of detention for juveniles was a state issue.

Commissioner James commented on the County’s history of having a juvenile facility, Gatling. He said it was counterproductive.

Commissioner James said he would be support of the State building a juvenile detention facility in Mecklenburg County. He said the County tried several times in the past to get the state to do so, but they showed no interest.

Commissioner James said he would not be supportive of the County building a facility.

Commissioner James asked about the total of juveniles, as it related to this matter, statewide and locally. Director Harper said she would get that information.

Commissioner James asked about staffing needs going forward, which was addressed.

Commissioner Dunlap expressed concern from the projected numbers listed in the presentation regarding Current & Projected Volume. He said the numbers didn’t appear to add up. Director Harper addressed how the projections were determined.

Commissioner Dunlap said he was concerned also regarding whether there would be any cost savings as a result of the legislation.
Commissioner Dunlap suggested the Board be provided a matrix as it related to the placement of youth.

Commissioner Leake asked what was being done to deter this type of behavior. She commented on the responsibility of parents and how they should be held accountable for the behavior of their children.

Commissioner Leake said she wanted to know what had been done in the last five years to make a difference in the lives of children where it was known when they were third graders that they might end up in the legal system. Where were they five years ago and where are they now.

Commissioner Cotham also expressed concern regarding cost savings. She said a lot of the data from other states that had this type of legislation showed cost savings.

Commissioner Cotham said she hoped some youth would be released to their families rather than being sent out of the County to a facility.

Commissioner Cotham echoed also that this was a state issue.

Chair Scarborough thanked Director Harper for the report. She commented on the responsibility of parents.

This concluded the discussion.

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

18-4710 DEVELOPMENT UPDATE

The Board received information related to on-going Mecklenburg County development initiatives, which was given by Dennis K. LaCaria, Senior Assistant to the County Manager.

The update addressed:
- 7th and Tryon
- Brooklyn Village
- 4th and Graham; and
- What’s Next

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

Comments

Commissioner Dunlap asked about the City of Charlotte’s timeline for responding back to the County regarding the 4th and Graham site. County Manager Diorio said the County had been going back and forth with the City of Charlotte (City) regarding a letter of intent, but the County was unable to get a firm commitment from the City.

County Manager Diorio said everything the City wanted the County to do was non-binding and there were no plans on the City staff’s part to take anything to City Council until late fall.

County Manager Diorio said the City did not have their funding in place.

County Manager Diorio said at this point, having given the City ample time, the County was ready to move forward with the potential buyer.
Commissioner Leake said she was not opposed to what was being presented but expressed disappointment that no development was being planned for the Beatties Ford Road corridor, the Five Points area. She said it about being “fair” with the process.

Commissioner Leake said a better job needed to be done to make sure development occurs on the west side

Commissioner Fuller asked about 7th and Tryon and was the plan to have a master developer. The response was yes.

County Manager Diorio noted that for 7th and Tryon there were five property owners involved and everyone would have to agree at the end to move forward.

Commissioner Leake asked which property owner was putting up the most money. The response was the Housing Authority, because they owned the most property. The County was second, Bank of America third, the Library fourth, and the City fifth.

Commissioner Fuller asked would there be an agreement amongst the property owners. County Manager Diorio said that was one of things that would be discussed going forward.

Commissioner Fuller commented on 4th and Graham and expressed dissatisfaction with the City having asked the County to hold off on moving forward, yet, to date, the City still had no plan or anything to offer to the County. He said this was an opportunity for partnership that the City missed.

Commissioner Dunlap with respect to 7th and Tryon, said if a master developer was used then everyone would be aware of the plan for their respective property and each should be able to use their own developer and construction company, if they chose to do so. He said he’d seen it done with other large developments throughout the community. He said the project would probably get done quicker if done this way.

Senior Assistant to the County Manager LaCaria addressed why staff structured it as presented.

This concluded the discussion.

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

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

The Board received as information monthly department management reports for May 2018.

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.

Commissioner Puckett asked about the decrease in Public Health’s immunization clinic visits and the reference to refugee visits, which was addressed by Health Director Gibbie Harris.

Commissioner Puckett highlighted for the public’s awareness work that was being done with respect to the Child Development Community Policing Program.
Commissioner Leake asked about the Health Department’s role when it came to the cleanliness of schools. She referenced a recent News report regarding maintenance conditions at Olympic High School. She also asked how often were school cafeterias inspected by the Health Department.

Health Director Harris said schools were inspected once a year, however, anytime a complaint was received, the inspector would go back out to the school.

Health Director Harris said the County’s authority was limited when it came to schools. She said the County had authority to inspect and make recommendations to the Board of Education as to how they could improve.

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

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

18-4702 FEATURE DEPARTMENT/AGENCY PRESENTATION: MECKLENBURG EMERGENCY MEDICAL SERVICES AGENCY (MEDIC)

The Board received a presentation from MEDIC Executive Director Joe Penner.

The presentation addressed MEDIC’s current Agency performance, value delivered to the community and challenges on which the Agency was working to address.

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

Comments

Commissioner Dunlap acknowledged the week of May 21, 2018 as EMS Week.

Commissioner Ridenhour asked about frequent users of EMS and if there was data regarding who they were and how many times they’ve used the service.

Commissioner Ridenhour said he was interested in knowing whether frequent users were contributing to the increase in calls for service.

Director Penner said data was available and he’d be happy to meet with Commissioner Ridenhour to go over it.

Commissioner Puckett commented on the dispatch unit and what an “amazing” operation it was. He said it would be great if there was a video available that residents could access to see what a great job was being done and how it was being done.

Commissioner Fuller echoed Commissioner Puckett’s remarks regarding the availability of a video, so the public could see what great things were occurring and how their tax dollars were being used.

Commissioner Leake thanked Medic for all they do.

Commissioner Cotham thanked Medic, as well, for all that they do.

Chair Scarborough thanked Medic and noted when she personally had to use their services.

STAFF REPORTS & REQUESTS
Commissioner Clarke returned to the dais.

18-4689 ONE NORTH CAROLINA FUND CONTRACTS

Peter Zeiler, Director, Economic Development Office addressed One North Carolina Fund contracts.

Note: On May 16, 2017, the Board of County Commissioners approved a seven (7) year, ninety (90%) Business Investment Program grant with Oerlikon Metco (US) Inc. Oerlikon Metco will create $57.5 million in new taxable investments and ninety-three (93) new jobs at an average annual salary of $93,011 in an advanced manufacturing and engineering facility in the Town of Huntersville. The State of North Carolina recognized the significant impact of this project in helping establish Mecklenburg County as a North America hub in the emerging additive manufacturing industry and authorized a One North Carolina Fund grant of $1,000,000 and community college training funds of $129,500. The One North Carolina Fund Grants function as local match programs and its legislative design and intent that local governments must serve as the conduit for the grant to be disbursed to the grantee. The NC Department of Commerce is unable to disburse the funds as they do in other state incentive programs. The local disbursement methodology requires two agreements to be executed: one is a Local Government Grant Agreement which governs how the grant funds will be disbursed to the local government and the subsequent obligation to disburse funds to the Grantee; the second agreement is a Company Performance Agreement between the local government and the Grantee which establishes criteria for payment and mechanism for the local government to recoup funds in the event of its failure to maintain required investment, job, and salary obligations. The NC Department of Commerce has completed the contracts and now seeks execution of the agreements by Mecklenburg County and Oerlikon Metco.

Comments

Commissioner Dunlap asked if there was a clawback provision on the part of the County and/or state. The response was yes.

Commissioner Fuller asked was the $1 million to be dispersed all state dollars. The response was yes and that the County was just the pass-through agency.

Commissioner Puckett spoke in support of the request. He commented on this new type of advanced technology in manufacturing and how great it was.

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:

1) Approve One North Carolina Grant Fund Disbursement Methodology Resolution;

2) Authorize the County Manager to execute a Local Government Grant Agreement with the North Carolina Department of Commerce;

3) Authorize the County Manager to execute a Company Performance Agreement with Oerlikon AM US, Inc. and Oerlikon Metco (US) Inc.; and

4) Recognize, receive and appropriate up to $1,000,000 to be dispersed to grantee under terms of the grant.
WHEREAS, Oerlikon AM US, Inc. and Oerlikon Metco (US) Inc. are establishing a new manufacturing and research and development center in Huntersville, NC; and

WHEREAS, On May 16, 2017, the Board of County Commissioners approved a seven (7) year, ninety (90%) Business Investment Program grant with Oerlikon Metco (US) Inc. As a condition of the Grant, Oerlikon Metco will create $57.5 million in new taxable investments and ninety-three (93) new jobs at an average annual salary of $93,011 in an advanced manufacturing and engineering facility in the Town of Huntersville; and

WHEREAS, The State of North Carolina recognized the significant impact of this project in helping establish Mecklenburg County as a North American hub in the emerging additive manufacturing industry and authorized a One North Carolina Fund grant of $1,000,000 and community college training funds of $129,500; and

WHEREAS, The One North Carolina Fund Grant functions as local match program and its legislative design and intent is that local governments must serve as the conduit for the grant to be disbursed to the grantee; and

WHEREAS, The local disbursement methodology requires two agreements to be executed: one is a Local Government Grant Agreement which governs how the grant funds will be disbursed to the local government and the subsequent obligation to disburse funds to the Grantee; the second agreement is a Company Performance Agreement between the local government and the Grantee which establishes criteria for payment and mechanism for the local government to recoup funds in the event of its failure to maintain required investment, job, and salary obligations; and

WHEREAS, The NC Department of Commerce has completed the contracts and now seeks execution of the agreements by Mecklenburg County and Oerlikon Metco; now therefore be it

RESOLVED that the Board of County Commissioners does hereby approve the Local Government Grant Agreement and Company Performance Agreement as described above, and authorizes the County Manager to execute any and all contracts for the same, with any necessary or helpful nonmaterial changes.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #257.

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

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):

18-4682 MINUTES

Approve Minutes of Regular meetings held May 1, 2018 and April 17, 2018.

18-4686 CAPITAL RESERVE EXPENDITURE REQUESTS - GOLF COURSES (PARK AND RECREATION)

Approve expenditure of $975,000 from the Consolidated Golf Capital Reserve Account for repairs to the following golf courses:

1) $ 30,000 - Harry L. Jones, Sr. Golf Course
2) $390,000 - Sunset Hills Golf Course
3) $355,000 - Charles T. Myers Golf Course
4) $200,000 - Dr. Charles L. Sifford Golf Course.
18-4692  SET PUBLIC HEARING - STORM WATER FEE - CITY OF CHARLOTTE’S MINOR SYSTEM RATES

Set a public hearing on June 5, 2018 for proposed changes in the Minor System component of the City of Charlotte’s Storm Water Services fees at 6:30 p.m. or as soon thereafter as the agenda allows.

18-4694  TAX REFUNDS

1. Approve refunds in the amount of $9,472.42 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 $18,807.62 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 $665.80.

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

18-4697  TRANSFER OF FUNDS FROM THE SOLID WASTE ENTERPRISE FUND TO THE SOLID WASTE MANAGEMENT FACILITIES CAPITAL RESERVE FUND

1. Amend the 2001 Solid Waste Management Facilities Capital Reserve Fund Ordinance to allow the transfer of funds from the Solid Waste Enterprise Fund as needed; and

2. Approve the FY18 transfer of $2,406,090 from the Solid Waste Enterprise Fund to the Solid Waste Management Facilities Capital Reserve Fund.

MECKLENBURG COUNTY, NORTH CAROLINA
SOLID WASTE MANAGEMENT FACILITIES CAPITAL RESERVE FUND ORDINANCE

BE IT ORDAINED BY THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS THIS THE 15th DAY OF MAY 2018:

The ordinance is amended by amending Section 3. such that the amended ordinance shall read as follows:

Section 1. The purpose of the Solid Waste Management Facilities Capital Reserve Fund is to provide moneys to fund solid waste management facility improvements and maintenance and for the acquisition of necessary equipment for use in connection therewith.

Section 2. Funds appropriated will remain appropriated until expended for the purposes stated in Section 1.

Section 3. That it is estimated that revenue in the amount of $2,406,090 is available from the Solid Waste Enterprise Fund. Additional funds will be appropriated as needed into this Capital Reserve Fund.

Ordinance recorded in full in Ordinance/Minute Book 47-A, Document #258.
18-4685  BUDGET AMENDMENT - DSS (REVENUE INCREASE/DECREASE)

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:

A. Reduce Low-Income Energy Assistance Program (LIEAP) federal revenue in the amount of
$1,894,116; and

B. Reduce Smart Start Child Care Subsidy Program state revenue in the amount of $2,883,373; and

C. Reduce Child Day Care Subsidy Program federal and state revenue in the total amount of
$25,201,373; and

D. Recognize, receive, and appropriate Smart Start Subsidy Administration state revenue in the
amount of $40,102.

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

ADJOURNMENT

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, that there being no further business to come before the Board that the meeting be adjourned at 8:45 p.m.
MAY 22, 2018

MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS

The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 11:30 a.m. on Tuesday, May 22, 2018.

ATTENDANCE

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

Absent: Commissioner George Dunlap

____________________

-FORMAL SESSION-

The meeting was called to order by Chair Scarborough, followed by the Pledge of Allegiance, and introductions.

Chair Scarborough said the purpose of the meeting was to receive the County Manager’s Recommended Budget for FY2018-2019. She said the Board would not engage in dialogue at this meeting regarding the County Manager’s Recommended Budget, but would at a Special Meeting scheduled for June 7, 2018.

Chair Scarborough then recognized County Manager Diorio.

County Manager Diorio presented her Recommended Budget for FY 2018-2019, which totaled $1.7 billion, an increase of $25 million over FY2018.

A copy of her remarks is on file with the Clerk to the Board, as well as, a copy of the Recommended Budget for FY 2018-2019.

Budget Director Michael Bryant presented the details of the County Manager’s Recommended Budget for FY 2018-2019.

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

Highlights of the County Manager’s Recommended Budget for FY 2018-2019
This concluded the presentation.

No action was taken or required of the Board at this time.
ADJOURNMENT

Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, 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 12:29 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 5, 2018.

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
County Attorney Tyrone C. Wade
Clerk to the Board Janice S. Paige

Absent: Commissioner Bill James

-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) to be removed from Consent and voted upon separately. The items were 18-4699, 18-4700, 18-4705, 18-4717, and 18-4719.

STAFF BRIEFINGS - NONE

MANAGER’S REPORT

Relating to the County Manager’s Report, County Manager Diorio asked Public Health Director Gibbie Harris to address Hepatitis A.

The following was addressed: What is Hepatitis A; How is it spread; High risk groups; Symptoms; Prevention; Number of reported cases in the U.S. between July 2016 – November 2017 (over 12,000); Most recent state outbreaks (Michigan, California, Kentucky, Utah, and Indiana); Two major strands currently (One impacting the homeless population and the other, men having sex with other men & substance users); Number of cases in Mecklenburg County (five (5) since April); Vaccines.

Director Harris said the Health Department would be working with local doctor offices, providers, and community partners regarding this issue.

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

Comments
Commissioner Ridenhour said it was important that the Health Department gets ahead of this issue rather than waiting.

Commissioner Cotham asked about the symptoms, which was addressed.

Commissioner Ridenhour asked whether the process used to make sure persons had access to the flu vaccine, be used for administering the Hepatitis A vaccine, such as mobile units. Director Harris said transporting the vaccine was a critical issue because the vaccine must be kept at a controlled temperature, per the Centers for Disease Control (CDC) & state rules. She said staff was working on a plan regarding getting the vaccine out to those that need it.

Commissioner Ridenhour asked whether the County had the necessary equipment to keep the vaccines cool. Director Harris said there were refrigerator units that could be used to transport the vaccine, however, it was not like a cooler. Director Harris described what it was and what all was involved.

Commissioner Dunlap said the County needed to have a unit in place to respond to issues of this type as soon as the need arose.

Commissioner Leake said the County should do whatever needed to be done, to address this issue. She said the County should be able to respond to these types of matters when they occur.

Commissioner Clarke asked how was the issue detected and was there a surveillance process in place. The response was yes and elaborated on.

Commissioner Clarke asked who determined if it’s an outbreak. Director Harris said it was determined by the Center for Disease Control and the state and was based on the number of cases.

Commissioner Fuller echoed that the County needed to have something in place to address these types of emergency issues.

County Manager Diorio said the “outbreak” was declared today, June 5, 2018.

Commissioner Dunlap said perhaps the Health Department needed some type of customized SUV that could be used for this type of issue or getting out into communities in need of special services in emergency situations.

Commissioner Cotham suggested staff reach out to Medic regarding disaster response vehicles used when the Democratic National Convention (DNC) took place in Charlotte/Mecklenburg.

Commissioner Dunlap said it was understood that obtaining some type of emergency vehicle unit referenced by Commissioners would take some time to plan for, to determine in what situations it would be used, but that it’s something staff should consider.

Commissioner Puckett said any equipment used for transporting the vaccine would have to be tested to make sure everything worked properly.

Commissioner Leake asked how long had the Health Department known about the cases. Director Harris said staff had watched the cases for four months and remained in communication with the appropriate parties.

This concluded the discussion.

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

18-4728  CONSULT WITH ATTORNEY

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

The Board went into Closed Session at 5:51 p.m. and came back into Open Session at 6:04 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 Leake, the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.

AWARDS/RECOGNITION – NONE

APPOINTMENTS

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to move up on the agenda, the appointment for the Central Piedmont Community College Board of Trustees.

Note: It was noted that Arthur Griffin, the nominee, was present but needed to leave, prior to the matter coming up later on the agenda.

18-4769  APPOINTMENTS

Central Piedmont Community College Board of Trustees

Commissioner Leake, chair of the Board’s Ad Hoc Appointment Interview Committee for the Central Piedmont Community College Board of Trustees, presented the Committee’s recommendation for appointment. The other members of the Committee were Chair Scarborough and Commissioner Fuller.

The Committee recommended the appointment of Arthur Griffin.

Note: There were no other nominees considered.

A copy of the Committee’s letter of recommendation is on file with the Clerk to the Board.

Motion was made by Commissioner Ridenhour, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to appoint Arthur Griffin to the Central Piedmont Community College Board of Trustees for a four-year term expiring June 30, 2022 effective July 1, 2018.
PUBLIC APPEARANCE

18-4726 PUBLIC APPEARANCE

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

Edwin Johnson, Vice-President of the Camp Greene Neighborhood Association, addressed the potential sale of the Historic Dowd House & former Charlotte Fire Dept. Station 10, county-owned property. He said the Association became aware of this in February of this year, per a social media post by a member of the Historic Landmarks Commission that addressed the potential sale to private businesses. He said the Association followed up on the post and was told there was “nothing to worry about, no offers on the table, nothing being considered.” Per further research, they discovered there was an offer on the table, which had been under discussion since last year. He said when the decision was made to appear before the Historic Landmarks Commission to seek more information, they were contacted by the Executive Director of the Historic Landmarks Commission, who confirmed that there was a potential buyer and a plan. Upon their attendance at the Historic Landmarks Commission meeting, they were informed that the Historic Landmarks Commission was not directing this effort but was invited into the process, in order to “circumvent” a requirement under state law that surplus public property be sold at auction with competitive bid. Thus, with the Historic Landmarks Commission participation, the property could pass through them and be placed “directly” in the hands of a “chosen” buyer without any kind of competitive bid.

Mr. Johnson said they wanted to make the Board aware of what had occurred. He said it was unfortunate that a public property with such an extensive history would be put up for sale without any public discussion. He said it was the hope of the Association that an option would be explored that would keep these properties open for the “enjoyment and education” of the public. Mr. Johnson said they understood something needed to happen in this area and that these properties needed to be preserved. He said they were only requesting that before any action was taken, consideration be given to what other possible options were available and to make sure that everything was done in full public view and with public input.

County Manager Diorio said staff was aware of the situation and had been working with the Historic Landmarks Commission regarding the properties. County Manager Diorio said there was “a lot of interest” in this, however, staff was not in a position, at this time, to bring forth a recommendation to the Board for consideration.

County Manager Diorio said the Historic Landmarks Commission was asked to get involved because it was an “historic” property, which was what the County normally did when it came to preserving an historic property.

County Manager Diorio said she did not want the public to think the County involved the Historic Landmarks Commission to circumvent the upset bid process. She said this was not the case.

DeeDee Spivey addressed a concern she had regarding actions taken by staff at Westerly Hills Academy on May 27, 2018 regarding her great nephew, whom she has custody of. He’s 11 years old, and she’s had him since he was two months old. Ms. Spivey said school staff at Westerly Hills allowed her nephew’s biological mother to speak with him and video him. She said her son was told by his biological mother that he had been “stolen, kidnapped,” and that she would be coming to “get him back.” Ms. Spivey said her son was still “terrorized.” Ms. Spivey said the Board of Education was aware of her concerns but that she had not heard back from them. She questioned the safety of children in schools if persons were allowed to enter
schools without showing and/or being asked for proper identification. She said at Westerly Hills anyone could call the school and receive information and no questions asked of the person calling. She said at other schools, information regarding what’s occurring at a school or on students was not readily provided.

County Manager Diorio said staff would follow-up with Ms. Spivey.

Michael Smalenberger appeared on behalf of the Education & Young Leaders subcommittee of the Community Relations Committee. Their mission is to develop and strengthen coalitions in the community that were centered on education and the development of young leaders. He indicated that per a Harvard University & University of Berkley study, Charlotte-Mecklenburg ranked 50 out of 50 for large U. S. cities when it came to intergenerational mobility. He said the committee was not trying to prescribe any kind of solution, but that they reached out to non-profits in the community that work in the area of education and development of young leaders. He said they listened to their challenges and opportunities and sought insight from them on what the CRC could do in the community to assist. His purpose for attending the Board’s meeting was to make the Board aware that the committee would be reaching out to them individually to share information received from the non-profits they received input from, just for the Board’s awareness.

Beth Marlin, RN, BSN, MSN, CNS addressed the work her health care facility was providing, Primary Health-Care Charlotte, P.A. located at 508 Beatties Ford Road, Charlotte, NC. She noted the facility’s Diabetic Heart Kitchen and Teen Wellness Nook.

A copy of handouts from Nurse Marlin is on file with the Clerk to the Board.

**APPOINTMENTS**

18-4769  **APPOINTMENTS**

Planning Commission

Commissioner Leake, chair of the Board’s Ad Hoc Appointment Interview Committee for the Planning Commission, presented the Committee’s recommendation for appointment. The other members of the Committee were Chair Scarborough and Commissioner Fuller.

The Committee recommended the appointment of Rajahm Sellers.

*Note: The other nominees were Manuel Betancur and Richard P. Black. Melissa Lefko was nominated but currently serves on the Women’s Advisory Board.*

A copy of the Committee’s letter of recommendation is on file with the Clerk to the Board.

Motion was made by Commissioner Leake, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to appoint Rajahm Sellers to the Planning Commission for a three-year term expiring June 30, 2021 effective July 1, 2018.

*Note: He will replace Deborah Ryan, who has served two full consecutive terms.*

**PUBLIC HEARINGS**

18-4711  **PUBLIC HEARING - THE CITY OF CHARLOTTE’S MINOR SYSTEM RATES**
Motion was made by Commissioner Ridenhour, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing to hear comments related to proposed changes to the City of Charlotte’s Minor System Rates.

Dave Canaan, Director of Storm Water Services, within LUESA and Daryl Hammock with the City of Charlotte Storm Water division addressed this matter.

Note: In 1994, the County started charging a Storm Water fee to fund the administration of storm water management programs to improve water quality, reduce flood losses and repair/maintain the storm drainage system. By Interlocal Agreement, the minor system of the storm water system is defined as ditches, swales, pipes, etc that drain less than 1 square mile and is the responsibility of the City inside the City limits and each Town inside their town limits. The revenue generated from the minor system component of the storm water fee charged within the City and Towns is returned to the City and Towns to fund their storm water management programs. To address the substantial increase in unfunded projects and citizen’s requests, projects in the right of way and aging infrastructure, the Charlotte City Manager proposed a six (6) percent increase to the minor system component of the detached single family and all others (multi-family and commercial) rates, as follows:

Detached Single Family Properties (per month)
- Tier I (<2,000 square feet of impervious area) from $5.52 to $5.85
- Tier II (2,000 to <3,000 square feet of impervious area) from $8.13 to $8.62
- Tier III (3,000 to <5,000 square feet of impervious area) from $12.04 to $12.76
- Tier IV (>5,000 square feet of impervious area) from $19.91 to $21.11

All Other Properties (per month)
- The per acre fee will increase from $143.73 to $152.35

As part of the City of Charlotte’s budgeting process, the City would consider a change in their minor system rates. The public hearing provides interested parties an opportunity to comment to the Board on the change in the City’s minor system component of the Storm Water fee for those properties located in the City of Charlotte. The Charlotte City Council, held a public hearing on May 14, 2018 as part of their budget adoption process.

Comments

Commissioner Dunlap asked was it correct the County had no authority with respect to the setting of the rates. The response was yes, only Charlotte City Council.

Commissioner Cotham asked when was the last time an increase occurred and what was the amount. The response was in FY15 and that it was a 5% increase, which equated to a .40 cent increase per single family home per month.

No one from the public appeared to speak.

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing to hear comments related to proposed changes to the City of Charlotte’s Minor System Rates.

ADVISORY COMMITTEE REPORTS

18-4742 JUVENILE CRIME PREVENTION COUNCIL
Terri Stowers, Chair of the Juvenile Crime Prevention Council (JCPC) presented its annual report and FY19 funding allocation plan.

The following was noted: The Juvenile Crime Prevention Council (JCPC) was a statutorily authorized advisory board. Its mission was to address gaps in youth services by promoting prevention, intervention, treatment, and aftercare strategies and programs that strengthen families and support community safety.

The JCPC is charged with:
- Reviewing the needs of juveniles who are delinquent or at-risk of becoming court involved
- Assessing local service needs
- Presenting an annual service proposal to the Board of County Commissioners.

The North Carolina Department of Public Safety Division of Adult Corrections and Juvenile Justice allocates annual funding to the JCPC.

- **For FY19, Mecklenburg County JCPC’s funding allocation is $1,415,682.**

**Proposed Funding Allocation Plan**

<table>
<thead>
<tr>
<th>Program</th>
<th>Funding (USD)</th>
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<tbody>
<tr>
<td>CMPD Youthful Diversion Program (Agency-CMPD)</td>
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<tr>
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<tr>
<td>JCPC Administration</td>
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<tr>
<td><strong>TOTAL</strong></td>
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</tbody>
</table>

The JCPC will issue a second RFP for Temporary Shelter Care for a single contract in the amount of $147,955. Contract to be awarded prior to December 31, 2018.

**Comments**

Commissioner Dunlap asked about the funding for FY18 and was it all allocated. The response was yes, however, one recipient had to return some of the funding it received and that funding was then distributed to other currently funded program recipients.

Commissioner Dunlap asked if program recipients currently funded, received their full funding request originally and were then given additional funding. He said he asked because there were programs that weren’t funded that thought they would get a second opportunity to be considered. The response was that the majority of funding recipients did not receive their full request initially. Further, the RFP process would have had to start over again, to consider other program requests and the timing would not have allowed that to occur within the state guidelines.

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

1) Receive as information the Juvenile Crime Prevention Council Annual Advisory Committee Report;
2) Recognize and appropriate FY19 Department of Public Safety - Division of Juvenile Justice funds in the amount of $1,415,682.00; and

3) Approve FY 19 funding allocation plan as recommended by the Mecklenburg County Juvenile Crime Prevention Council.

FY19, Mecklenburg County JCPC’s funding allocation is $1,415,682.

Funding Allocation Plan

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

MANAGER’S REPORT

New HR Director
County Manager Diorio introduced the County’s new Director of Human Resources, Paula Herman.

18-4738 MECKLENBURG COUNTY HIV COMMUNITY PREVENTION PLAN

The Board received an update on the Mecklenburg County HIV Community Prevention Plan from Gibbie Harris, MSPH, BSN, Health Director.

Note: Growing concern among community members, Public Health and healthcare providers in Mecklenburg County, as well as recent advances in HIV treatment and prevention interventions (e.g., Pre-Exposure Prophylaxis (PrEP) and Treatment as Prevention (TasP)) have spurred discussions about the need for more aggressive and comprehensive community-wide approaches to address new HIV infections in Mecklenburg County. In the Fall of 2017, encouraged by the renewed commitment of the Board of County Commissioners (BOCC), Mecklenburg County Public Health (MCPH), community members, HIV care providers, educators and members of the faith-based community began a series of planning meetings to re-vitalize and create plans for an aggressive, comprehensive and effective community level approach to lower new HIV infections rates and to improve care for persons living with HIV (PLWH) in Mecklenburg County. The HIV Community Planning Group, comprised of the above participants was convened to construct a Mecklenburg County HIV prevention plan.

Public Comments

The following person signed up to speak to this matter: Grazel Howard.

Ms. Howard said the Plan was a “start” and that when we “know better, we must do better.”
Ms. Howard said for a Plan that’s written in 2018, there were certain things that “must” be included, such as strategies and tactics that “specifically deal with race, black men who have sex with men, black women, Latinos, and transsexual women.” Ms. Howard said the targeted population must be addressed in any strategy. She said this included using the tools that were available today.

Ms. Howard emphasized again that the Plan was a “start,” but that if it did not contain the things it must have, then it was “destined to be ineffective.”

**BOCC Comments**

Commissioner Dunlap asked Director Harris to respond to Ms. Howard’s comments. *Director Harris said she agreed with what was said.*

Director Harris said there were more details that could be in the Plan as she noted in her presentation. Director Harris said the Plan was a “good start,” but there was still work to be done. She addressed the importance of the needs assessment that needed to be done.

Director Harris said it was a “work in progress.”

**Commissioner Dunlap** said staff should not be “afraid” to target the audience that it needed to.

Commissioner Dunlap referenced a national twitter HIV Summit that he participated in last year, with assistance from Health Department staff. He asked was it possible to do something like that locally, because the feedback received, which was good feedback, was from across the country, but not from persons in Mecklenburg County. He said persons in Mecklenburg County may not have known about it.

Commissioner Dunlap asked that staff be more specific in the Plan as to what type of advertising would occur, so that persons in need of services and information would be well informed. *Director Harris addressed some of the efforts that would occur.*

Commissioner Dunlap asked that staff develop a way to address the stigma issue that individuals often face, if they’ve been diagnosis with HIV.

**Commissioner Fuller** commented on the goal that was identified in the Plan. Commissioner Fuller said it needed to be more specific in terms of where the County wanted to be and at what point in time.

Commissioner Fuller said for staff to say, “we’re working on it” did not reflect the “urgency” of the issue and the need for it to be addressed.

**Commissioner Leake** said she wasn’t sure if the County had done its “best” to make something happen, with respect to this issue. She said the County had dealt with this issue a long time, but no significant progress had been made.

Commissioner Leake referenced her personal experience in dealing with this issue as it related to her late son. Commissioner Leake said because of her personal experience, she wanted to make sure she was a part of the solution for making a difference in the lives of people impacted by this issue.

**Commissioner Ridenhour** asked for clarity with respect to the challenges Director Harris addressed in her presentation regarding contractual issues with providers, which was addressed.
Commissioner Ridenhour asked about the following: the media campaign; how and was the homeless population accounted for; the number of new cases and how many of those cases were homeless individuals, which was addressed. Director Harris said she did not have the numbers with her but would provide it.

Commissioner Ridenhour asked about public access to the report. Director Harris said it would be posted on the Health Department’s website.

Commissioner Puckett asked what was the increase in HIV testing this year. Director Harris said she did not have that information with her but would provide it.

Commissioner Puckett commented on the growth in HIV cases locally in comparison to the population growth. He questioned if the increase in the number of cases was because Mecklenburg County was the only county in the state providing PrEP, thus attracting more people.

Commissioner Cotham noted that there were other counties in N.C. that provided Pre-Exposure Prophylaxis (PrEP) as well.

Commissioner Cotham said she was also concerned about the stigma issue that individuals face.

Commissioner Cotham commented on prevention and education of the disease and asked if there was any collaboration with the Health Department’s Village Heartbeat Program, since they worked closely with the faith community. Director Harris said some pastors were engaged in their work as part of the planning process, who were also a part of Village Heartbeat. Director Harris said Village Heartbeat was an avenue that would be used to get information out to the public.

Commissioner Cotham said she was very interested in knowing more about the education component of the Plan.

Commissioner Cotham asked was it still true that the high growth area in Mecklenburg County with respect to this issue was amongst persons between 13 & 17 years of age and over 55. Director Harris said she was not sure if that was still the case or not but she would follow up with a response.

Commissioner Cotham asked was the majority of the cases, African American? The response was yes.

Commissioner Cotham said it was important that persons receive the care that they need.

Commissioner Clarke said this was indeed a problem that needed to be addressed. He noted the reference in the report regarding social and structural determinants associated with this issue, that he said must also be addressed.

Commissioner Clarke said increasing access to health care services was “extremely” important.

Commissioner Fuller said Village Heartbeat was a tool that was available and could be used more broadly to assist with this issue.

Commissioner Leake asked about staff at the Health Department that worked with the HIV programs and requested information on the number of staff, what they did, where was the work taking place, who selected the sites that staff go into, and the budget for the program. Director Harris said she would provide that information.
Commissioner Puckett said what he meant by his prior comments was that until the County had further data, it would be difficult to say whether increases in cases in Mecklenburg County was the result of anything the County was doing; that it could “potentially” be because the County was being proactive which he said was not a “bad” thing.

Chair Scarborough suggested that staff report back to the Board on this issue more frequently rather than annually.

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

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

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

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

CONSENT ITEMS

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, to approve the following item(s):

18-4690 FEES AND CHARGES - PARK AND RECREATION

1) Approve fee increases as listed below for contracted operations by Ratcliffe Golf Services; and

2) Approve fee increases as listed below for contracted operations by Ramblewood Soccer Inc.
### Charles T. Myers Public Golf Course
#### FY 2018-2019 Maximum Rates

<table>
<thead>
<tr>
<th></th>
<th>Monday - Thursday</th>
<th>Non-Member Rate</th>
<th>Member Rate</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>Regulation Course:</td>
<td>Current</td>
<td>Proposed</td>
</tr>
<tr>
<td>18 Holes (with cart)</td>
<td>$37.00</td>
<td>$30.00</td>
<td>$32.00</td>
</tr>
<tr>
<td>18 Holes Twilight (with cart)</td>
<td>$29.00</td>
<td>No Change</td>
<td>$24.00</td>
</tr>
<tr>
<td>18 Holes Jr/Sr (with cart)</td>
<td>$30.00</td>
<td>No Change</td>
<td>$25.00</td>
</tr>
<tr>
<td>9 Holes (with cart)</td>
<td>$21.00</td>
<td>No Change</td>
<td>$18.00</td>
</tr>
<tr>
<td>9 Holes Jr/Sr (with cart)</td>
<td>$11.00</td>
<td>No Change</td>
<td>$16.00</td>
</tr>
</tbody>
</table>

#### Learning Course:
- 9 Holes (walking only) | $12.00 | No Change | $6.00 | No Change
- Driving Range:
- Small bucket | $5.00 | $6.00
- Medium bucket | $8.00 | $9.00
- Large bucket | $10.00 | $11.00

#### Range Debit Card
- $50.00 for $40.00 (20% Discount)
- $100.00 for $75.00 (25% Discount)

All rates include cart fees:
- Senior - 55 years and older
- Junior - under 18 years

Contracted operators adjust fees down if needed to be competitive in the golf market.

### Harry L. Jones Sr (Renaissance Park) Public Golf Course
#### FY 2018-2019 Maximum Rates

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</tr>
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<td>18 Holes (with cart)</td>
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</tr>
<tr>
<td>18 Holes Twilight (with cart)</td>
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<td>No change</td>
<td>$30.00</td>
</tr>
<tr>
<td>18 Holes Jr/Sr (with cart)</td>
<td>$31.00</td>
<td>No change</td>
<td>$25.00</td>
</tr>
<tr>
<td>9 Holes (with cart)</td>
<td>$24.00</td>
<td>No change</td>
<td>$20.00</td>
</tr>
<tr>
<td>9 Holes (walking only)</td>
<td>$12.00</td>
<td>$6.00</td>
<td></td>
</tr>
</tbody>
</table>

#### Friday, Saturday, Sunday and Holidays
- 18 Holes (with cart) | $55.00 | No change | $50.00 | No Change |
- 18 Holes Twilight (with cart) | $44.00 | No change | $39.00 | No Change |
- 18 Holes Jr/Sr (with cart) | $55.00 | No change | $46.00 | No Change |

Junior with paid adult after 3:00:
- Learning Course: | $12.00 |

#### Driving Range:
- Small bucket | $5.00 | $6.00
- Medium bucket | $8.00 | $9.00
- Large bucket | $10.00 | $11.00

#### Range Debit Card
- $50.00 for $40.00 (20% Discount)
- $100.00 for $75.00 (25% Discount)

All rates include cart fees:
- Senior - 55 years and older
- Junior - under 18 years

Contracted operators adjust fees down if needed to be competitive in the golf market.

1551
### Dr. Charles L. Sifford Golf Course

**FY 2018-2019 Maximum Rates**

**Annual Memberships:** County Residents - $49.95, Non-resident - $79.95

<table>
<thead>
<tr>
<th>Monday - Thursday</th>
<th>Non-Member Rate</th>
<th>Member Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Regulation Course:</strong></td>
<td>Current</td>
<td>Proposed</td>
</tr>
<tr>
<td>9 Holes - riding</td>
<td>$23.00</td>
<td>No Change</td>
</tr>
<tr>
<td>9 Holes - walking</td>
<td>$18.25</td>
<td>No Change</td>
</tr>
<tr>
<td>Senior (65+)</td>
<td>$19.00</td>
<td>No Change</td>
</tr>
<tr>
<td>Senior (60-64)</td>
<td>$25.00</td>
<td>No Change</td>
</tr>
<tr>
<td>Turn Fee – riding (18 Holes)</td>
<td>$10.00</td>
<td>$15.00</td>
</tr>
<tr>
<td>Turn Fee – walking (18 Holes)</td>
<td>$5.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>Junior - walking (9 Holes)</td>
<td>$8.25</td>
<td></td>
</tr>
</tbody>
</table>

**Friday, Saturday, Sunday and Holidays**

<table>
<thead>
<tr>
<th><strong>Regulation Course:</strong></th>
<th>Current</th>
<th>Proposed</th>
<th>Current</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>9 Holes - riding</td>
<td>$29.00</td>
<td>No Change</td>
<td>$24.00</td>
<td>No Change</td>
</tr>
<tr>
<td>9 Holes - walking</td>
<td>$24.25</td>
<td>No Change</td>
<td>$19.25</td>
<td>No Change</td>
</tr>
<tr>
<td>Turn Fee – riding (18 Holes)</td>
<td>$10.00</td>
<td>$15.00</td>
<td>$10.00</td>
<td>$15.00</td>
</tr>
<tr>
<td>Turn Fee – walking (18 Holes)</td>
<td>$5.00</td>
<td>$10.00</td>
<td>$5.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>Junior with paid adult after 3:00</td>
<td>Free</td>
<td></td>
<td>Free</td>
<td></td>
</tr>
<tr>
<td>(9 Holes)</td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

**Driving Range**

- Small bucket: $5.00 | $6.00
- Medium bucket: $6.00 | $8.00
- Large bucket: $10.00 | $11.00

**Range Debit Card**

- $50.00 for $40.00 (25% Discount)
- $100.00 for $75.00 (30% Discount)

- Senior - 55 years and older
- Junior - under 18 years

Contracted operators adjust fees down if needed to be competitive in the golf market.

### Sunset Hills Public Golf Course

**FY 2018-2019 Maximum Rates**

**Annual Memberships:** County Residents - $49.95, Non-resident - $79.95

<table>
<thead>
<tr>
<th>Monday - Thursday</th>
<th>Non-Member Rate</th>
<th>Member Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Regulation Course:</strong></td>
<td>Current</td>
<td>Proposed</td>
</tr>
<tr>
<td>18 Holes (with cart)</td>
<td>$34.00</td>
<td>$35.00</td>
</tr>
<tr>
<td>18 Holes Twilight (with cart)</td>
<td>$37.00</td>
<td>$38.00</td>
</tr>
<tr>
<td>9 Holes (with cart)</td>
<td>$28.50</td>
<td>No Change</td>
</tr>
<tr>
<td>9 Holes (with cart)</td>
<td>$31.00</td>
<td>No Change</td>
</tr>
<tr>
<td>9 Holes (with cart)</td>
<td>$16.50</td>
<td>No Change</td>
</tr>
</tbody>
</table>

**Learning Course:**

- 9 Holes (with cart) | $17.00 | $18.00 | $15.00 | $16.00

**Friday, Saturday, Sunday and Holidays**

<table>
<thead>
<tr>
<th><strong>Regulation Course:</strong></th>
<th>Current</th>
<th>Proposed</th>
<th>Current</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>18 Holes (with cart)</td>
<td>$39.00</td>
<td>$42.00</td>
<td>$34.00</td>
<td>$37.00</td>
</tr>
<tr>
<td>18 Holes mid-day (with cart)</td>
<td>$34.00</td>
<td>$37.00</td>
<td>$29.00</td>
<td>$33.00</td>
</tr>
<tr>
<td>9 Holes with cart after 1:00PM</td>
<td>$28.00</td>
<td>$29.00</td>
<td>$23.00</td>
<td>$24.00</td>
</tr>
<tr>
<td>9 Holes (with cart) after 1:00PM</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Junior with paid adult after 3:00</td>
<td>Free</td>
<td></td>
<td>Free</td>
<td></td>
</tr>
</tbody>
</table>

**Driving Range**

- Small bucket: $5.00 | $6.00
- Medium bucket: $8.00 | $9.00
- Large bucket: $10.00 | $11.00

**Range Debit Card**

- $50.00 for $40.00 (20% Discount)
- $100.00 for $75.00 (25% Discount)

**2-Hole**

<table>
<thead>
<tr>
<th></th>
<th>Non-Member Rate</th>
<th>Member Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>All rates include cart fees</td>
<td>$5.00</td>
<td>$10.00</td>
</tr>
</tbody>
</table>

- Senior - 55 years and older
- Junior - under 18 years

Contracted operators adjust fees down if needed to be competitive in the golf market.
18-4706  **AWARD OF SERVICE WEAPON BY SHERIFF’S OFFICE**

Authorize the Sheriff to award to the surviving relatives of deceased Deputy Sylvia Deese, the weapon carried at the time of her death, at a cost of $409.00.

*Note:* This action would allow the Sheriff to award the service weapon of Deputy Sylvia Deese to surviving relatives, Gene Deese (Spouse) and/or Chad Deese (Son - a Mecklenburg County Sheriff’s Office Dispatcher) as provided by G.S. 20-187.2 at the purchase price of $409.00. Historically, this has been the customary practice, and in order to comply with the general statute, the Sheriff requested the Board of County Commissioners' approval.

18-4707  **BUDGET AMENDMENT-LUESA AUCTION REVENUE**

Recognize, receive and appropriate revenue for LUESA from the vehicle auction held on April 7, 2018 in the amount of $41,493.08.

18-4720  **STORM WATER PROGRAM - FY18 HAZARD MITIGATION FLOODPLAIN ACQUISITION**

1. Accept the Offer of Sale of Real Estate from Don Henderson, owner of property located at 435 Gum Branch Road, Charlotte, NC (tax parcel 031-073-06), for $196,667; 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.). The requested action would consist of acquiring the property and demolishing the existing building using Storm Water Services capital funds for the purchase.

18-4721  **TAX REFUNDS**
Approve refunds in the amount of $91,765.85 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 $42.22.*

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

18-4724 EASEMENT DONATIONS - SOUTH PRONG CLARK CREEK

1) Accept a storm drainage easement donation on Tax Parcel 019-271-07 (+/- 1.89 acres) for future stream improvements on South Prong Clarke Creek from Vermillion Community Association, Inc.; and

2) Accept greenway (+/- .5376 acres) and storm drainage (+/- .2456 acres) easement donations on Tax Parcel 019-461-88 for future greenway trail construction and stream improvements on South Prong Clarke Greenway from Vermillion Community Association, Inc.

18-4725 GOVERNMENT DISTRICT PARKING DECK - RETAIL TENANT LEASE

1) Adopt the resolution titled “Mecklenburg County Board of Commissioners Resolution Authorizing Lease of Property to John and Hresanthe Georgopoulos, owners of Little Village Grill”; and

2) Recognize and appropriate $10,500 of rental income to cover costs associated with leasing retail portions of the parking deck.

**MECKLENBURG COUNTY**

**BOARD OF COMMISSIONERS**

**RESOLUTION AUTHORIZING LEASE OF PROPERTY**

**TO JOHN AND HRESANTHE GEORGOPOULOS**

**OWNERS OF LITTLE VILLAGE GRILL**

*WHEREAS,* Mecklenburg County is the owner of the Government District Parking Deck, located at 901 E. 4th Street, Charlotte, NC, parts of which were designed for use as retail space; and

*WHEREAS,* John and Hresanthe Georgopoulos, owners of Little Village Grill, have submitted a proposal to lease one retail space attached to the Government District Parking Deck at 4th and McDowell Streets; and; and

*WHEREAS,* Collier’s International, the real estate firm secured by the County to obtain tenants for the retail portion of the parking deck is in agreement with the following proposed business terms:

- **Location:** 901 E. 4th Street, Suite A
- **Total Square Footage:** 1,457 SF
- **Lease Term:** Five (5) years & Six (6) Months
- **Option to Renew:** One extension option: Four (4) years and one hundred and seventy-nine (179) days
- **Base Lease Rate:** $20.00 per sq. ft. (29,140/yr.)
- **Annual Increases:** Years 2 – 5.5: 3% annually; Option Years: 3% annually

**Revenue (Years 1-5)**
Year 1 (Months 1 – 6) $0.00
Year 1 (Months 7 – 12) $20.00/SF $2,428/month
Year 2 (Months 13 – 24) $20.60/SF
Year 3 (Months 25 – 36) $21.22/SF
Year 4 (Months 37 – 48) $21.85/SF
Year 5 (Months 49 – 60) $22.51/SF
Year 6 (Months 61 – 66) $23.19/SF

**Insurance** - Tenant is required to maintain liability, property, Worker’s Compensation and Professional Errors & Omissions insurance.

**Maintenance & Janitorial** - Tenant is responsible for all maintenance and janitorial services required within the Premises. Tenant shall be responsible for building systems within the Premises including, but not limited to, fire alarm, electrical, and plumbing. Tenant agrees to enter into a service contract for preventive maintenance of HVAC equipment, including regular inspections. Tenant is responsible for HVAC repairs under $5,000. For major HVAC repairs exceeding $5,000, Landlord agrees to contribute to a replacement unit by waiving Tenant’s Base Rent for three (3) consecutive months.

**Common Area Maintenance** - In addition to Base Rent (Revenue), Tenant will pay Landlord their pro-rata share of the exterior maintenance, landscaping, trash removal and general maintenance. Tenant’s pro-rata share amount in year 1 is estimated to be $404.32/month.

**Delivery of Premises** - Tenant to take Premises “as is”.

**Commission** - County shall pay a total of 4% commission on the guaranteed base rent for years 1-5 to County’s broker, Steve Rich of Colliers International. The total commission to be paid by the County for Little Village Grill will be $6,281.15.

WHEREAS, the County’s Asset and Facility Management Department has determined that the space that John and Hresanthe Georgopoulos, owners of Little Village Grill, desire to lease will not be needed by the County during the term of the lease; 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 John and Hresanthe Georgopoulos, owners of Little Village Grill; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby approve a lease arrangement with John and Hresanthe Georgopoulos, owners of Little Village Grill as described above, and authorizes and directs the County Manager, or his designee, to negotiate and execute a formal lease agreement with John and Hresanthe Georgopoulos, owners of Little Village Grill, consistent with the business terms outlined above.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #259.

18-4727 MINUTES
Approve Minutes of Regular meeting held May 15, 2018 and Special Meeting held May 22, 2018.

18-4730 SET PUBLIC HEARING FOR CLOSING A PORTION OF RIGHT-OF-WAY FOR SAMPLE ROAD
1. Set a public hearing for July 10, 2018 to hear all interested residents who appear with respect to the closing of a portion of right-of-way for Sample Road; and

2. Adopt a resolution declaring the Board's intent to close a portion of Sample Road right-of-way.

MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION DECLARING INTENT TO CLOSE A PORTION OF SAMPLE ROAD RIGHT-OF-WAY

WHEREAS, North Carolina General Statute 153A-241 specifies that a county may permanently close 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, a petitioner has requested that an 11.47-acre portion of right-of-way for Sample Road as shown on the Exhibit A map attached hereto be closed; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has determined that in its opinion the closing of the portion 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 would not be contrary to the public interest; 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 close the 11.47-acre portion of right-of-way for Sample Road as shown on the attached Exhibit A map, and as required by G.S. 153A-241 does hereby set a public hearing on the question of whether to close said right-of-way for July 10, 2018 at 6:30 p.m., or as soon thereafter as the agenda permits, in the Meeting Chamber on the first floor of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina 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 LUESA 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 said right-of-way of Sample Road who did not join in the request to have said portion of the right-of-way closed; and to have a notice of the closing and the public hearing posted in at least two places at said right-of-way.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #260.

18-4731 LANDSCAPE ARCHITECT/ENGINEER SELECTION - FISCAL YEAR (FY) 2019-2020 MECKLENBURG COUNTY GREENWAY PROJECTS

Authorize the County Manager to negotiate fees and execute a contract with selected firms, for Landscape Architectural/Engineering Services for FY 2019-2020 Mecklenburg County Greenway Projects and in the event negotiations with any of the firms are unsuccessful, approve negotiations with the alternate firm.

The following eight greenway projects are included in the FY19 and FY20 CIP:

FY 2019 Projects
Stewart Creek Greenway - 1.4 miles from State Street to Lakeview Ave. - This greenway will be developed in partnership with Mecklenburg County Stormwater Services and is partially funded through a NCDOT Grant.

Irvin's Creek Greenway - 1.5 miles from Idlewild Road to Lakeview Circle – The Town of Matthews is a funding partner.

McAlpine Creek Greenway - 1.6 miles from Green Rea Road to Johnston Road - This greenway is partially funded through a NCDOT Grant.

Plum Creek Greenway - 0.7 miles from the existing section of Rocky River Greenway to South Bailey Road - The Town of Cornelius is a funding partner.

Torrence Creek Greenway, Tributary #2 - 0.9 miles from the CATS Park and Ride lot on Compass Street to Rosewood Meadow Drive - The Town of Huntersville is a funding partner.

FY 2020 Projects

Briar Creek/Little Hope Creek Greenway - 1.1 miles from Manning Drive to Briar Creek

Mallard Creek Greenway - 1.7 miles from Mallard Creek Drive to David Taylor Drive

McIntyre Creek Greenway - 0.8 miles from Beatties Ford Road to Clarence Field Drive

The following are the firms and alternates:

Project: Stewart Creek Greenway Irvin's Creek Greenway McAlpine Creek Greenway Plum Creek Greenway Torrence Creek Trib II Briar Creek/Little Hope Mallard Creek Greenway McIntyre Creek Greenway


Alternate Firm: McAdams Dewberry Kimley Horn Benesch McAdams Benesch McAdams Cole Jenest & Stone BLOC

18-4732 LEASE AMENDMENT - SECOND HARVEST PROPERTIES, INC.

Authorize the County Manager to negotiate and execute a first lease amendment to the Amended and Restated Lease Agreement with Second Harvest Properties, Inc., a wholly owned subsidiary of the Second Harvest Food Bank of Metrolina ("Food Bank"), to amend maintenance responsibilities for the current lease agreement at 500-B Spratt Street (Tax Parcel 078-454-39).

Note: Under the 2016 lease, the County was responsible for the delivery of all exterior grounds maintenance, pest control, security monitoring and security systems, and all janitorial except the warehouse portion of the facility, with the funding for these services shared between the County and the Food Bank. The Food Bank now prefers to be responsible for the funding and delivery of all exterior grounds maintenance, janitorial, pest control, security monitoring and security systems for the facility. The County and Food Bank have agreed to this change and additional provisions to maintain service levels necessary to ensure the aesthetic quality of the facility. The County Manager will negotiate a lease amendment consistent with the following:

Maintenance and Repair Responsibilities - The Food Bank will be responsible for the delivery and funding all exterior grounds maintenance, janitorial and miscellaneous items to include - pest control, security monitoring and security systems.
18-4733  DSS - HOME AND COMMUNITY CARE BLOCK GRANT

Approve the Home and Community Care Block Grant (HCCBG) funding plan for FY19.

Note: Annually, the Department of Social Services (DSS) submits for Board approval the Home and Community Care Block Grant (HCCBG) funding 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 $3,479,262 with a required match of $386,585 that includes two senior centers not affiliated with Mecklenburg County. The funding plan portion within the Mecklenburg County FY19 budget is $3,403,033 with a county match of $378,115.

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

18-4736  LUESA FY19 FEE ADJUSTMENT FOR SOLID WASTE

Approve revisions to the Mecklenburg County Solid Waste Fee Ordinance.

Note: A second reading will be required because all nine commissioners were not present. The matter will rollover to the June 19, 2018 agenda. The presence of all nine commissioners is not required on the second reading.

18-4745  COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT PROGRAM - 2018 ANNUAL ACTION PLAN (FY2019) SUMMARY

Approve the FY2019 Annual Action Plan for Mecklenburg County’s Community Development Block Grant program of the US Department of Housing and Urban Development, and recognize receive, and appropriate awarded funds.

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 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. In order to receive its CDBG entitlement funding, the County must submit the Annual Action Plan to HUD. The 2018 Annual Action Plan includes the funding application for CDBG funds for approximately $808,974. The 2018 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 in order 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.

18-4770 RESOLUTION APPROVING AN AMENDED AND RESTATED 2018 INTERLOCAL AGREEMENT WITH THE CITY OF CHARLOTTE FOR LAW ENFORCEMENT SERVICES

Adopt an amended Resolution Approving an Amended and Restated 2018 Interlocal Agreement with the City of Charlotte for Law Enforcement Services within the Extra Territorial Jurisdiction areas of the City, Davidson, Mint Hill, Pineville, and within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant, to include the Town of Pineville. The amended and restated agreement between Mecklenburg County and the City of Charlotte will replace the Pineville (ETJ) Interlocal Agreement adopted by the Board on May 1, 2018.

Note: On May 1, 2018 the Board adopted a Resolution Approving a Law Enforcement Services Interlocal Agreement Between Mecklenburg County and The Town Of Pineville. However, the Town of Pineville declined to provide law enforcement services within the ETJ area of the Town. The Town has requested the Charlotte-Mecklenburg Police Department continue to provide police services to the Town’s ETJ area. On February 20, 2018, the Board adopted a resolution Approving a 2018 Interlocal Agreement with the City of Charlotte for Law Enforcement Services within the Extra Territorial Jurisdiction areas of the City, Davidson, Mint Hill, and within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant. The Board was now being asked to amend the resolution to include the provision of law enforcement services by the City of Charlotte to the ETJ area of the Town of Pineville. This Resolution supersedes and replaces in its entirety the prior Resolution of February 20, 2018.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION APPROVING AN AMENDED AND RESTATED 2018 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 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 staff, have negotiated 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”), the Town of Mint Hill (“Mint Hill”), the Town of Pineville (“Pineville”), and within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant; and

WHEREAS, the County Manager has presented to the Board, as part of the agenda of the meeting at which this resolution has been adopted, an amended and restated five (5) year
JUNE 5, 2018

interlocal agreement with the City of Charlotte for the City to provide law enforcement services within the extraterritorial jurisdiction (“ETJ”) areas of the City, Davidson, Pineville and Mint Hill, and within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant, which proposed agreement has been negotiated with the City Manager and his staff; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby approve the amended and restated interlocal agreement with the City entitled “Amended and Restated 2018 Agreement Between the City of Charlotte and Mecklenburg County for the Continued Consolidation of the Charlotte- Mecklenburg Police Department” as presented to the Board at the meeting at which this Resolution has been adopted, to be effective July 1, 2018, for the City to provide law enforcement services within the ETJ areas of the City, Davidson, Pineville, Mint Hill, and within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant, and authorizes the Chairman of the Board to execute such Agreement in substantially the form presented to the Board.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #261.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

18-4699 BUDGET AMENDMENT (DSS) SPECIAL ADOPTION PROMOTION FUNDS

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) Recognize, receive and appropriate an increase in State Adoption Promotion Funding in the amount of $18,000; and

Note: The North Carolina Division of Social Services has provided additional funding in the amount of $18,000 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 funds 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 these funds include Adoption Services, Adoption 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.

2) Recognize, receive and appropriate an increase in other funds in the amount of $2,000.

Note: Mecklenburg County was donated $2,000 by CE Office, LLC for sponsorship of Special Adoption Promotion Fund in Mecklenburg County. These funds are to be used to offset expenses associated with the Special Adoption Fund Conference hosted by Mecklenburg County Youth and Family Services.

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

18-4700 BUDGET AMENDMENT - COMMUNITY SUPPORT SERVICES

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 recognize, receive and appropriate $85,000 for user fees that will be used in
JUNE 5, 2018

conjunction with HUD (Housing and Urban Development) funding for the administration of the Homeless Management Information System (HMIS).

Note: The user fees are costs to homeless/housing services agencies for Homeless Management Information System (HMIS) licenses. Each agency is billed based on the cost per license/per user. The user fees in the amount of $85,000 will be collected from partner agencies to fund the administration of the HMIS system. User fees will be budgeted in the multi-year grant unit with HUD funds.

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

18-4705 BUDGET AMENDMENT - SHERIFF’S OFFICE SPECIAL REVENUE FUND (REVENUE AND EXPENSE 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:

1. Recognize, receive and appropriate $311,897 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, receive and appropriate $110,773 from 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, receive and appropriate $311,350 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, but will not be used for the purchase of information technology.

4. Recognize, receive and appropriate $52,453 from seized assets to the Sheriff’s Office Special Revenue Fund.

Note: Funds 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. Funds will not be used for the purchase of information technology.

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

Commissioner Dunlap returned to the dais.

18-4719 APPOINTMENT OF REVIEW OFFICER

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, 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 Monterai Adams as a review officer.

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: Monterai Adams is hereby designated as 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.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #262.

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

18-4717 GRANT APPLICATION - GRANTS TO REPLACE AGING DIESEL ENGINES (GRADE)

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

A. Approve submission of a grant application for up to $2 Million in Diesel Emission Reduction Act funding to support the County’s GRADE program;

B. Upon award of grant, recognize, receive and appropriate the grant money

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

Note: Mecklenburg County Air Quality (MCAQ) is applying for up to $2 million in Diesel Emission Reduction Act (DERA) grant funds from the U.S. Environmental Protection Agency. The DERA funding will be used to provide sub-grants to repower or replace heavy-duty diesel vehicles and equipment in the Charlotte region as part of the County’s Grants to Replace Aging Diesel Engines (GRADE) program. GRADE will be administered by MCAQ staff, and MCAQ will provide up to $100,000 in matching funds from existing gas tax revenue. All other matching funds will be provided by equipment owners who participate in GRADE.

Commissioner Puckett removed this item from Consent because of question he had, which he said an answer was received.
JUNE 5, 2018

ADJOURNMENT

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and unanimously carried 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 8:13 p.m.

__________________________________________________________
Janice S. Paige, Clerk

__________________________________________________________
Ella B. Scarborough, Chair
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 Tyrone C. Wade Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioners James 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) to be removed from Consent and voted upon separately. The items were 18-4743, 18-4752, 18-4757, 18-4758, 18-4761, 18-4768, 18-4774, 18-4778, 18-4760 and 18-4783.

STAFF BRIEFINGS

18-4789 MEDIC FEATURE DEPARTMENT REPORT FOLLOW-UP

The Board received information on program to replace Navistar engines from Joe Penner, Executive Director, Mecklenburg Emergency Medical Services Agency (MEDIC). He was assisted by Jeff Keith of his staff. This was a follow-up to the presentation the Board received on May 15, 2018 from Director Penner.

Director Penner addressed the maintenance of MEDIC’s fleet, specifically the medium duty ambulances. The following was noted:

- The targeted useful lifespan for the medium duty ambulances was 300,000 miles.
- Sometimes the engines last the entire 300,000 miles and sometimes they do not.
- When the engines do not last, an assessment is made to replace it, or take the vehicle out of service.
- If a vehicle’s engine reaches 300,000 miles and it’s felt, the vehicle was still useful, a letter is sent to the County asking for permission to keep the vehicle in service longer than the 300,000 miles.
- Currently, there were no vehicles with over 300,000 miles on them.
Director Penner addressed the challenge they were dealing with around defected engines. The following was noted:

- The engines were defective by design by the manufacturer.
- There were 34 vehicles with defected engines.
- Staff scored those vehicles either green, yellow, or red.
  - Green, meaning there were no problems, the vehicle was working well.
  - Yellow, the vehicle was being watched carefully.
  - Red, the vehicle needed to be taken to the dealer to be checked.
- Five engines have been replaced; Five currently at the dealer.
- It takes 35 days to get one vehicle repaired.
- The manufacturer was paying for the replacement of the engines.
- Medic continues to recommend that it works with the manufacturer to get the issue resolved.
- The manufacturer has been very responsive.
- If anything changes regarding managing this issue, Medic will notify County staff.

Comments

Commissioner Dunlap asked had this information been shared with the media. The response was yes.

Commissioner Clarke asked for clarity on the number of vehicles with defective engines. The response was 34 out of a fleet of 72, the 2012 model.

Commissioner Clarke asked had there been any disruptions in operations or risk to clients because of a defective engine. Director Penner said this was known as critical vehicle failures, which occurs at times, but not necessarily related to the vehicles in question. He said it could happen with any of the fleet.

Director Penner said an ambulance was a complex machine and “machines do fail, even with proper maintenance.

Mr. Keith said there were other variables that could come into play, as well, that could delay response and he elaborated.

Commissioner Clarke asked about consequences if all 34 vehicles were placed in the shop for repair. Director Penner said Medic would be short every second. He said they could not be taken offline, which was why they were managing the situation as outlined.

Commissioner Clarke asked for the name of the manufacturer involved. The response was International Navistar.

Commissioner Clarke asked was this an American company. The response was yes.

Commissioner Clarke asked about the vehicle purchase process, which was addressed.

Commissioner Clarke asked was any kind of class action suit pending against the company. The response was yes, and the class action was still open. Medic’s attorney evaluated the matter and Medic could join the class action, but had not done so, because of the working relationship with the local dealer and manufacturer to resolve the issue.

Commissioner Puckett asked about liability, which was addressed by County Attorney Wade. He said the issue was being managed.

Commissioner Puckett asked Director Penner if there was another solution that he’d like better. Director Penner said the way the issue was being handled by Medic was the best route to take.

Commissioner Fuller asked about insurance vulnerability, which was addressed.
Commissioner Clarke suggested thought be given to accelerating the vehicle replacement strategy going forward.

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

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

**CLOSED SESSION**

18-4755 CONSULT WITH ATTORNEY  
18-4786 BUSINESS LOCATION AND EXPANSION

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and carried 6-0 with Commissioners Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, to go into Closed Session for the following purpose(s): Consult with Attorney and Business Location and Expansion.

*The Board went into Closed Session at 5:42 p.m. and came back into Open Session at 5:50 p.m.*

*Commissioners Clarke, James, and Ridenhour were present when the Board came back into Open Session. They entered during Closed Session.*

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 move up on the Agenda, Items 18-4790 Budget Amendment – Carry Forward of Lapsed Salaries and 18-4782 Fiscal Year 2018-2019 Budget Ordinance.

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**

18-4753 PUBLIC APPEARANCE

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

**MANAGER’S REPORT**

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 move up on the Agenda, Item 18-4783 Fire Alarm Ordinance.

**18-4783 FALSE ALARM ORDINANCE**

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 the revised False Alarm Ordinance.

*Note: The current Mecklenburg County False Alarm Ordinance dates to 1996 and specifically authorizes the Charlotte Mecklenburg Policy Department (CMPD) to respond to alarms in*
unincorporated areas of Mecklenburg County. Given the recent adoption of interlocal agreements for separate law enforcement services within the ETJ's of the county, revisions were necessary to bring the ordinance into conformity with the changes, effective July 1, 2018.

MECKLENBURG COUNTY
FALSE ALARM ORDINANCE

BE IT ORDAINED by the Mecklenburg County Board of Commissioners that:

SECTION 1. DEFINITIONS

For the purpose of this ordinance, the following words shall have the following meanings:

(a) **Alarm Company.** An entity engaged in selling, leasing, installing, servicing, or monitoring alarm systems within Mecklenburg County; this person shall be in compliance with and licensed by the North Carolina Alarm Licensing Board.

(b) **Alarm Permit.** A permit issued by the Responsible Law Enforcement Agency allowing the operation of an alarm system within an unincorporated area of the Mecklenburg County.

(c) **Alarm System.** Any single device or assembly of equipment designed to signal the occurrence of an illegal entry or other activity requiring immediate attention and to which the Responsible Law Enforcement Agency is expected to respond, but does not include alarms installed in motor vehicles or fire alarms.

(d) **Alarm Signal.** A detectable signal, either audible or visual, generated by an alarm system, to which the Responsible Law Enforcement Agency is expected to respond.

(e) **Alarm Systems Coordinator.** An employee of the Responsible Law Enforcement Agency designated to administer this Ordinance.

(f) **Alarm User.** Any person, corporation, partnership, proprietorship, governmental or educational entity or any other entity owning or leasing an alarm system, or on whose premises an alarm system is maintained for the protection of such premises.

(g) **Automatic Dial Protection Device.** An automatic dialing device or an automatic telephone dialing alarm system and shall include any system which, upon being activated, automatically initiates a recorded message or code signal indicating a need for police response.

(h) **Chief of Police.** The Chief of Police of the Responsible Law Enforcement Agency or his designee.

(i) **False Alarm.** The activation of an alarm system through mechanical or electronic failure, malfunction, improper installation, or the negligence of the alarm user, his employees or agents, and signals activated to summon police personnel unless law enforcement response was cancelled by the alarm user or his agent before police personnel arrive at the alarm location. A false alarm shall not include alarms which can reasonably be determined to have been caused or activated by unusually violent conditions of nature nor does it include other extraordinary circumstances not reasonably subject to control by the alarm user. In addition, an alarm activated during an alarm system testing procedure shall not be considered a false alarm if the user first notifies and receives permission from the user’s alarm company, or designee, to test the system. An alarm is false within the meaning of this Ordinance when, upon inspection by the Chief of Police, evidence indicates that no unauthorized entry, robbery, or other such crime was committed or attempted in or on the premises which would have activated a properly functioning alarm system.

(j) **Permit year.** A 12-month period beginning on the day and month on which an alarm permit is issued.

(k) **Responsible Law Enforcement Agency.** The police agency for a municipality within Mecklenburg County who has entered into an interlocal agreement to provide law enforcement services within designated unincorporated areas of the County.

(l) **Runaway alarm.** An alarm system that produces repeated alarm signals that do not appear to be caused by separate human action.

SECTION 2. ALARM USER PERMITS REQUIRED

(a) **Permit required.** No person shall use an alarm system, as described in Section 1., which is designed to elicit, either directly or indirectly, a police response without first obtaining a permit for such alarm system from the Responsible Law Enforcement Agency or its designee. No person shall use an alarm system when the alarm permit for that system has been revoked pursuant to Section 7 of this Ordinance.

(b) **Application.** The permit shall be requested on an application form provided by the Responsible Law Enforcement Agency. An alarm user has the duty to obtain an application from the Charlotte-Mecklenburg Police Department.

(c) **Transfer of possession.** When the possession of the premises at which an alarm
JUNE 19, 2018

system is maintained is transferred, the person obtaining possession of the property shall file an application for an alarm user permit within thirty (30) days of obtaining possession of the property. Alarm permits are not transferrable.

(d) Reporting updated information. Whenever the information provided on the alarm user permit application changes, the correct information must be provided by the alarm user to the Alarm Systems Coordinator within thirty (30) days of the change. In addition, each year after the issuance of the permit, permit holders may receive from the Alarm Systems Coordinator a form requesting updated information. The permit holder shall complete and return this form to the Alarm Systems Coordinator if any of the requested information has changed.

(e) Alarm reset. An alarm user may not install, maintain or use an audible alarm system which can sound continually for more than fifteen (15) minutes.

SECTION 3. ISSUANCE OF PERMIT DECALS

No person shall use an alarm system without posting at the front entrance of the premises served by the alarm system the alarm user permit decal issued by the Responsible Law Enforcement Agency, or its designee. This decal must be prominently posted at the front entrance of the premises so that the information provided on the decal is visible from outside of the structure.

SECTION 4. MULTIPLE ALARM SYSTEMS

If an alarm user has one (1) or more alarm systems protecting two (2) or more separate structures having different addresses, a separate permit will be required for each structure.

SECTION 5. RESPONSE TO ALARM; DETERMINATION OF VALIDITY

(a) Police Response. Whenever an alarm is activated in the unincorporated area of Mecklenburg County and the Responsible Law Enforcement Agency does respond, a police officer on the scene of the activated alarm system shall inspect the area and shall determine whether the police response was in fact necessary as indicated by the alarm system or whether the alarm was a false alarm.

(b) Notification. If the police officer at the scene of the activated alarm system determines the alarm to be false, the officer shall make a report of the false alarm. An alarm user shall be notified of each false alarm determination.

(c) Inspection. The Chief of Police shall have the right to inspect any alarm system on the premises to which a response has been made at any reasonable time thereafter to determine whether it is being used in conformity with the terms of this Ordinance.

SECTION 6. REVIEW OF FALSE ALARM DETERMINATIONS

(a) Request for Review. The Alarm Systems Coordinator shall, when requested by an alarm user, review the determination that an alarm was false. Such review shall be conducted by the Alarm Systems Coordinator only if the alarm user requests in writing such a review within ten (10) days of the date that the alarm user was notified of the false alarm determination. The written request for review of a false alarm determination by the Alarm Systems Coordinator shall include the following information.

(1) alarm user name;
(2) address at which alarm is installed;
(3) date of false alarm that is being contested;
(4) alarm user permit number;
(5) facts upon which the request for review of the false alarm determination is made.

SECTION 7. SERVICE CHARGE ASSESSMENT FOR FALSE ALARMS AND REINSTATEMENT OF ALARM USER PERMITS

(a) Excessive False Alarms. It is hereby found and determined that three (3) or more false alarms within any 12-month period is excessive and constitutes a public nuisance.

(b) Civil Penalties.

(1) The 3rd through 5th false alarms within a 12-month period will result in the alarm user being billed a fifty dollar ($50.00) service charge per occurrence which shall be considered a bill owed by the alarm user to the local municipality of and may be collected from the alarm user as a civil penalty. Each fifty dollar ($50.00) service charge incurred for the 3rd through 5th false alarms at the premises described in the alarm user’s permit shall be paid within thirty (30) days from date of receipt of the invoice.

(2) The 6th false alarm within a 12-month period, and all false alarms thereafter, shall result in the revocation of the alarm user’s permit in the following manner:

(A) The alarm user shall be given ten (10) days advance written notification that the alarm user’s permit will be revoked. This written notice shall set forth the reasons for such revocation.

(B) The notice shall specify the date of revocation and that the
Responsible Law Enforcement Agency will discontinue responding to alarms that occur at the premises described in the revoked permit after the date of revocation.

(C) Reinstatement of both the permit and eligibility for police response to alarm calls will be made only upon receipt of any prior unpaid civil penalties assessed pursuant to this section and receipt of the applicable service charge as set forth below:

- 6th false alarm - $100.00
- 7th false alarm - $100.00
- 8th false alarm - $250.00
- 9th false alarm - $250.00
- 10th and over false alarms - $500.00 per false alarm

(c) Permit year. For the purposes of this section, a permit year is a 12-month period beginning on the date of the permit’s issuance.

(d) Discontinuation of Police Response. The failure of an alarm user to make payment of any service charge imposed under this section within thirty (30) days from date of receipt shall result in a discontinuance of police response to alarms that may occur at the premises described in the alarm user’s permit until payment is received.

SECTION 8. AUTOMATIC DIAL PROTECTION DEVICES PROHIBITED

No automatic dial protection device shall be used to report, or cause to be reported, any recorded message to the responsible police department.

SECTION 9. PROHIBITED ACTS

(a) It shall be unlawful for any person to violate any provision of this Ordinance.

(b) It shall be unlawful for any person to activate a burglary or robbery alarm for the purpose of summoning police when no burglary or robbery, or other crime dangerous to life or property, is being committed or attempted on the premises, or otherwise to cause a false alarm.

(c) It shall be unlawful for an alarm user to fail to reimburse the local municipality, in accordance with the provisions of this Ordinance, for response(s) by the Responsible Law Enforcement Agency to any false alarm(s).

SECTION 10. ENFORCEMENT OF PROVISIONS

Methods of Enforcement. The local municipality may enforce the provisions of this Ordinance by one or a combination of the following methods:

(a) Civil Penalty. Any person who violates any provision of this Ordinance may be fined by a civil penalty of one hundred dollars ($100.00) which may be recovered by the local municipality in a civil action in the nature of a debt if the violator does not pay the penalty within thirty (30) days from the date the violator is notified of the penalty. Any other service charges imposed by this Ordinance may be collected by the local municipality pursuant to this Ordinance must be paid to Mecklenburg County within thirty (30) days of receipt unless the local municipality and Mecklenburg County provide in an interlocal cooperation agreement to some other application of such service charges and civil penalties.

(b) Equitable Remedy. The local municipality may apply to a court of competent jurisdiction for an injunction, abatement order or any other appropriate equitable remedy.

SECTION 11. SEVERABILITY

If any provision of this Ordinance or the application thereof to any person or circumstance is for any reason held invalid, such invalidity shall not affect other provisions or application of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 12. APPLICABILITY

Pursuant to the provisions of N.C.G.S. § 153A-122, this Ordinance is applicable to any municipality within Mecklenburg County where authorized.

SECTION 13. EFFECTIVE DATE

This Ordinance shall be effective the first day of July, 2018.

Ordinance recorded in full in Minute/Ordinance Book 47-A, Document #263.

18-4790 BUDGET AMENDMENT - CARRY FORWARD OF LAPSED SALARIES

Motion was made by Commissioner Ridenhour, seconded by Commissioner Dunlap and carried
8-1 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes and Commissioner Clarke voting no, to carry forward FY18 lapsed salaries of up to $6,884,491 as of June 30, 2018 to the FY19 General Fund operating budget. The lapsed salaries will be available from the Department of Social Services (DSS), the Sheriff’s Office (SHF), and the Public Health Department (HLT).

Note: During its straw vote meeting on June 12, 2018, the Board made an adjustment to the Manager’s FY19 Recommended Budget. The adjustment would increase the FY2019 General Fund operating budget to provide additional support for Charlotte Mecklenburg Schools (CMS). The Board’s intent is for CMS to utilize this one-time funding to increase the County’s salary supplement for teachers and certified staff.

The Board was advised of the following initiatives underway to fill the affected positions:

- DSS has contracted with national experts such as Annie E. Casey to improve the delivery of services and refine its staffing model to improve recruitment & retention;
- The County Manager’s FY19 Recommended Budget includes a pay plan adjustment for certified & sworn staff to assist the Sheriff’s office with recruitment and retention; and,
- In FY18, the Board approved $300K to create a school nurse float pool to assist with workload and improve recruitment & retention in the Public Health Department.

Fiscal Impact: FY18 lapsed salaries of up to $6,884,491 will be utilized for the FY19 General Fund CMS operating budget. The Board was advised that this decision would result in a structural deficit in the FY20 budget.

18-4782 FISCAL YEAR 2018 - 2019 BUDGET ORDINANCE

Motion was made by Commissioner Fuller, seconded by Commissioner Dunlap, to adopt the Fiscal Year 2018-2019 Mecklenburg County Budget Ordinance as included in the Board’s agenda, which reflects a property tax rate of 82.32 cents.

Note: Approval of the Budget Ordinance would adopt a balanced operating budget of expenditures and revenues for the period of July 1, 2018 through June 30, 2019 as required by the Local Government Budget and Fiscal Control Act. The Budget Ordinance results in a total budget of $1.73 billion and a property tax rate of 82.32 cents. It reflects the tax rate for the law enforcement service districts for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville at 21.46 cents. Also, the following reflects 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.

Note: Prior to the above vote the following persons spoke in support of the supplement for teachers: Melissa Easley, Jamie Worth, and Lawrence Brinson.

Substitute motion was made by Commissioner Puckett, seconded by Commissioner James and failed 5-4 with Commissioners Clarke, Dunlap, Fuller, Leake, and Scarborough voting no and Commissioners Cotham, James, Puckett, and Ridenhour voting yes, to adopt the Fiscal Year 2018-2019 Mecklenburg County Budget Ordinance as included in the Board’s agenda, but that the current tax rate of 81.57 cents be maintained; and direct the County Manager to find savings from next year’s operating budget to accommodate a tax rate of 81.57 cents, and if those savings can’t be found, take the needed funds from fund balance.

Commissioners commented on the substitute motion, prior to the vote being taken.

The vote was then taken on the original motion as noted below:

Motion was made by Commissioner Fuller, seconded by Commissioner Dunlap and carried 6-3 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Scarborough voting yes and Commissioner James, Puckett, and Ridenhour voting no, to adopt the Fiscal Year 2018-2019 Mecklenburg County Budget Ordinance as included in the Board’s agenda, which reflects a property tax rate of 82.32 cents.
Commissioner James left the meeting and was absent for the remainder of the meeting.

APPOINTMENTS

18-4756 NOMINATIONS/APPOINTMENTS

ARTS AND SCIENCE ADVISORY COUNCIL

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 voting yes, to reappoint Sabrina Brown (At-large South/East), Vonnie Brown (At-large Central), Tamara Butler (North/West District 2), Shannon Hoff (Central District 4), Jordan Jones (Central District 3), Howard Labiner (South/East District 6), Corie Pauling (North/West District 1), Kathryn Price (South/East District 5), and Tyler Starr (At-large Districts 1 & 2) to the Arts and Science Advisory Council for two-year terms expiring June 30, 2020.

JUVENILE CRIME PREVENTION COUNCIL

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 voting yes, to reappoint Brittney Bogues and Deandre Dukes as General Public representatives, Ashleigh Fields and Anna Marsicano as Youth representatives and Scott Littlejohn as the Substance Abuse Professional representative on the Juvenile Crime Prevention Council, for three-year terms expiring June 30, 2021.

The following persons were nominated for appointment consideration:

Phyllis Barnette by Commissioner Cotham
Jessica Davis by Commissioner Leake
Jana Ellison by Commissioner Puckett
Andrew Knoblich by Commissioner Clarke
Pamela McCarter by Commissioner Dunlap

Note: An appointment will occur on July 10, 2018

NURSING HOME COMMUNITY

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 voting yes, to reappoint Frederick Benson to the Nursing Home Community Advisory Committee for a three-year term expiring June 30, 2021.

PARK AND RECREATION COMMISSION

Motion was made by Commissioner Puckett, seconded by Commissioner Ridenhour and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Peter Engels (Central Region 2), Sterling Martin (North Region 2), Heidi Pruess (At-large), and Rick Winiker (Central Region 3) to the Park and Recreation Commission for three-year terms expiring June 30, 2021.

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Paul Freestone to the Park and Recreation Commission.
Commission as the Northern Towns representative to fill an unexpired term expiring June 30, 2019.

Note: He replaced Elizabeth Cashion.

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Rufus Kearney to the Park and Recreation Commission as the South Region 3 representative, to fill an unexpired term expiring June 30, 2020.

Note: He replaced Marc Seelinger.

PUBLIC ARTS COMMISSION

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 voting yes, to reappoint Robert Combs to the Public Arts Commission as the Business sector representative for a three-year term expiring June 30, 2021.

REGION F AGING ADVISORY COMMITTEE

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 voting yes, to reappoint Deborah Atkinson, Irene Phillips and Natalie Tunney as Delegates on the Region F Aging Advisory Committee for three-year terms expiring June 30, 2020.

18-4788 TOWN OF MINT HILL PLANNING BOARD

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 voting yes, to reappoint Thomas Gatz 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 two-year term expiring June 30, 2020.

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 unanimously voted on June 14, 2018 to request that Thomas Gatz be reappointed to the Mint Hill Planning Board as an Extraterritorial Jurisdiction (ETJ) representative, for a term expiring June 30, 2020.

PUBLIC HEARINGS

18-4759 TEFRA HEARING - AHF-TIMBER RIDGE, LLC, ATLANTIC HOUSING FOUNDATION, INC.

Commissioner Jim Puckett introduced the following resolution, a copy of which had been distributed to each Commissioner and the title of which appeared on the agenda, and made a motion, seconded by Commissioner Trevor M. Fuller and carried 8-0, to open the public hearing on the proposed:

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS MULTIFAMILY HOUSING REVENUE
BONDS (AHF SOUTHEAST PORTFOLIO ACQUISITION), IN AN
AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED
$124,000,000

WHEREAS, AHF-Timber Ridge, LLC, a Delaware limited liability company, of
which Atlantic Housing Foundation, Inc., a South Carolina nonprofit corporation
and organization described in Section 501(c)(3) of the Internal Revenue Code of
1986, as amended (the "Code"), is the sole member (collectively, "Borrower")
has requested that the Public Finance Authority, a public authority existing
under the laws of the State of Wisconsin (the "Authority"), issue its Multifamily
Housing Revenue Bonds (AHF Southeast Portfolio Acquisition), in one or more
series (the "Bonds"), in an aggregate principal amount not to exceed
$124,000,000, and loan approximately $7,264,000 of the proceeds of the Bonds
to the Borrower for the following purposes:

(A) finance the acquisition of a 101-unit, multi-family
affordable housing development, known as Timber Ridge
Apartments located at 7123 Barrington Drive,
Charlotte, North Carolina 28215 (the "Project"); and

(B) pay certain expenses incurred in connection with
the authorization and issuance of the Bonds.

WHEREAS, the Project will be owned and operated by the Borrower.

WHEREAS, pursuant to Section 147(f) of the Code and Treasury
Regulations Section 5f.103-2(f), as amended (collectively, "Federal Tax
Requirements") and pursuant to 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 Public Finance Authority dated as of September 28,
2010 (collectively, "Authority Requirements"), prior to their issuance and after a
public hearing held following reasonable public notice, 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;

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 Board has previously approved, by a Resolution adopted
by the Board on May 1, 2018 ("Prior Resolution"), the issuance of bonds by the
Authority in a principal amount not to exceed $22,000,000 and application of a
portion of such bonds in an amount not to exceed $944,000 for use by the
Borrower in financing the acquisition of the Project and paying certain fees and
costs associated with the issuance of such bonds;

WHEREAS, subsequent to the Board's approval of the Prior Resolution, the principal
amount of bonds to be issued by the Authority and to be loaned to the Borrower for
the aforesaid purposes have increased;

WHEREAS, the Borrower has requested that the Board approve the
Authority’s issuance of the Bonds in the increased amount of $124,000,000 and
the financing of the Project located within the County in order to satisfy the
requirements Federal Tax Requirements and the Authority Requirements; 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; (Note: No one appeared to speak at the public hearing.)

BE IT RESOLVED by the Board as follows:

Section 1. Pursuant to and in satisfaction of the requirements of the Federal Tax Requirements and the Authority Requirements, the Board hereby approves (a) the Authority’s issuance of the Bonds in an aggregate principal amount of not to exceed $124,000,000, and (b) the financing of the Project located in the County. This resolution supersedes and replaces in its entirety the Prior Resolution.

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 with respect to the Bonds or the Project.

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

On motion of Commissioner Jim Puckett seconded by Commissioner Trevor M. Fuller 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 MULTIFAMILY HOUSING REVENUE BONDS (AHF SOUTHEAST PORTFOLIO ACQUISITION), IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $124,000,000" was duly adopted by the following vote:

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

NAYS: None

Resolution/Extract recorded in full in Ordinance/Minute Book 47-A, Document #265.

ADVISORY COMMITTEE REPORTS

18-4766  2018 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 (CFPPT).

Bob Simmons, Chair of the CFPPT gave the report.

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:

a. Selected active cases in which children are being served by child protective services; and
b. 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.

(b) Any Community Child Protection Team that determines it will not review additional child fatalities shall notify the Team Coordinator. In accordance with the plan established under G.S. 7B-1408(1), a separate Child Fatality Prevention Team shall be established in that county to conduct these reviews. Each Child Fatality Prevention Team shall:

1) Review the records of all cases of additional child fatalities.
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.
3) Report findings in connection with these reviews to the Team Coordinator.

(c) All reports to the Team Coordinator under this section shall include:

1) A listing of the system problems identified through the review process and recommendations for preventive actions;
2) Any changes that resulted from the recommendations made by the Local Team;
3) Information about each death reviewed; and
4) Any additional information requested by the Team Coordinator. (1993, c. 321, s. 285(a); 1998-202, s. 6.)

The report addressed:
- Child Deaths by Age, Gender and Race
- Child Deaths by All Causes
- Preventable Deaths as a Percentage of All Infant & Child Deaths
- Impact of Domestic Violence on Children
- Mental Health Needs of Adolescents
- Social Determinants of Health (Infant & Child Deaths)
- Recommendations for Child Fatality Prevention

Commissioners thanked Mr. Simmons for the report.

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

MANAGER’S REPORT

18-4772 CAPITAL PROJECT ORDINANCES

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:

1) Approve the FY 19 Authorization Land Acquisition Capital Project Ordinance.

MECKLENBURG COUNTY, NORTH CAROLINA
FY 2019 AUTHORIZATION LAND ACQUISITION CAPITAL PROJECT ORDINANCE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 19TH DAY OF JUNE, 2018.

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 Ordinance/Minute Book 47-A, Document #266.

2) Approve the FY 19 Authorization School Facilities Approved November 7, 2017 Referendum Capital Project Ordinance

MECKLENBURG COUNTY, NORTH CAROLINA
FY 2019 AUTHORIZATION SCHOOL FACILITIES
APPROVED NOVEMBER 7, 2017 REFERENDUM
CAPITAL PROJECT ORDINANCE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 19th DAY OF JUNE 2018:

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

- Briarwood Elementary School Replacement
- Montclaire Elementary School Replacement
- Collinswood Language Academy(K-8) Replacement School
- New Facility for EC Specialty Program
- Harding High School Renovation/Addition
- New High School-Olympic HS Relief
- Lansdowne ES Replacement
- West Charlotte High School Replacement
- Lincoln Heights Academy Renovation

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, $383,879,478 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:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018-2019 fiscal year</td>
<td>$43,633,985</td>
</tr>
<tr>
<td>2019-2020 fiscal year</td>
<td>73,987,339</td>
</tr>
<tr>
<td>2020-2021 fiscal year</td>
<td>132,439,140</td>
</tr>
<tr>
<td>2021-2022 fiscal year</td>
<td>118,431,189</td>
</tr>
<tr>
<td>2022-2023 fiscal year</td>
<td>15,387,825</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 Ordinance/Minute Book 47-A, Document #267.

3) Approve the FY 19 Authorization Park and Recreation Capital Project Ordinance

MECKLENBURG COUNTY, NORTH CAROLINA
FY 2019 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 JUNE 2018:

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

- Discovery Place
- Druid Hills Neighborhood Park
Independence Park
Irvin Creek GwY-Idlewild Road to Lakeview Circle
McAlpine Creek GwY-Green Rea Road to Johnston Road
McDowell Creek GwY-Upper McDowell at NC76 to Chilgrove Lane
Plum Creek GwY-South Bailey Road to South Prong Rocky River GwY
Torrence Trib#2-Cats Park and Ride to Rosewood Meadow Dive

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, $42,805,288 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>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018-2019</td>
<td>$1,922,640</td>
</tr>
<tr>
<td>2019-2020</td>
<td>$13,417,894</td>
</tr>
<tr>
<td>2020-2021</td>
<td>$23,367,344</td>
</tr>
<tr>
<td>2021-2022</td>
<td>$4,097,410</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.

Ordinance recorded in full in Ordinance/Minute Book 47-A, Document #268.

4) Approve the FY 19 Authorization Government Facilities Capital Project Ordinance.

MECKLENBURG COUNTY, NORTH CAROLINA
FY 2019 AUTHORIZATION
GOVERNMENT FACILITIES
CAPITAL PROJECT ORDINANCE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 19th DAY OF JUNE 2018.

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

AFM Administrative Cost
Jail Central and Jail North Modernization
Sheriff Office-Field Ops Relocation
BMC2U Government District Phase II-CCOB
BMC2U Government District Phase II-CMGC

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, $51,579,514 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:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018-2019</td>
<td>$9,656,390</td>
</tr>
<tr>
<td>2019-2020</td>
<td>12,919,326</td>
</tr>
<tr>
<td>2020-2021</td>
<td>9,414,199</td>
</tr>
<tr>
<td>2021-2022</td>
<td>9,666,216</td>
</tr>
<tr>
<td>2022-2023</td>
<td>9,923,383</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.

Ordinance recorded in full in Ordinance/Minute Book 47-A, Document #269.

5) Amend the FY 18 Authorization Government Facilities Capital Project Ordinance.
BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 19th DAY OF JUNE 2018.

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 Community Resource Center-Southwest
- BMC2U Community Resource Center-West
- BMC2U Community Resource Center-Northeast
- County Share of Library Support Services Center
- BMC2U Government District Phase II
- Medical Examiner’s Office Clinical Expansion
- Motorola Radios and Repeaters

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, $116,377,008 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:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Available Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017-2018</td>
<td>$27,271,924</td>
</tr>
<tr>
<td>2018-2019</td>
<td>5,148,779</td>
</tr>
<tr>
<td>2019-2020</td>
<td>3,622,343</td>
</tr>
<tr>
<td>2020-2021</td>
<td>19,594,441</td>
</tr>
<tr>
<td>2021-2022</td>
<td>39,383,469</td>
</tr>
<tr>
<td>2022-2023</td>
<td>21,356,052</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.

Ordinance recorded in full in Ordinance/Minute Book 47-A, Document #270.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

18-4776 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information the monthly department management reports for June 2018.

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.

Commissioner Ridenhour left the dais and was absent for the remainder of the meeting.

18-4777 FEATURE DEPARTMENT/AGENCY PRESENTATION: CRIMINAL JUSTICE SERVICES

The Board received a presentation from Criminal Justice Services Director Sonya Harper regarding the department’s areas of responsibility and initiatives.

Note: The department has the following divisions, each of which were addressed:
- Business Management
- Research & Planning
- Recovery Courts
• Forensic Evaluations Unit
• Pretrial Services
• Re-Entry Services.

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

Comments

Commissioner Leake asked what was being done in the schools to combat the issue of violence and criminal behavior of youth in an effort to keep them out of the criminal justice system; and what was being done to hold parents and guardians of these children accountable. Director Harper addressed various efforts that were in place.

Commissioner Fuller asked about John D. and Catherine T. MacArthur Foundation grant funding received and used for technology, which was addressed.

Commissioner Fuller noted the Pre-trial Services assessment tool. Director Harper addressed how grant dollars were used as it related to the assessment.

Commissioner Clarke complimented Director Harper and her staff for their work.

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

18-4780  SELECTION OF NACO VOTING DELEGATE AND ALTERNATE (CHAIR SCARBOROUGH)

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, to select Commissioner Dunlap to serve as the County’s voting delegate and Chair Scarborough as the alternate, at the 2018 National Association of Counties (NACo) Annual Conference to be held July 13-16 in Davidson County, Nashville, Tennessee. 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.

CONSENT ITEMS

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

18-4718  BUDGET AMENDMENT - SHERIFF’S OFFICE (INCREASE IN FEDERAL REVENUE AND ASSOCIATED EXPENSES AND CARRYFORWARD OF UNSPENT FUNDS)

1. Recognize, receive and appropriate $874,802 in federal revenue for the Sheriff’s Office.

2. Carry forward to FY2019 up to an estimated $874,802 for any balance remaining at June 30, 2018 related to the Sheriff’s office for any remaining items not purchased by the date that will be purchased in FY2019.

Note: The following items would be funded with the above appropriation:

- Mobile Unit Laptop and monitor replacements - The current laptops are four years old and out of warranty. Monitors are in need of replacement as well. The cost to maintain the aging equipment has increased significantly. $125,566
• **Stancil Center Audio/Visual (A/V) System Upgrade** - The existing AV system for the Stancil conference room is failing and some of the equipment has reached the end of life cycle and is no longer supported.  $20,100

• **Security and Disaster Recovery** - Working with County Information Technology services, an assessment will be completed to evaluate the current state of the MCSO IT infrastructure and security. Investments in security and disaster recovery will not be made until the assessment has been completed, results and County ITS recommendations have been presented to the technology Governance Committee, and purchases have been approved by the County Manager.  $306,415

• **Video Arraignment System** - The current video arraignment system in the Mecklenburg County Courthouse has failed, and been inoperable for the past several weeks. This system is old, and some of the components are no longer supported, making repairs more costly. Without the video arraignment system, Sherriff’s Office has to transport all inmates to their first court appearance, which increases the risk and expense of moving inmates back and forth to court, which also slows the court process. A functional video arraignment system preserves due process, while minimizing unnecessary risk and expense.  $72,000

• **Body Scanner** - It is of paramount importance to move forward with the purchase of a body scanner to prevent the introduction of contraband into our facilities, in the event a weapon or other items are missed during conventional searches.  $131,215

• **Bulletproof Vests** - Replace 107 Bulletproof vests that are approaching five-year replacement cycle; includes deputy sheriffs as well as armed detention officers.  $58,152

• **Office Furniture** - Office of Professional Compliance - Current furniture is over twenty years old, has broken parts and is past its serviceability. It needs to be replaced to improve the overall office appearance, functionality and storage capacity.  $45,000

• **Furniture Replacement/Drone Purchase** - Current furniture at Jail North was purchased in 1994 and is damaged, marked up and does not meet current needs.  $92,154

• **Purchase of 2 UAV Drones** - 2 UAV Drones will provide perimeter security at the Jail North campus. Training and FAA certification is included.  $24,200.

With the 23% increase in the reimbursement rate, the federal government pays for housing their inmates in our facilities, we project a $3 million increase over budget for FY2018, which more than covers the costs above.

**18-4746 STORM WATER FEE - RESOLUTION ADOPTING THE CITY OF CHARLOTTE’S MINOR SYSTEM RATES**

Adopt the resolution authorizing increasing the Minor System Cost Component of the storm water service charges to be levied within the City of Charlotte.

**MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS**

**RESOLUTION AUTHORIZING CHANGING THE MINOR SYSTEM COST COMPONENT OF THE STORM WATER SERVICE CHARGES TO BE LEVIED WITHIN 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 charge for fixed and administrative costs sufficient to cover such costs; and

**WHEREAS**, on November 1, 1993, Mecklenburg County and the City of Charlotte entered into “AGREEMENT FOR OPERATION OF A SINGLE STORM WATER SYSTEM IN MECKLENBURG COUNTY” (hereinafter “Agreement”) to deal with the operation and maintenance of the storm water drainage system within the incorporated limits of the City; and
WHEREAS, on May 14, 2018, the City of Charlotte held a public hearing and on June 5, 2018, the Mecklenburg County Board of Commissioners held a public hearing on a proposed change in the minor system component of the storm water service charges to be levied on properties within the City of Charlotte; and

WHEREAS, on June 12, 2018, Mecklenburg County received notification from the City Manager to change the minor system cost component of the storm water service charge to be levied on properties within the City of Charlotte; and

WHEREAS, Section 5(iii) of the Agreement requires that the Board of Commissioners alter the minor system cost component of the service charge to be levied within the City to such amounts as determined by the City Council; now, therefore, be it

RESOLVED by the Board of Commissioners of Mecklenburg County that effective July 1, 2018 the minor system component of the storm water service charge to be levied on properties within the City of Charlotte are as follows:

- $5.85 per month for detached single family properties with 1,999 square feet or less of impervious area (Tier I)
- $8.62 per month for detached single family properties with 2,000 but less than 2,999 square feet of impervious area (Tier II)
- $12.76 per month for detached single family properties with 3,000 but less than 4,999 square feet of impervious area (Tier III)
- $21.11 per month for detached single family properties with 5,000 or more square feet of impervious area (Tier IV)
- $152.35 per month for each acre of impervious surfaces for all other properties, and a prorata share of each portion thereof.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #271.

18-4750 TAX REFUNDS

1. Approve refunds in the amount of $9,133.14 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 $10,209.24 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 $195.17.

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

18-4754 ITEM REMOVED FROM THE AGENDA: MINUTES

18-4763 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds in the amount of $11,522 for Asset and Facility Management and $41,304 for Park and Recreation.

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

18-4765 GRANT APPLICATION - FEMA LETTER OF MAP CHANGE – LUESA
1. Approve submittal of an application for up to $20,000 in grant funding from Department of Homeland Security - Federal Emergency Management Agency; and

2. If awarded, recognize, receive and appropriate grant funds, to be available for the duration of the grant period; and

3. Authorize the County Manager to execute a contract to implement the grant scope of work as specified in Mapping Activity Statement.

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 thirteenth 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.

18-4771 BUDGET AMENDMENT - REVALUATION RESERVE FUND TRANSFER AND CARRY FORWARD OF UNSPENT FUNDS

1. Appropriate $88,140 from the Revaluation Reserve Fund into the County Assessor’s Office (CAO) budget for FY19; and

2. Carry forward up to an estimated $148,300 at June 30, 2018 related to the CAO that was appropriated for technology, temporary salaries, and consultant fees that will be paid during FY19.

18-4773 LUESA FY19 FEE ADJUSTMENT FOR SOLID WASTE (SECOND READING)

Approve revisions to the Mecklenburg County Solid Waste Fee Ordinance.

Note: LUESA Solid Waste proposed to change the Mecklenburg County Solid Waste Fee Ordinance by revising certain fees in the Solid Waste Program area to respond to inflation and contract service fees charged to Mecklenburg County. These changes include, but are not limited to:

1. Continue implementation of the multi-year fee plan developed in FY2017;
2. Maintaining the volumetric fees for residential customers who use County Drop-Off Centers (no increase), and increase the volumetric fees for non-residential/out of county customers who use those centers;
3. Incorporate fees to cover the costs associated with accepting, processing, and transporting waste materials to their final disposal point.
4. Fees contained in this Ordinance will be effective July 2, 2018.

Additionally, LUSEA Solid Waste proposed to increase the Residential Solid Waste Availability Fee from the current $24 per year, to 27.50 per year. This increase was included in the FY 2019 Operating Budget request and was not part of the Mecklenburg County Solid Waste Fee Ordinance.

FY 19

WHEREAS, the Board of Commissioners of Mecklenburg County adopted an ordinance entitled "Mecklenburg County Solid Waste Fee Ordinance" effective July 1, 1989; and
WHEREAS, the Board of Commissioners of Mecklenburg County now desires to amend and restate said Ordinance; now, therefore,

BE IT ORDAINED by the Board of Commissioners of Mecklenburg County, North Carolina, that:

1. The "Mecklenburg County Solid Waste Fee Ordinance" is hereby amended and restated to read as follows:

Section 1. Definitions

"Approved Yard Waste Product Hauling Partners": Shall mean haulers approved by Mecklenburg County Solid Waste to haul yard waste products.

"Bulky Waste": non-putrescible municipal solid waste too large to be accepted by the regular waste collection. Bulky waste items may include discarded furniture (couches, recliners, tables), and plumbing fixtures (bathtubs, toilets, sinks) and other similar items delivered to Mecklenburg County Facilities.

"Business Recycling Partners": Shall mean those businesses located in Mecklenburg County who host recycling dumpsters and receive collection of Recyclable Material in partnership with the County. Eligibility qualifications shall include that these businesses have successfully demonstrated to the County that they are exempt from the Mecklenburg County Ordinance to Require the Source Separation of Designated Materials from the Municipal Solid Waste Stream for the Purpose of Participation in a Recycling Program established by the County.

"Construction and Demolition Waste" (C&D): shall mean Solid Waste resulting solely from construction, remodeling, repair, or demolition operations on pavement, buildings, or other structures; inert debris.

"Convenience Center": Shall mean any County Facility designated by the Director that is open to the public where Yard Waste, Solid Waste and Recyclable Materials are collected either at no charge or for fees posted herein.

"County": Mecklenburg County, North Carolina, a political subdivision of the State of North Carolina.

"County Facility", "Mecklenburg County Facility": Any Solid Waste disposal facility owned, operated, licensed by or under management service. Municipal solid waste does not include hazardous waste, sludge, industrial waste managed in a solid waste management facility owned and operated by the generator of the industrial waste for management of that waste, or solid waste from mining or agricultural operations.

"Household Hazardous Waste": Waste generated by individuals on the premise of a temporary or permanent residence and composed primarily of materials found in waste generated by residents in their homes that may be considered as hazardous if placed into a landfill or otherwise co-mingled with other Waste. Items such as fertilizer, weed killers, fluorescent light bulbs, acids, and other similar products shall fall into this category of products.

"Household Waste": Residential Solid Waste generated from non-commercial residential activities excludes any and all hazardous waste materials.

"Household Waste Convenience Centers": See "Convenience Center" above.

"Municipal Partners": Shall mean Mecklenburg County municipalities having Interlocal Agreements with Mecklenburg County for Solid Waste Management.

"Municipal Solid Waste": means any solid waste resulting from the operation of residential, commercial, industrial, governmental, or institutional establishments that would normally be collected, processed, and disposed of through a public or private solid waste management service. Municipal solid waste does not include hazardous waste, sludge, industrial waste managed in a solid waste management facility owned and operated by the generator of the industrial waste for management of that waste, or solid waste from mining or agricultural operations.

"Non-County Residents": Persons who reside outside of Mecklenburg County.

"Non-County Resident Availability Fee": An annual fee of $50.00 per vehicle for residences located outside of Mecklenburg County, payable on a July 1-June 30th basis, that will enable the Non-County Resident that owns the residence to dispose of Solid Waste at a County Facility for a discounted rate as set forth in this Ordinance at County Household Waste Convenience Centers. Payment of this fee shall remain valid for one Fiscal Year Period, and shall not be pro-rated. It may not be transferred, and it shall not entitle the owner to any other privileges other than those provided in this Fee Ordinance.

"Non-Household Waste": Waste other than household waste, acceptable under the provisions of the North Carolina Solid Waste Management Rules, 10 NCAC 10G. Non-Household Wastes include such wastes as demolition or construction material, shingles, pallets, commercial and industrial wastes, split tires, rubble, and special handling wastes.

"Recyclable Material": shall mean those materials, which are actually separated or removed from Solid Waste for purposes of use or reuse which are accepted at Convenience Centers.

"Residential Discount": A reduction in fee for disposal of Solid Waste in specified categories for those persons using a County Facility that are owners of a residence located in Mecklenburg County (and therefore have been charged the County’s Residential Solid Waste Fee), and those Non-County Residents who have paid the annual Non-County Resident Availability Fee.
“Residential Solid Waste Fee”: The availability fee created by the County’s Residential Solid Waste Fee Ordinance, the amount of which is set in the County’s annual Budget Ordinance, which fee is levied annually on residences located in the County.

“Residential Solid Waste”: shall mean Solid Waste generated at dwelling units (including single family structures, multi-family structures, mobile homes, and all other structures used as residential dwellings). Solid Waste from hotels, motels, inns, tourist camps and all other places that are required to collect a room occupancy tax under the Mecklenburg County Ordinance imposing a room occupancy tax is not Residential Waste.

“Special Waste”: shall mean any Solid Waste, or product generated at County Facilities, that requires special or exceptional handling from an operational or equipment standpoint and includes all Solid Waste the disposal of which is defined as special waste by the State of North Carolina Department of Environmental Quality., Division of Solid Waste

“Solid Waste” or “Waste”: Any Solid Waste or product generated at County Facilities, that requires special or exceptional handling from an operational or equipment standpoint and includes all Solid Waste the disposal of which is defined as special waste by the State of North Carolina Department of Environmental Quality., Division of Solid Waste.

“White Goods”: Discarded appliances, which include but are not limited to inoperative and discarded refrigerators, ranges, water heaters, freezers and other similar domestic and commercial large appliances.

“Yard Waste”: Materials such as brush, grass clippings, limbs less than 5 feet long, leaves, and untreated and unpainted wooden pallets, which are defined as Yard Waste by the State of North Carolina.

Section 2. Requirement to Pay Fees

Except as otherwise provided herein, it shall be unlawful for any vehicle carrying Municipal Solid Waste generated within the designated geographic area covered by the Mecklenburg County Solid Waste Management Plan to enter and to use any County Facility except upon the payment of the fees as set forth in this Ordinance.

Section 3. Speedway Landfill Fee Schedule

Solid Waste that is (i) controlled by contract by Mecklenburg County through interlocal agreements, waste collection agreements, or is Residential Waste generated in the Mecklenburg County Designated Geographic Area, (ii) of a nature that can readily be handled at the Speedway Landfill in accordance with standard operating procedures and practices, and (iii) does not include: (a) Hazardous Waste, (b) Construction and Demolition Waste, (c) Special Waste, (d) Yard Waste, (e) Recyclable Material actually removed from the waste stream, or (f) Household Hazardous Waste collected through household hazardous waste programs, will be accepted at the Speedway Landfill upon payment of the following fees:

(a) When the scales/weighing systems are in operation, fees shall be computed as follows:

<table>
<thead>
<tr>
<th>Vehicle Type</th>
<th>Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>All permitted vehicles</td>
<td>$33.00 per ton</td>
</tr>
</tbody>
</table>

(b) When the scales/weighing systems are NOT in operation, fees shall be computed on a cubic yard basis determined by the average density of the materials. 1,000 pounds per cubic yard shall be used for Municipal Solid Waste, unless otherwise demonstrated in writing to the Director.

Section 4. Tire Fee Schedule

(a) Tires – Tires shall be accepted and charged on the following basis:

<table>
<thead>
<tr>
<th>Description</th>
<th>Requirements</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Automotive and Light Truck Tires NOT on rims at Full-Service Acceptance Locations</td>
<td>Tires must be from Mecklenburg County. Tires must be smaller than 20” bead diameter. Max 15 tires unless prior approval granted.</td>
<td>Up to 5 tires accepted at no charge. Each tire over 5; $1 per tire.</td>
</tr>
<tr>
<td>Automotive and Light Truck Tires ON Rims at Full-Service Acceptance Locations</td>
<td>Tires must be from Mecklenburg County. Tires must be smaller than 20” bead diameter. Max 15 tires unless prior approval granted.</td>
<td>$2 each</td>
</tr>
</tbody>
</table>
### Automotive and Light Truck Tires

- **Tires NOT on rims at Full-Service Acceptance Locations**
  - Tires from outside of Mecklenburg County. Tires must be smaller than 20" bead diameter. Max 15 tires unless prior approval granted.
  - **$2.50 each**

- **Automotive and Light Truck Tires ON rims at Full-Service Acceptance Locations**
  - Tires from outside of Mecklenburg County. Tires must be smaller than 20" bead diameter. Max 15 tires unless prior approval granted.
  - **$4.50 each**

- **Tractor Tires and other off road tires delivered to Full-Service Locations NOT on rims.**
  - 20" to 26" bead diameter. Larger tires may not be accepted unless prior approval is given and customer pays the full price of such disposal as established by the County's Tire Processing Company. Max 15 tires unless prior approval granted.
  - **$5.00 each**

- **Automotive and Truck Tires NOT on Rims. Accepted only at the Metal and Tire Facility.**
  - Delivered under the NC State Tire Program and have accompanying Certificate Required by the State, and meet eligibility requirements.
  - **No Charge**

- **Solid Tires from construction/commercial or agricultural machinery or other sources.**
  - Not Accepted
  - **Not Accepted**

- **Dirty Tire Fee**
  - Tires that are coated in mud/dirt or other contaminants may be assessed a separate fee
  - **$10/ton**

- **(b)** There will be a $4.00 per tire charge for tires commingled in Solid Waste delivered to the Foxhole (Rt. 521) Landfill.

- **(c)** Scrap tires will be accepted only at scrap tire collection areas as designated by the Director.

### Section 5. Yard Waste Fee Schedule

Yard Waste will be accepted at the County’s yard waste management facilities upon payment of a fee. The following fees shall be charged depending upon the origin of the material and the amount of material delivered:

(a.) In some material categories, there may be limits on the quantity or types of materials eligible for the Residential Discount. The Residential Discount shall not apply to any contractors or commercial entities that use any County Facility, nor any material delivered in a commercial vehicle, or vehicle providing services for hire.

<table>
<thead>
<tr>
<th>Vehicle Type</th>
<th>Charge</th>
<th>Charge with Residential Discount Applied</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Automobiles, vans w/ side windows all seats in, sedans and station wagons &amp; SUV/Crossovers. No trailers this category.</td>
<td>$8.50</td>
<td>No Charge</td>
</tr>
</tbody>
</table>
(2)  
<table>
<thead>
<tr>
<th>Item</th>
<th>Fee 1</th>
<th>Fee 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vans (No Side Windows)</td>
<td>$15.00</td>
<td>$8.50</td>
</tr>
<tr>
<td>Pickup Trucks (without built-up sides) &amp; loads up to 2' high,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trailers equal to or less than 8' in length with a load less than 2' high.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No logs over 8” in diameter.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Loaded Pickup with loaded Trailer Equals 2 units</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(3)  
<table>
<thead>
<tr>
<th>Item</th>
<th>Fee 1</th>
<th>Fee 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pickup Trucks (with built-up sides) and load greater than 2' high</td>
<td>$5.30</td>
<td>$3.50</td>
</tr>
<tr>
<td>Trailers greater than 8' in length or with a load greater than 2' high.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Logs over 8” in diameter</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No logs greater than 24” in diameter at Convenience Centers. Max limit 48” at 521 Landfill and Compost Central.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(4)  
<table>
<thead>
<tr>
<th>Item</th>
<th>Fee 1</th>
<th>Fee 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard Yard Waste No Bags - all vehicle types weighed</td>
<td>$25.00/ton</td>
<td>$15.00/ton | $15.00 load minimum</td>
</tr>
</tbody>
</table>

(5)  
<table>
<thead>
<tr>
<th>Item</th>
<th>Fee 1</th>
<th>Fee 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicles hauling ONLY pre-chipped wood materials-NO LOGS</td>
<td>$15.00/ton</td>
<td>$3.25 per cubic yard</td>
</tr>
</tbody>
</table>

(6)  
<table>
<thead>
<tr>
<th>Item</th>
<th>Fee 1</th>
<th>Fee 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicles with less than two 32 Gallon Bags</td>
<td>$8.50</td>
<td>No Charge</td>
</tr>
</tbody>
</table>

(7)  
<table>
<thead>
<tr>
<th>Item</th>
<th>Fee 1</th>
<th>Fee 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bagged Yard Waste</td>
<td>$32.50</td>
<td>$32.50</td>
</tr>
</tbody>
</table>

(8)  
<table>
<thead>
<tr>
<th>Item</th>
<th>Fee 1</th>
<th>Fee 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicles using the scales to determine a weight and then not using the facility for disposal shall pay a $10 charge.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

### Section 6. White Goods Fee Schedule

White Goods generated within Mecklenburg County will be accepted for processing, recycling and disposal at designated County Facilities at no charge.

### Section 7. Special Household Waste Provision

Household Waste from residences located outside of Mecklenburg County will be accepted at Mecklenburg County Household Waste Convenience Centers upon payment of the Non-County Resident Availability Fee provided that the disposal of such Waste in County Facilities is not inconsistent with provisions contained in any solid waste management plan adopted by the local government within whose jurisdiction the Household Waste was generated.

After receipt of a Non-County Resident Availability Fee, the County shall issue the Non-County Resident one (1) pass or sticker to be affixed to a single vehicle, registered to the Non-County Resident, which must be displayed upon entry to any Mecklenburg County Household Waste Convenience Center to be eligible for a Residential Discount. After Non-County Residents have paid the annual fee, they shall be eligible for other discounted fees provided for herein, and County Facility availability equal to Mecklenburg County residents.

In lieu of paying the annual Non-County Resident Availability Fee, a single use payment of $16.00 may be levied upon any Non-County Resident delivering up to five (5), 32-gallon size, or smaller, trash bags of Household Waste. Such payment would be applicable for each separate load of Household Waste. No business wastes will be accepted under this Section for Household Waste. Any commercially placarded vehicle shall be deemed to be hauling non-household waste.
Non-County Residents using Mecklenburg County Household Waste Convenience Centers shall pay all other fees described herein.

Delivery of materials considered as Recycling Materials may be exempt from charge as designated by the Director.

### Section 8. Convenience Center Bulky Waste & Construction and Demolition Waste Fee Schedule

Bulky Waste & Construction and Demolition Waste will be accepted at the County’s Household Waste Convenience Centers upon payment of the following fees:

<table>
<thead>
<tr>
<th>Vehicle Type &amp; Material Description</th>
<th>Charge</th>
<th>Mecklenburg County Residential Discount Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a.) Automobiles, vans w/ side windows all seats in, sedans and station wagons, &amp; SUV/Crossovers. Up to (5) 32 gal trash can equivalents.</td>
<td>Non-residential/Non-Meck County $16.00</td>
<td>No Charge</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b.) Vehicles with the following:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 couch, or sofa, or Lay-Z Boy type chair, or 1 mattress/box springs combo, or equivalent sized materials, equivalent size based on more than (2) 96 gal trash cans (except where other prices are noted herein).</td>
<td>Non-residential/Non-Meck County $16.00</td>
<td>No Charge, unless; More than one visit/day = $15.00 subsequent visits. More than one couch, chair, mattress/box spring bulky = $15.00/load. *Limit = pickup truck or 8 ft. trailer. Larger loads weighed or use Appendix A C&amp;D rates. Only Applicable to Mecklenburg County residents or patrons who have paid the Annual Fiscal Payment</td>
</tr>
<tr>
<td>(2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Vans No Side Windows or seats removed/down. Any commercial van that may have ladder racks or commercial use.</td>
<td>Bulky Waste: $28.50/per unit</td>
<td>Bulky Waste: $15.00/per unit</td>
</tr>
<tr>
<td>• Pickup Trucks (without built-up sides) &amp; loads less than 2’ high,</td>
<td>Construction Demolition Debris: $42.50/per unit</td>
<td>Construction Demolition Debris: $25.00/per unit</td>
</tr>
<tr>
<td>• Single Axle Trailers 8’ or less in length with a load equal to or less than 2’ high.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• All units this category less than 3 yd³ each.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Loaded Pickup or Vehicle with a Loaded Trailer Equals 2 units</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| (3) | Pickup Trucks (with built-up sides) and load greater than 2’ high or more | **$13.50** per cubic yard measured for loads greater than 3 yd³ | $9.40 per cubic yard measured for loads greater than 2’ high or more.

Maximum delivery this category is 10 yd³. If over 10 yd³ total load shall be at $13.50 yd³.

See Appendix A for typical vehicle sizes and resulting fees. |
| Trailers greater than 8’ in length, and any trailer with more than one axle, and/or with a load greater than 2’ high |  |
| No triple-axle trailers flat fee – all must be weighed. |  |

See Appendix A for typical vehicle sizes and resulting fees. |

| (4) | All vehicle types weighed | $48.00/ton or $30.00 load minimum | N/A |
| (5) | Not Used |  |

| (5) Vehicles with up to five (32) Gallon Bag equivalents of Household Trash. Kitchen Trash | $16.00/vehicle | No Charge

Limit One (1) visit to any Drop Center per day. Excess charged at Bulky Fee shown above. |

| (6) Vehicles using the scales to determine a weight and then not using the facility for disposal shall pay a $10 charge. |  |  |
No vehicle longer than a standard size pickup truck or vehicle/trailer combination with a payload quantity of greater than 10 cubic yards will be accepted at the Convenience Centers for flat fee. Vehicles loaded with loads greater than these capacity limitations shall either utilize the S21 Landfill and be weighed, or be pre-approved to use the Convenience Center by the Director and charged the posted cubic yard rate at the Convenience Center. Pre-approval shall be in the form of a written request to the Director, and the vehicle must display an Entry Decal, as described in Section 16 herein.

Section 9. Foxhole (Rt. S21) Landfill Construction and Demolition Waste Fee Schedule

Construction and Demolition Waste (C&D) and other permitted Solid Waste will be accepted at the County’s landfill on US S21 upon payment of the following fees:

(a) When the scales/weighing systems are in operation, fees for Construction and Demolition Waste shall be computed as follows:

<table>
<thead>
<tr>
<th>Vehicle Type</th>
<th>Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) All permitted vehicles</td>
<td>$48.00 per ton/or $30.00 per load minimum</td>
</tr>
<tr>
<td>(2) All other vehicle types</td>
<td>Shall use the schedule established in Section 9 above</td>
</tr>
<tr>
<td>(3) Vehicles using the scales to determine a weight and then not using the facility for disposal</td>
<td>Shall use the schedule established in Section 9 above</td>
</tr>
</tbody>
</table>

(b) When the scales/weighing systems are NOT in operation, fees shall be computed on a cubic yard basis determined by the average density of the materials. 845 pounds per cubic yard shall be used for Construction and Demolition Waste, unless otherwise demonstrated in writing to the Director.

“Clean Concrete” will be accepted at the County’s landfill on US S21 upon payment of the following fees:

<table>
<thead>
<tr>
<th>Vehicle Type</th>
<th>Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) All permitted vehicles</td>
<td>$7.00 per ton</td>
</tr>
<tr>
<td>(2) All other vehicle types</td>
<td>$7.00 per ton</td>
</tr>
</tbody>
</table>

“Clean loads of Shingles” will be accepted at the County’s landfill on US S21 upon payment of the following fees:
When the scales/weighing systems are in operation, fees shall be computed as follows:

<table>
<thead>
<tr>
<th>Vehicle Type</th>
<th>Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>All permitted vehicles</td>
<td>$31.00 per ton</td>
</tr>
<tr>
<td>All other vehicle types</td>
<td>$31.00 per ton</td>
</tr>
</tbody>
</table>

“Clean loads of Drywall” will be accepted at the County’s landfill on US 521 upon payment of the following fees:

<table>
<thead>
<tr>
<th>Vehicle Type</th>
<th>Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>All permitted vehicles</td>
<td>$31.00 per ton</td>
</tr>
<tr>
<td>All other vehicle types</td>
<td>$31.00 per ton</td>
</tr>
</tbody>
</table>

Section 10. Fees for Sale of Yard Waste Products

Yard Waste products may be purchased at the County’s Yard Waste management facilities upon payment of the following fees, when the following types of products are available:

<table>
<thead>
<tr>
<th>Product</th>
<th>Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yard Waste Mulch (1-2 cubic yards)</td>
<td>$9.34/yd³</td>
</tr>
<tr>
<td>Yard Waste Mulch (3-29 cubic yards)</td>
<td>$10.00/yd³</td>
</tr>
<tr>
<td>Yard Waste Mulch (30-99 cubic yards)</td>
<td>$8.00/yd³</td>
</tr>
<tr>
<td>Yard Waste Mulch (100+ cubic yards)</td>
<td>$6.00/yd³</td>
</tr>
<tr>
<td>Fill Dirt (1-29 cubic yards)</td>
<td>$10.00/yd³</td>
</tr>
<tr>
<td>Fill Dirt (30-99 cubic yards)</td>
<td>$8.00/yd³</td>
</tr>
<tr>
<td>Fill Dirt (100+ cubic yards)</td>
<td>$6.00/yd³</td>
</tr>
<tr>
<td>Screened Nugget Mulch</td>
<td>$13.50/yd³</td>
</tr>
<tr>
<td>Double Hammered Mulch</td>
<td>$15.00/yd³</td>
</tr>
<tr>
<td>Nugget Waste Mulch</td>
<td>$9.34/yd³</td>
</tr>
<tr>
<td>Pallet Mulch (1-29 cubic yards)</td>
<td>$10.00/yd³</td>
</tr>
<tr>
<td>Pallet Mulch (30-99 cubic yards)</td>
<td>$8.00/yd³</td>
</tr>
<tr>
<td>Pallet Mulch (100+ cubic yards)</td>
<td>$6.00/yd³</td>
</tr>
<tr>
<td>Red Mulch (&lt;95 cubic yards)</td>
<td>$26.00/yd³</td>
</tr>
<tr>
<td>Red Mulch (&gt;95 cubic yards)</td>
<td>$15.00/yd³</td>
</tr>
<tr>
<td>Compost (1-2 cubic yards)</td>
<td>$18.65/yd³</td>
</tr>
<tr>
<td>Compost (3-29 cubic yards)</td>
<td>$20.00/yd³</td>
</tr>
<tr>
<td>Compost (30-99 cubic yards)</td>
<td>$20.00/yd³</td>
</tr>
<tr>
<td>Compost (100-499 cubic yards)</td>
<td>$19.00/yd³</td>
</tr>
<tr>
<td>Compost (500-1000 cubic yards)</td>
<td>$16.00/yd³</td>
</tr>
<tr>
<td>Compost (1001-2500 cubic yards)</td>
<td>$15.00/yd³</td>
</tr>
<tr>
<td>Compost (2501-4999 cubic yards)</td>
<td>$14.00/yd³</td>
</tr>
<tr>
<td>Compost (5000 and more) cubic yards</td>
<td>$13.00/yd³</td>
</tr>
<tr>
<td>Unscreened Compost</td>
<td>$13.50/yd³</td>
</tr>
<tr>
<td>Top Soil</td>
<td>$23.00/yd³</td>
</tr>
<tr>
<td>Dump truck Delivery Charge (within 25 miles)</td>
<td>$95.00/load</td>
</tr>
<tr>
<td>Dump truck Delivery Charge (&gt;25 miles &lt; 40 miles)</td>
<td>$125.00/load</td>
</tr>
<tr>
<td>Tractor Trailer Charge (within 25 miles)</td>
<td>$175.00/load</td>
</tr>
<tr>
<td>Tractor Trailer Charge (&gt;25 miles &lt; 40 miles)</td>
<td>$280.00/load</td>
</tr>
<tr>
<td>Tractor Trailer Delivery Charge (&gt; 40 miles &lt;120 miles)</td>
<td>$350.00/load</td>
</tr>
<tr>
<td>Bag Compost (2 cu. ft.)</td>
<td>$4.25/bag</td>
</tr>
<tr>
<td>Bag Landscape Mix (2 cu.ft.)</td>
<td>$5.50/bag</td>
</tr>
<tr>
<td>Bag Potting Mix (32 qt.)</td>
<td>$5.00/bag</td>
</tr>
<tr>
<td>Bag Potting Mix w/fertilizer (32 qt.)</td>
<td>$5.25/bag</td>
</tr>
<tr>
<td>Bag Annual Perennial Mix (1 cu.ft.)</td>
<td>$3.75/bag</td>
</tr>
<tr>
<td>Bag Perma Soil (32 qt.)</td>
<td>$5.50/bag</td>
</tr>
<tr>
<td>Bag Mulch (2 cu. ft.)</td>
<td>$2.45/bag</td>
</tr>
<tr>
<td>Screened Drywall</td>
<td>$7.00/ton</td>
</tr>
</tbody>
</table>

Municipal Partners of Mecklenburg County and Approved Yard Waste Product Hauling Partners shall be charged fees in the lowest price category for products offered for sale.

Section 11. Televisions, Monitors and Electronic Waste
(a.) Televisions and Cathode Ray Tube (CRT) monitors shall be accepted from Mecklenburg County residents and Municipal Partner vehicles at Mecklenburg County Household Waste Convenience Centers at no charge, provided that, County residents shall be limited to no more than three (3) televisions or CRT monitors per visit per day.

(b) Non-County Residents, and any persons engaged in commercial activity shall pay a $25 fee for each television or CRT.

Section 12. Special Handling

(a.) At County Facilities, the Director may increase or decrease the fees for Special Wastes, or Wastes that require special handling, including the products listed in Section 10 herein, based on operational conditions or any other conditions deemed appropriate in lieu of those set forth in this Ordinance as necessary to adequately compensate the County for such special handling, processing or removal.

(b.) Business Recycling Partners participating in an approved program by the County shall pay an annual fee of $410 per location for every other week collection and $525 for weekly collection to participate in such program. Program participation may be limited due to equipment availability.

Section 13. Uncovered/Unsecured Loads

All of the fees in this Ordinance shall be increased by 50% for any and all vehicles that enter County Facilities with an uncovered or unsecured load.

Section 14. Failure to Weigh Out

Any vehicle that fails to weigh out when required (vehicle tare weight) will have a charge ticket issued based upon 50% of the inbound weight (vehicle gross weight). The vehicle has until the Facility closing time on the date of entry to weigh out.

Section 15. Credit Application

The County Director of Finance, or designee, is authorized to accept, review, and approve applications for credit by users of County Facilities, and to provide for periodic billing to frequent users. This shall also include the authority to establish the time periods within which periodic billing must be paid and the authority to apply a 1-1/2% monthly delinquency charge. Fees for use of the Speedway Landfill shall be billed and collected by the operator of that Landfill unless otherwise provided in the contract between the County and the operator of the Speedway Landfill.

Section 16. Decals

If an owner or agent of the owner seeks to have a vehicle use County Facilities, and does not intend to pay at the time of use, then the vehicle must have an annual or temporary decal issued by the Finance Department. A unique, pre-numbered decal will be the method by which the County recognizes customers to be billed for the use of a County owned or operated solid waste facility.

The Director is authorized to charge a $35.00 fee for each annual permit and decal for each vehicle and a $10.00 weekly fee for temporary permits and decals. Temporary permits will be issued only as a temporary replacement for existing annual permits for the following reasons: 1) Current permitted vehicle is under repair or 2) Current permitted vehicle has been disposed of and has not been permanently replaced. The annual decal must be affixed to the driver's side of the vehicle. The temporary decal must be displayed by the driver to the Fee Collection staff at the solid waste facility. Decals must be kept legible and clean. The County will replace faded or worn decals at no cost.

(a) Non-County Residents who pay a Non-Resident Availability Fee will be issued one entry tag to be used with one vehicle. Such entry tag shall be good for one Fiscal Year period, and shall not be pro-rated.

(b) Mecklenburg County staff may issue other decals or stickers to readily identify vehicles or trailer sizes. These decals or stickers will be issued at no charge, but must be displayed on vehicles to use County Facilities after issuance.

(c) Non-residential entities using County Facilities for waste disposal purposes must register with the Solid Waste Management Program prior to use, and may be issued tags, stickers, or decals that are unique to the equipment or vehicles that are being used to dispose of waste materials. After issuance, the decals, tags, or stickers shall be displayed on vehicles using County Facilities. No fee shall be charged for the decals, tags, or stickers.

Section 17. Authority to Refuse Use of Mecklenburg County Solid Waste Disposal Facilities

Mecklenburg County personnel, and their agents, shall have the authority to deny a vehicle carrying Municipal Solid Waste generated within the designated geographic area covered by the Mecklenburg County Solid Waste Management Plan the use of County Facilities in the following circumstances.

(a) The vehicle does not have the decal identified in this Ordinance, and at the time of using a County Facility, the operator of the vehicle refuses to pay the fee required by the fee schedule identified in this Ordinance; or

(b) Any person failing or refusing to pay the fees described herein for County Facilities within the times prescribed by the County in the periodic billing, may be denied further use of the Facilities for any purpose until such time as all outstanding charges are paid; or

(c) The Waste requires special handling and because of operational considerations the County Facility is unable to handle such Waste at the time the hauler presents it for disposal; or
The load or any part of the load was generated outside the described geographic area covered by the
County Facility’s solid waste permit; or

The Solid Waste is not acceptable under the provisions of any solid waste disposal regulations, not
inconsistent herewith, adopted by the County Manager and Director; or

The Waste is not acceptable to the owner and/or operator of a facility licensed by, or under contractual
agreement with, Mecklenburg County.

Any person who fails to follow the rules and regulations of the County Facility and/or causes a safety
issue that endangers the well-being of employees or other customers.

Reinstatement requests shall be made in writing to the Director, Mecklenburg County Solid Waste
Management, 2145 Suttle Avenue, Charlotte, NC 28208

Section 18. Violation of Ordinance

(a) It shall be unlawful for the operator of any vehicle to dispose of Waste in any County Facility covered
by the provisions of this Ordinance which the County Facility is prohibited from accepting or disposing of by any applicable
federal, State or local law, statute, regulation or ordinance.

(b) It shall be unlawful for the operator of any vehicle to dispose of Waste in any County Facility covered by
the provisions of this Ordinance without paying the fee required by this Ordinance.

(c) It shall be unlawful for the operator of any vehicle to misrepresent the origin or place of collection of
any Waste presented for disposal.

Section 19. Enforcement

1. In addition to the County’s authority to deny any use of County Facility as provided for in Section 17
above, the County may, at its discretion, take any one or more of the following courses of action to remedy any violation of
this Ordinance.

(a) Charge the violator criminally with violation of this Ordinance. Violation of the ordinance is a misdemeanor
and the violator shall, upon conviction, be punished by a fine not to exceed five hundred dollars ($500.00), or shall be imprisoned
for not more than thirty (30) days, for each offense; or

(b) The County may apply to the appropriate court for an injunction and order of
abatement in order to require that any violator comply with the provisions of this Ordinance; or

(c) The County shall have the power to collect delinquent accounts by any remedy provided by law for
collection and enforcing private debts as provided for in North Carolina General Statute 153A-277(b).

2. It is hereby declared to be the intention of the Board of Commissioners that the sections, paragraphs,
sentences, clauses and phrases for this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of
this Ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent
jurisdiction, such unconstitutionality or invalidity shall not affect any remaining phrases, clauses, sentences, paragraphs, or
section of this Ordinance, since the same would have been enacted by the Board of Commissioners without the incorporation
in this Ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

3. This amended and restated Ordinance shall be effective July 2, 2018.
### Appendix A. Solid Waste Fee Ordinance

**Note:** Charges below are based upon the Rounded Down Cubic Yards. All charges are shown as per cubic yard and US dollars.

**Non-Scale Transactions**

Loads will be measured by Fee Collection Personnel

Customers have the ability to use facilities with scales in lieu of below.

### Typical Vehicle Sizes and resulting Volume Fees:

<table>
<thead>
<tr>
<th>Typical Size in Feet</th>
<th>Cubic Yard Size</th>
<th>Yard Waste Charges</th>
<th>Yard Waste Charges with Residential Discount</th>
<th>Construction Debris or Bulky Charge</th>
<th>Construction Debris with Residential Discount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rounded Down</td>
<td>Actual</td>
<td>$5.30</td>
<td>$3.50</td>
<td>$13.50</td>
</tr>
<tr>
<td>6Wx10Lx2H</td>
<td>4</td>
<td>4.4</td>
<td>$21.00</td>
<td>$14.00</td>
<td>$54.00</td>
</tr>
<tr>
<td>6Wx10Lx3H</td>
<td>6</td>
<td>6.6</td>
<td>$31.80</td>
<td>$21.00</td>
<td>$81.00</td>
</tr>
<tr>
<td>6Wx10Lx4H</td>
<td>8</td>
<td>8.8</td>
<td>$42.40</td>
<td>$28.00</td>
<td>$108.00</td>
</tr>
<tr>
<td>6Wx12Lx2H</td>
<td>5</td>
<td>5.3</td>
<td>$26.50</td>
<td>$17.50</td>
<td>$67.50</td>
</tr>
<tr>
<td>6Wx12Lx3H</td>
<td>8</td>
<td>8</td>
<td>$42.40</td>
<td>$28.00</td>
<td>$108.00</td>
</tr>
<tr>
<td>6Wx12Lx4H</td>
<td>10</td>
<td>10.6</td>
<td>$53.00</td>
<td>$35.00</td>
<td>$135.00</td>
</tr>
<tr>
<td>6Wx6Lx3H</td>
<td>4</td>
<td>4</td>
<td>$21.00</td>
<td>$14.00</td>
<td>$54.00</td>
</tr>
<tr>
<td>6Wx6Lx4H</td>
<td>5</td>
<td>5.3</td>
<td>$26.50</td>
<td>$17.50</td>
<td>$67.50</td>
</tr>
<tr>
<td>6Wx6Lx5H</td>
<td>6</td>
<td>6.6</td>
<td>$31.80</td>
<td>$21.00</td>
<td>$81.00</td>
</tr>
<tr>
<td>6Wx8Lx3H</td>
<td>5</td>
<td>5.33</td>
<td>$26.50</td>
<td>$17.50</td>
<td>$67.50</td>
</tr>
<tr>
<td>6Wx8Lx4H</td>
<td>7</td>
<td>7.1</td>
<td>$37.00</td>
<td>$24.50</td>
<td>$94.50</td>
</tr>
</tbody>
</table>

**Ordinance recorded in full in Ordinance/Minute Book 47-A, Document #272.**

**18-4775  BUDGET AMENDMENT - COUNTY ASSESSOR’S OFFICE (CARRY FORWARD OF UNSPENT FUNDS)**

Carry forward to FY2019 unspent county funds estimated to be $180,000 at June 30, 2018, related to the County Assessor’s Office.

*Note: These funds were appropriated to the FY2018 CAO General Fund budget for technology services currently being rendered, but will not be completed by the end of Fiscal Year 2018. We anticipate these services to be completed by the second quarter in FY2019.*

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

**18-4743  GRANT APPLICATION - PREVENTION OF DOMESTIC VIOLENCE AMONG YOUTH 2018**
June 19, 2018

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. Approve submission of a renewal grant application, not to exceed $158,644, to the North Carolina Council for Women and Youth Involvement for prevention of domestic violence and teen dating violence; and
   Note: The grant will continue to fund one position and a second position was being requested.

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

3. Authorize one additional grant-funded position in the Community Support Services Department, Prevention Intervention and Services Division: 1 Senior Social Worker.
   Note: annual market rate is $56,682.

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

18-4752 BUDGET AMENDMENT - CARRY FORWARD OF UNSPENT FUNDS (DCR)

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 carry forward to FY2019 unspent County funds estimated to be $127,000 at June 30, 2018, related to the Department of Community Resources (DCR).

Note: The Department of Community Resources has funds budgeted in FY18 for startup expenses to prepare for completion of the first Community Resource Center located at Valerie Woodard. The Department of Community Resources will have unspent funds and a carry forward of the funds remaining on June 30, 2018 is requested. These funds are to be utilized for continued startup costs for the Community Resource Center. This includes the purchase of computers, scanners, signature pads, tablets, telephones, and other technology related items.

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

18-4757 LEASE TO TOWN OF DAVIDSON - ABERSHAM PARK

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 authorize the County Manager to negotiate and execute a lease agreement between the County ("Landlord") and the Town of Davidson ("Tenant") for County-owned Tax Parcel 003-041-03 (+/- 239.93 acres) known as Abersham Park which is located within the extra-territorial jurisdiction of the Town of Davidson.

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

18-4758 SUBCONTRACTOR PREQUALIFICATIONS CONSTRUCTION MANAGER @ RISK FOR EASTWAY REGIONAL RECREATION CENTER

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 authorize the Subcontractor Prequalification procedure provided by EDIFICE
Construction for the Eastway Regional Recreation Center.

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

18-4760 EASTWAY REGIONAL PARK & BRIARWOOD COMMUNITY PARK CONNECTION TRAIL

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes to, authorize the County Manager to negotiate and execute all documents necessary for acquisition of a permanent trail easement on Tax Parcel 097-223-11, totaling +/- 0.35 acres, from James P. Knuckles, LLC for a purchase price of $21,000 to create a pedestrian connection between County-owned property at Eastway Regional Park and Briarwood Community Park.

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

18-4761 DUKE ENERGY LIGHTING SERVICE CONTRACT - JAMES DENNIS RASH THIRD WARD NEIGHBORHOOD PARK

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 a 3-year contract with Duke Energy at $45.69 per month for lighting at the James Dennis Rash Third Ward Neighborhood Park.

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

18-4768 BUDGET AMENDMENT - HEALTH DEPARTMENT (CARRY FORWARD OF UNSPENT FUNDS)

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. Carry forward unspent funds from the American Public Health Association (APHA) for Village HeartBEAT being recognized as a Healthiest Cities and Counties Challenge Award recipient that remain unspent at June 30, 2018 in the amount of $25,000; and

2. Carry forward unspent County funds for PrEP that remain unspent at June 30, 2018 not to exceed $232,222; and

3. Carry forward unspent County funds for Tobacco Cessation that remain unspent at June 30, 2018 estimated to be $29,676.

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

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

18-4774 CSS BUDGET AMENDMENT - CARRY FORWARD OF UNSPENT HOUSING STABILITY AND SUPPORTIVE HOUSING FUNDS
June 19, 2018

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 6-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, and Scarborough voting yes to, carry forward unspent housing stability and supportive housing funds related to Community Support Services (CSS) estimated to be $700,000 at June 30, 2018 to assist individuals in obtaining and maintaining housing and other supportive services.

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

18-4778    GRANT APPLICATION - OLDER REFUGEE ASSISTANCE PROGRAM (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 6-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, and Scarborough voting yes, to 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 if awarded, recognize, receive and appropriate such funds for the grant period.

Note: Older Refugee Program supports senior refugees/asylees to access English Language Training at Shamrock Senior Center. The grant provides funding for transportation services, translation/interpretation services and classroom supplies. Shamrock Senior Center staff also provide Information and Referral services to assure the seniors have access to medical, financial, housing, family support, and family support services.

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

ADJOURNMENT

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 6-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:31 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, July 10, 2018.

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 Acting County Manager Leslie Johnson County Attorney Tyrone Wade Clerk to the Board Janice S. Paige

Absent: None

- 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) to be removed from Consent and voted upon separately. The items identified were: 18-4779, 18-4784, 18-4792, 10-4793, 18-4796, 18-4805, 18-4806, 18-4811, 18-4813, 18-4818, and 18-4829.

STAFF BRIEFINGS

18-4832 COMMUNITY RESOURCE CENTER TARGET ACQUISITIONS

The Board received as information a briefing on Community Resource Center Target Acquisitions from Dennis LaCaria, Senior Assistant to the County Manager.

The presentation addressed the following areas and what’s next:

- North Tryon Community Resource Center (CRC)
- West Boulevard CRC
- South Boulevard CRC
- Beatties Ford Road CRC

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

Commissioners Dunlap and Ridenhour entered the meeting during the presentation.
Comments

Commissioner Clarke commented on the noise from the scrapyard operation in the West Boulevard CRC target area, which was addressed.

Commissioner Leake asked about the location of C.W. Williams Health Clinic, which was addressed.

Commissioner Leake expressed the community’s concern regarding the railroad in the West Boulevard CRC target area and how sitting rail cars block traffic for hours. She asked would that be addressed, the response was yes.

Commissioner Clarke asked about the future of Donald Ross Road, which was addressed.

Commissioner Leake commented on the availability of land off Wilkinson Boulevard and asked had other parcels been considered. Sr. Assistant to the County Manager LaCaria said yes and elaborated on why the parcels addressed were selected.

Commissioner Leake asked about the relocation of the Library on West Boulevard, which was addressed.

Commissioner Fuller said he liked the direction staff was taking. He commented on the housing component and how partnerships were being built.

This concluded the discussion.

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

REMOVAL OF ITEMS FROM 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 move Items 18-4792 Proclamation-Americans with Disabilities Act Awareness Day 2018 and 18-4793 Proclamation-Sanity Not Vanity Day from Consent to the Awards/Recognition section of the agenda.

Request to add an item to the agenda

Commissioner Puckett addressed the upcoming trip to Austin, Texas by the Mayor of Charlotte and others as it related to the Republican National Convention’s consideration of holding its convention in Charlotte.

Motion was made by Commissioner Puckett, seconded by Commissioner James, to add an item to the agenda to consider supporting the efforts of the Charlotte Regional Visitors Authority to bring the Republican National Convention to Charlotte/Mecklenburg County in 2020.

Commissioner Puckett expressed his interest in going. He said it was appropriate for the County to support the effort to bring the convention to Charlotte.

Chair Scarborough concurred with Commissioner Puckett’s statement regarding the County expressing its support of the effort.
Commissioner Dunlap said the County had not been asked to get involved, therefore, the County should not get involved. He said the County was not involved from this aspect when the Democratic National Convention was being sought.

Commissioner Dunlap said he was not oppose to any group coming to the area, because it would help the economy.

Commissioner Dunlap said if the Chair and Vice-chair wanted to go to Austin for the announcement, they had every right to go as individual commissioners.

Commissioner Puckett said if he went, he would not be going as the Board’s representative, only in his capacity as a commissioner.

Commissioner Ridenhour said he was supportive of the convention coming but did not feel it needed to be discussed by the Board.

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

Motion was made by Commissioner Puckett, seconded by Commissioner James and failed 5-4 with Commissioners Cotham, Fuller, James, Puckett, and Scarborough voting yes and Commissioners Clarke, Dunlap, Leake, and Ridenhour voting no, to add an item to the agenda to consider supporting the efforts of the Charlotte Regional Visitors Authority to bring the Republican National Convention to Charlotte/Mecklenburg County in 2020.

*Note: It takes a unanimous vote to add an item to the agenda.*

**CLOSED SESSION**

18-4651  ITEM REMOVED FROM THE AGENDA-CLOSED SESSION-TO PREVENT DISCLOSURE OF INFORMATION THAT IS CONFIDENTIAL PURSUANT TO G.S. 105-259. (G.S. 143-318.11(A)(1)

18-4804  ITEM REMOVED FROM THE AGENDA-CLOSED SESSION- LAND ACQUISITION

18-4810  CONSULT WITH ATTORNEY

County Attorney Wade announced there were no Consult with Attorney matters to be discussed in 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 Puckett and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

**AWARDS/RECOGNITION**

18-4793  PROCLAMATION - SANITY NOT VANITY DAY (COMMISSIONER COTHAM)

Motion was made by Commissioner Cotham, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake,
JULY 10, 2018

Puckett, Ridenhour and Scarborough voting yes, to adopt a Joint Proclamation declaring July 14, 2018 as Sanity Not Vanity Day in Mecklenburg County and the City of Charlotte.

Note: Sanity Not Vanity Day addresses stomping out the negative stigma associated with those having a mental condition; and the community having a healthy conversation with their friends and families about mental health and wellness.

The proclamation was read by Commissioners Cotham and Ridenhour and accepted by Major Dan Johnson from the Sheriff’s Office and Fonda (last name not given). Fonda addressed her battle with depression and how she’s now giving back and helping others.

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**PROCLAMATION**

City of Charlotte/Mecklenburg County

WHEREAS the community becomes more aware of the benefits of exercise when it comes to mental health; and

WHEREAS the community becomes more aware of the benefits of seeking information when it comes to the facts about mental health and wellness; and

WHEREAS, Sanity Not Vanity Day lets the community see UK and not the condition, measures STOMPDING out the negative stigma associated with those having a mental condition; and

WHEREAS the community starts a healthy conversation with their friends and families about mental health and wellness; and

WHEREAS, the community recognizes that exercising and education work hand in hand towards benefiting individuals and our communities with questions about managing mental health issues and finding helpful resources; and

WHEREAS, we encourage relatives, friends and coworkers of people with mental health issues to seek and implement preventative measures when they recognize signs or problems guiding those in need to appropriate treatment and support services:

NOW, THEREFORE, WE, Vi Alexander Lykes, Mayor of Charlotte, and Ella H. Scarborough, Chair of the Mecklenburg Board of County Commissioners, do hereby proclaim, July 14, 2018 as

“SANITY NOT VANITY DAY”

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.

Vi Alexander Lykes
Mayor
City of Charlotte

Ella H. Scarborough
Chair
Mecklenburg Board of County Commissioners

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18-4792 **PROCLAMATION - AMERICANS WITH DISABILITIES ACT AWARENESS DAY 2018**  
(CHAIR SCARBOROUGH)

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 adopt a Joint Proclamation declaring July 26, 2018 as Americans With Disabilities Act Awareness Day in Mecklenburg County and the City of Charlotte.

The proclamation was read by Commissioner Leake and accepted by the City of Charlotte’s ADA Coordinator Terry Bradley with Charlotte-Mecklenburg Community Relations department. He was joined at the podium by fellow staff members, Lezlie Briggs and Cheryl Harp.
Note: Chair Scarborough took a point of personal privilege to acknowledge the passing of County Manager Diorio’s husband, Robert Diorio and extended condolences on behalf of the Board.

18-4739 CENTRALINA COUNCIL OF GOVERNMENTS RECOGNITION OF MECKLENBURG COUNTY

The Board recognized Jim Prosser, Interim Executive Director, Centralina Council of Governments (COG) for presentation of a Proclamation to Mecklenburg County in recognition of the County’s 50 years of partnership with COG.

Note: In 1968, Mecklenburg County became a charter member of Centralina Council of Governments, an organization that works to help communities grow jobs and the economy and control the cost of government. 2018 marks the 50th Anniversary of COG. COG appreciates the County’s continued partnership and wanted to express that appreciation in the form of a proclamation.

The Board thanked Mr. Prosser for the recognition.

Commissioner Clarke said COG could play a stronger role when it came to regional planning with additional authorization to do so and a fresh look at its role since its inception.
The following person appeared to speak during the Public Appearance portion of the agenda:

Sean Lyons signed up to speak about flood sensors but instead said actions of County employees may result in liability not be covered by insurance. He said only the Board could decide which employees could obtain protection from insurance. He said he decided to inform the Board, rather than being “harassed” by a multitude of employees in Human Resources and the County Manager’s Office. Mr. Lyons said it was within the Board’s power to “insure the right people.”

The vote was taken on the following nominees for appointment to the Juvenile Crime Prevention Council:

<table>
<thead>
<tr>
<th>Round One</th>
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<tbody>
<tr>
<td>Phyllis Barnette</td>
<td>Commissioner Scarborough</td>
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<tr>
<td>Jessica Davis</td>
<td>Commissioners Gotham, Leake, and Ridenhour</td>
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<td>Jana Ellison</td>
<td>Commissioner Puckett</td>
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<td>Andrew Knoblich</td>
<td>Commissioner Clarke</td>
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<td>Pamela McCarter</td>
<td>Commissioners Dunlap, Fuller, and James</td>
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| Round Two                      |                  |                  |                  |

William Feather, CEO Chairman
Chair Scarborough announced the appointment of Jessica Davis to the Juvenile Crime Prevention Council for a three-year term expiring June 30, 2021 as a General Public representative.

Note: She replaced Delynn Turner.

18-4797 APPOINTMENTS

BUILDING DEVELOPMENT 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 Michael Stephenson to the Building Development Commission for a three-year term expiring July 31, 2021 as the Charlotte Apartment Association representative.

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 Brandon Brown to the Building Development Commission for a three-year term expiring July 31, 2021 as a General Public representative.

Note: He replaced Walter Kirkland.

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 Akadius Berry and Laura Hoover to the Historic Landmarks Commission for three-year terms expiring July 31, 2021.

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 Chataqua Ellison to the Nursing Home Community Advisory Committee for a one-year term expiring July 31, 2019.

Note: She replaced Celia Furr.

WOMEN’S ADVISORY BOARD

Commissioner Ridenhour nominated all applicants for appointment consideration to the Women’s Advisory Board. They were: Takiyah Amin, Chantia Carter, Maura Chavez, Chataqua Ellison, Lilli Gerardi, Rahdreia Hannibal Hawkins, Tracey Litaker, Lindsay Martell, Kristen Moyer, Shannon Myers, Stacey Sandeford-Lyons, and Suzanne E. Schweikert.
Note: Appointments will occur on August 8, 2018.

18-4826  MEDIC AGENCY BOARD (MECKLENBURG EMS) APPOINTMENT

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 appoint Dr. Gary Little to fill the unexpired term of Dr. Matthew Hanley, expiring December 31, 2019, on the Mecklenburg EMS Agency Board as the Atrium Health representative as requested by Atrium Health, formerly Charlotte-Mecklenburg Hospital Authority (CMHA).

Note: In 1996, the Mecklenburg Board of County Commissioners along with County management staff worked with EMS management and leaders in both the medical and business communities to address the needs of the County’s EMS department. The Amended and Restated Joint Undertaking Agreement, approved by the Board of County Commissioners in November 2009, states the affairs of the Agency shall be governed by a seven-member Board of Commissioners which shall be appointed by the Mecklenburg County Board of Commissioners as follows:

a. Three (3) persons shall be Charlotte-Mecklenburg Hospital Authority (CMHA) employees nominated by the CMHA Chief Executive Officer; and

b. Three (3) persons shall be Novant Health Southern Piedmont Region (Presbyterian) employees nominated by the Presbyterian Chief Executive Officer; and

c. One (1) person shall be a County employee nominated by the County Manager.

Each Agency Commissioner shall be appointed for a term of three (3) years or until such Commissioner’s successor is nominated and appointed. There is no limit to the number of successive terms in which a Commissioner may serve.

PUBLIC HEARINGS

18-4801  PUBLIC HEARING ON CLOSING OF A PORTION OF RIGHT-OF-WAY FOR SAMPLE ROAD

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 proposed closing of a portion of right-of-way for Sample Road.

Note: As the current property owner, Mecklenburg County now petitions to close an 11.47-acre portion of the public right-of-way for Sample Road. The portion of said right-of-way currently provides access to the Latta Plantation Nature Preserve. The County is planning to construct a new visitors center closer to Beatties Ford Road. Because this would place the facility outside the existing gate, a new location for the gate is planned along Sample Road to make the new visitors center more secure. Before the gate can be relocated, rights-of-ways must be abandoned and/or closed including the currently petitioned 11.47-acre public right-of-way.

Mecklenburg County Land Use and Environmental Services Agency (LUESA) has determined that in its opinion the closing of the portion of said right-of-way for Sample Road would not deprive any individual owning land in the vicinity of said right-of-way of reasonable ingress and egress to their property and would not be contrary to the public interest. LUESA consulted Charlotte-Mecklenburg Planning Department and the Mecklenburg County Fire Marshal’s office prior to formulating that opinion. The Charlotte-Mecklenburg Planning Department and the Mecklenburg County Fire Marshal’s office reviewed the petition and have no objection to the closing of the portion of said right-of-way.
closing of the portion of said right-of-way of Sample Road. General Statute 153A-241 requires a public hearing and approval of the order for closing by the Board of County Commissioners in order to abandon and close a right-of-way in an unincorporated part of the County. A small portion of Sample Road within the preserve is located within Huntersville’s jurisdiction. On June 4, 2018, the Town of Huntersville approved the order to close their portion of said public right-of-way.

No one appeared to speak.

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Gotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing on the proposed closing of a portion of right-of-way for Sample Road and adopt the Order of Closing for a Portion of Sample Road Right-of-Way.

MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
ORDER OF CLOSING FOR A PORTION OF SAMPLE ROAD RIGHT-OF-WAY

WHEREAS, North Carolina General Statute 153A-241 specifies that a county may permanently close 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 an 11.47-acre portion of the right-of-way for Sample Road as shown on the Exhibit A map attached hereto be closed; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has determined that in its opinion the closing of the portion 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 would not be contrary to the public interest; and has determined that the North Carolina Department of Transportation does not maintain said right-of-way of Sample Road; and

WHEREAS, on June 5, 2018, the Mecklenburg Board of County Commissioners declared its intent to close the 11.47-acre portion of right-of-way for Sample Road which is shown on the attached Exhibit A map, and did set a public hearing on the question of whether to close said portion of the right-of-way of Sample Road for 6:30 pm on the 10th day of July, 2018 in the Meeting Chamber, first floor of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, and did instruct the Clerk to the Board to publish a notice of the intent of the Board of County Commissioners to close said portion of the right-of-way, and did instruct LUESA to send or have sent copies of the resolution declaring the intent to close said portion of the right-of-way to the owners of the adjoining properties who did not join in the request to have said portion of the right-of-way closed, and to have a notice of public hearing posted in at least two places along said road; and

WHEREAS, N.C.G.S. 153A-241 states the effect of a road closing on adjoining landowners and on public utilities as follows: “Upon the closing of a public road or an easement pursuant to this section, all right, title, and interest in the right-of-way is vested in those persons owning lots or parcels of land adjacent to the road or easement, and the title of each adjoining landowner, for the width of his abutting land, extends to the center line of the public road or easement. However, the right, title or interest vested in an adjoining landowner by this paragraph remains subject to any public utility use or facility located on, over, or under the road or easement immediately before its closing, until the landowner or any successor thereto pays to the utility involved the reasonable cost of removing and relocating the facility”; and

WHEREAS, at said public hearing held on July 10, 2018, the Mecklenburg Board of County Commissioners gave an opportunity to all interested persons to speak on whether the closing of the 11.47-acre portion of right-of-way for Sample Road which is shown on the attached Exhibit A map would be detrimental to the public interest or deprive any individual owning land in the vicinity of said right-of-way of reasonable ingress and egress to their property; now therefore, be it

RESOLVED, that the Mecklenburg Board of County Commissioners has determined and is satisfied that the closing of the 11.47-acre portion of right-of-way for Sample Road as shown on the attached map hereto is not contrary to public interest, and that no individual owning property in the vicinity of said right-of-way would thereby be deprived of reasonable ingress and egress to their property when said right-of-way is abandoned; and be it
FURTHER RESOLVED, that the Mecklenburg Board of County Commissioners does hereby adopt this Order of Closing of the portion of said right-of-way of Sample Road; pursuant to the North Carolina General Statute 153A-241, effective once this Order of Closing has been approved; and be it

FURTHER RESOLVED, that the Clerk to the Board of County Commissioners is directed to file a certified copy of this Order for Closing of said right-of-way in the office of the Register of Deeds of Mecklenburg County. The recordation of this Order for Closing shall provide conclusive evidence of the closing of the 11.47-acre portion of right-of-way for Sample Road which as shown on the attached map hereto.

Order recorded in full in Ordinance/Minute Book 47-A, Document #273.

18-4825 TEFRA HEARING - CSD PROPERTY, 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 on a proposed Resolution Approving in Principle the Issuance of Not to Exceed $15,250,000 of Public Finance Authority Educational Facilities Revenue Bonds (Community School of Davidson Project), Series 2018 for the Benefit of CSD Property, LLC, or an Affiliate.

Note: CSD Property, LLC (the “Borrower”) requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the “Authority”), issue its tax-exempt and/or taxable Educational Facilities Revenue Bonds (Community School of Davidson Project), Series 2018 (the “Bonds”), in the principal amount not to exceed $15,250,000 pursuant to a plan of finance for the Project (as defined below):

(a) to finance or reimburse the Borrower for all or a portion of the costs of (i) acquiring an approximately 39-acre tract of land and the constructing and equipping thereon of a turf field for track, soccer, lacrosse and football, tennis courts, baseball fields and related improvements (the “Athletic Facility Project”), (ii) acquiring a fee simple interest in an existing elementary and middle school campus (the “Elementary and Middle School Project”), and (iii) acquiring and installing certain furniture, equipment and tenant improvements at an existing high school campus (the “High School Project” and, together with the Athletic Facility Project and the Elementary and Middle School Project, the Project”),
(b) fund a debt service reserve fund for the Bonds and
(c) pay certain costs of issuing the Bonds.

CSD Property, LLC is using the Wisconsin Public Finance Authority as the issuer of the Bonds because of a 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. In order to comply with federal tax law, and the code and Authority requirements the Borrower has requested that the Mecklenburg County Board of Commissioners hold a public hearing and approve the Resolution. This approval would not make the County responsible in any way for the Bonds or the Project financed with bond proceeds. Hosting the public hearing and approving the issuance of the Bonds are merely ministerial acts that would enable the Borrower to comply with federal tax law requirements in order that interest on the Bonds be exempt from federal income tax.

No one appeared to speak.

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 close the public hearing and adopt Resolution Approving in Principle the Issuance of Not to Exceed $15,250,000 of Public Finance Authority Educational Facilities Revenue Bonds (Community School of Davidson Project), Series 2018 for the Benefit of CSD Property, LLC, or an Affiliate.
RESOLUTION APPROVING IN PRINCIPLE THE ISSUANCE OF NOT TO EXCEED $15,250,000 OF PUBLIC FINANCE AUTHORITY EDUCATIONAL FACILITIES REVENUE BONDS (COMMUNITY SCHOOL OF DAVIDSON PROJECT), SERIES 2018 FOR THE BENEFIT OF CSD PROPERTY, LLC, OR AN AFFILIATE THEREOF

WHEREAS, the Board of Commissioners (the “Board of Commissioners”) of Mecklenburg County, North Carolina (the “County”) met in Charlotte, North Carolina, at 5:00 p.m. on the 10th day of July, 2018; and

WHEREAS, the Public Finance Authority (the “Authority”) has tentatively agreed to issue its tax-exempt and/or taxable Educational Facilities Revenue Bonds (Community School of Davidson Project), Series 2018 (the “Bonds”) in one or more series, in an amount not to exceed $15,250,000, and to lend the proceeds thereof to CSD Property, LLC, a North Carolina limited liability company, or an affiliate thereof (the “Borrower”) to be used to (a) finance or reimburse the Borrower for all or a portion of the costs of (i) acquiring an approximately 39-acre tract of land and the constructing and equipping thereon of a turf field for track, soccer, lacrosse and football, tennis courts, baseball fields and related improvements (the “Athletic Facility Project”), (ii) acquiring a fee simple interest in an existing elementary and middle school campus (the “Elementary and Middle School Project”), and (iii) acquiring and installing certain furniture, equipment and tenant improvements at an existing high school campus (the “High School Project”) and, together with the Athletic Facility Project and the Elementary and Middle School Project, the “Project”), (b) fund a debt service reserve fund for the Bonds and (c) pay certain costs of issuing the Bonds; and

WHEREAS, the Elementary and Middle School Project and the Athletic Facility Project will be leased by the Borrower to Community School of Davidson, Inc., a North Carolina nonprofit corporation (the “School”); and

WHEREAS, the High School Project is located at 404 Armour Street, Davidson, Mecklenburg County, North Carolina, the Elementary and Middle School Project is located at 565 Griffith Street, Davidson, Mecklenburg County, North Carolina, and the Athletic Facility Project is located at 13828 Beatties Ford Road in Huntersville, Mecklenburg County, North Carolina; and

WHEREAS, the School will operate a charter school at the Project, and is currently operating its elementary and middle school at the Elementary and Middle School Project and its high school at the location of the High School Project;

WHEREAS, the Borrower will agree to repay the principal of, premium, if any, and interest on the Bonds and the County will have no liability whatsoever for the payment of principal of, premium, if any, or interest on the Bonds, and the Bonds will not affect the County’s debt ratios or legal debt limit and the County will not incur any liability for repayment of the Bonds by approving the Bonds for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”); and

WHEREAS, Section 147(f) of the Code requires that any Bonds issued by the Authority for the Project may only be issued after approval of the plan of financing by the Board of Commissioners of the County following a public hearing with respect to such plan; and

WHEREAS, pursuant to Section 66.0304(11)(a) of the Wisconsin Statutes, as amended, 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; and

WHEREAS, the Borrower has requested that the Board of Commissioners of the County approve the financing of the Project and the issuance of the Bonds in order to satisfy the requirements of Section 66.0304(11)(a) of the Wisconsin Statutes, as amended; and

WHEREAS, the Board of Commissioners has today held a public hearing with respect to the issuance of the Bonds to finance, in part, the Project, as evidenced by the Certificate and Summary of Public Hearing attached hereto as Exhibit A; and

WHEREAS, the Bonds shall not be deemed to constitute a debt of the County or a pledge of the faith and credit of the County, but shall be a special limited obligation of the Authority payable solely from the loan repayments to be made by the Borrower to the Authority, and shall contain on the face thereof a statement to the effect that neither the faith and credit nor the taxing power of the County is pledged to the payment of the principal of or interest on the Bonds; and

WHEREAS, because no taxes or other revenues of the County are pledged to pay the Bonds, the staff of the County has made no financial analysis of the Bonds, the Borrower or the Project; and

WHEREAS, the Board of Commissioners has determined that approval of the issuance of the Bonds is solely to satisfy the requirements of Section 147(f) of the Code and Section 66.0304(11)(a) of the Wisconsin Statutes and shall in no event constitute an endorsement of the Bonds or the Project or the creditworthiness of the Borrower, nor shall such
approval in any event be construed to obligate the County for the payment of the principal of or premium or interest on the Bonds or for the performance of any pledge, mortgage or obligation or agreement of any kind whatsoever which may be undertaken by the Authority, or to constitute the Bonds or any of the agreements or obligations of the Authority an indebtedness of the County, within the meaning of any constitutional or statutory provision whatsoever;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR MECKLENBURG COUNTY:

1. The proposed financing and refinancing of the acquisition, development, construction and equipping of the Project described above in Mecklenburg County, North Carolina, by the Borrower and the issuance of the Authority’s tax-exempt and/or taxable Educational Facilities Revenue Bonds (Community School of Davidson Project), Series 2018 in one or more series, in an amount not to exceed $15,250,000, therefor are hereby approved for purposes of Section 147(f) of the Code and Section 66.0304(11)(a).

2. This resolution shall take effect immediately.

Resolution recorded In Full in Ordinance/Minute Book 47-A, Document #274.

ADVISORY COMMITTEE REPORTS

18-4828 ADULT CARE & NURSING HOME COMMUNITY ADVISORY COMMITTEE ANNUAL REPORT

The Board received as information the Adult Care & Nursing Home Community Advisory Committee Annual Report given by Lindsay Tice, Ombudsman, Centralina Council of Government (COG)-Adult Care Home Community Advisory Committee and Hillary Kaylor, Ombudsman for the Nursing Home Community Advisory Committee.

Board members asked questions and thanked the representatives for their report.

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

MANAGER’S REPORT

18-4802 SPIRIT SQUARE - REDEVELOPMENT OPTIONS

The Board received as information a presentation on redevelopment options for Spirit Square from Mark Hahn, AIA, Director of Asset and Facility Management.

Note: Redevelopment of the 2-block area bounded by North Tryon, East 8th, North College, and East 6th Streets, known as the 7th & Tryon Vision Plan, will involve the disposition of County property at the corner of 7th and College Streets (i.e., Spirit Square facilities). Fulfilling this Vision Plan will impact the Spirit Square facilities and affect the operations of existing theaters. The presentation addressed options for the extent of Spirit Square facilities to be impacted, including a potential partnership with the adjacent new Main Library project.

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

Comments

Commissioner Dunlap said more information was needed for him to make an informed decision. He asked that when the matter came back to the Board, that an explanation be provided on why the additional space was needed; How did this come up; Who’s going to use it and for what purpose; How was it going be funded; Who’s going to maintain it; What’s the condition of the current facility.
Commissioner Dunlap said if the funds weren’t in the Capital Improvement Plan (CIP), then that meant this project would “jump” ahead of other projects. He said there were other needs and concerns throughout the community.

Commissioner Dunlap said the Board was aware something would have to occur with respect to Spirit Square, but what was presented was something new.

Commissioner James said if he had to select an option, it would be Option B2, primarily because he never understood why Charlotte/Mecklenburg County had the array of theaters that existed. He said all the theaters were basically government owned.

Commissioner James asked about the Black Box Theater, which was addressed.

Commissioner James said the historical value of the McGlohon Theater should be preserved.

Commissioner James said he wasn’t sure about the large pedestrian connection and would need to know more.

Commissioner James asked was this on any capital plan. **The response was no.**

Commissioner James commented on other priorities and expectations of residents in accordance with approved capital improvement plans.

Commissioner James said although his option preference to date would be B2, he had no idea how it would be funded.

Commissioner James said he thought somewhere along the line there was talk about a revenue generating proposal where a developer would build above the facility. **Director Hahn said many studies had been done on this block that did combine facilities. He said in any of the options presented, as much as, half of the block would go toward private sector development.**

Commissioner Fuller commented on concerns expressed by residents often regarding how certain projects take precedent over others.

Commissioner Fuller said he wanted to know the following: How did this project come into being; What’s the urgency of the project; When and why was work started on this project; Were there structural issues as to why this can’t wait; Where would the money come from if it’s not in the CIP; Who’s going to “suffer” if funds go to this project.

Commissioner Fuller said he was concerned about the loss of the community space, the gallery, and the theaters.

Commissioner Fuller requested information on the current utilization of Spirit Square.

Commissioner Fuller said a more options were needed. He expressed a desire to maintain the Black Box theater or replace it with something very similar.

Commissioner Fuller asked about future parking in the area.

Commissioner Fuller said he liked the idea of connecting it to the Main Library, as well as, preserving McGlohon Theater.

Commissioner Fuller asked was there a way to connect, whatever was going to be done with the future development spots with what’s being presented in the various options.
Director Hahn addressed the why were we here at this time question and said it was because of where things were with the 7th & Tryon Vision Plan, which impacts Spirit Square, as well as, the plan for a new Main Library. He elaborated.

Commissioner Fuller said perhaps more work was needed with respect to the alignment of the various projects or proposed developments.

Acting County Manager Leslie Johnson commented on the timing of this issue, programming concerns and use of the community space.

Acting County Manager Johnson said the Board was not being asked to take action at this time, however, at a subsequent meeting the Board would be asked to decide on the “A” concept where everything was basically kept in place, or did the Board want something more integrated with the Library and if so, then the County would have to move quickly.

Commissioner Clarke said he favored Option B2.

Commissioner Clarke commented on a recent article he read regarding the apartment vacancy rate in the uptown area, which he said was at 22%. He said a significant portion of the 7th Street Vision planning contemplated high-rise and mid-rise residential units. Commissioner Clarke said because of that, he questioned whether there would be a developer for that at this point and time. He said he didn’t know if the task force comprised of the involved property owners had taken that into consideration.

Commissioner Clarke said when the owners meet again, he would like to know their overall view on the viability of the development plan at this time.

Commissioner Clarke asked Director Hahn if he felt Option B2 provided developers with the most flexibility. The response was yes.

Commissioner Ridenhour said he echoed Commissioner Dunlap’s concerns.

Commissioner Ridenhour said he anticipated receiving something other than, “here’s Spirit Square and the options were to tear down the various facilities and rebuild them back.” He questioned spending $30 million, for example, to tear down the Black Box Theater, to rebuild it or to do some of the other proposals.

Commissioner Ridenhour, with respect to funding, said he was under the impression that the North Tryon project, which had a lot of public owned properties, would be sold, much like with Brooklyn Village and that revenue would be used to build. He said he did not think the County would be “shelling out” $30 million to redevelop Spirit Square.

Commissioner Ridenhour said his option would be to do nothing and as best, the County could work around what was being done as it related to the Main Library.

Commissioner Ridenhour said he would like to keep the Black Box Theater and supported preserving McGlohon Theater.

Commissioner Ridenhour said this topic was more suitable for discussion at a Budget/Public Policy meeting in order to have a more detailed discussion around this.

Commissioner Ridenhour said with all the questions and comments that had been made, per the presentation, he would not be prepared to receive responses and take action at the same meeting in August.
Commissioner Ridenhour also acknowledged that there were other projects out in the community that needed to be done. He questioned why this project would jump ahead of others that were included in the CIP.

Commissioner Cotham said she concurred with comments made by Commissioners Dunlap and Fuller. She said more information was needed. She asked who was pushing this effort and had it been presented to others in the community.

Director Hahn said the information was being presented in reaction to the redevelopment of the 2-block area bounded by North Tryon, East 8th, North College, and East 6th Streets, known as the 7th & Tryon Vision Plan in terms of a possible response from the County.

Director Hahn said the Library was a partner in this proposal because several of the options included using space on the library site. He said officials at Blumenthal had been communicated with also, but other than those entities, he had not presented this to anyone else. He said no one was “pushing” for anything.

Commissioner Leake asked why did the County need to refurbish Spirit Square; Why should it be kept; and Who was it serving.

Commissioner Leake commented on other needs in the community, particularly in District 2, which she represented. Commissioner Leake said in light this, she could not support moving forward on this.

Commissioner Puckett said he concurred with Commissioners James and Clarke with respect to Option B2 and addressed some possible adjustments to it, however. Director Hahn said staff could look to see if there were any phasing opportunities available with Option B2.

Commissioner Puckett said he was interested in knowing was it possible to look at it from the perspective of what had to be done to go to Option B2 without fully committing to Option B2.

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

18-4803 UPDATE ON CENTER CITY REDEVELOPMENT

The Board received an update on Center City Redevelopment from Dennis K. LaCaria, Senior Assistant to the County Manager.

The presentation addressed the following areas and next steps:

- 7th and Tryon
- Brooklyn Village
- 4th and Graham

Note: 7th and Tryon is the name of the two-block redevelopment effort led by Mecklenburg County, the Charlotte-Mecklenburg Library, Bank of America, the Charlotte Housing Authority, and the City of Charlotte. The Board, having authorized participation in this multi-phase process, should receive regular progress updates and ask pertinent questions. The Master Redevelopment Agreement (MRA) by and between Mecklenburg County and BK Partners, LLC memorializes the entire agreement to redevelop the area commonly known as "Brooklyn Village" in the Second Ward of the city of Charlotte. The term sheet laying out the basis for this agreement was adopted by the Board in September 2017. This MRA and its constituent parts and exhibits will govern the actions of all parties. Interlocal agreements by and between the City
of Charlotte, the Charlotte Housing Authority, and Mecklenburg County are among the agreements which must be revised and/or adopted in order to complete the MRA. The City of Charlotte wishes to acquire parcels currently owned by Mecklenburg County for assemblage into the planned “Gateway Station” redevelopment. This will be a multi-block, mixed use and mixed income housing project anchored by a relocated Amtrak station. This redevelopment effort is supported by state and federal transportation agencies. Mecklenburg County, by conveying its interest in these parcels, will ensure that below market housing will be a part of the redevelopment project. Mecklenburg County will also be compensated at fair market value for the parcels.

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

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake 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 Master Redevelopment Agreement for Brooklyn Village as outlined and authorize the County Manager to negotiate and execute any agreements necessary to the execution of the Redevelopment Agreement.

Comments

Commissioner Ridenhour asked about the City of Charlotte’s participation with respect to 4th and Graham as it related to housing units, which was addressed.

Commissioner Ridenhour asked how long it had been since the City of Charlotte was given the opportunity to get on-board with this. Sr. Assistant to the County Manager LaCaria said since January. He said he believed one of the City’s hurdles was that it was pursuing federal dollars for the acquisition, as well as, doing the due diligence that needed to be done.

Commissioner Ridenhour asked when did the RFP go out and how long had the County been working with the developer. Sr. Assistant to the County Manager LaCaria said staff had worked with the interested developer for over a year. He said there were earlier conversations that the City was involved in and they had considered some of the work in the Gateway Station being done by the developer, however, there was a change in city staff and leadership. Thus, there was a change in direction on the part of the City relative to the project. Mr. LaCaria said he believed it became a desire of the City, the State, and the railroad to “control their destiny” a little more fully.

Commissioner Ridenhour expressed concern for having kept the interested developer on hold all this time because now the City was ready to move forward.

Sr. Assistant to the County Manager LaCaria said he kept the interested developer apprised of what was going on.

Commissioner Puckett referenced comments made regarding 7th and Tryon and how there would not be enough money from that to pay for Spirit Square because of the restrictions that would be placed on the development. Thus, the County would settle for something perhaps less than fair market value. Commissioner Puckett said in light of that statement, he would like to have an estimate of that delta.

Commissioner Puckett said there would be some who would question whether the County should be in the affordable housing business at all and those who would say the County should have some role in it.

Commissioner Puckett said he wasn’t sure if the County should take “the most expensive” land in the county and use it for affordable housing. He said by doing so, the County would be giving
up a lot of money that it could use to do other things. He said more affordable housing could be placed blocks away because the land cost would be less.

Sr. Assistant to the County Manager LaCaria said the delta analysis would be done once proposal came in. He noted that what was before the Board was what was developed to have something to go to market with and it reflected the partners involved. He said it was an illustrative concept of how things could work together.

Commissioner James expressed dissatisfaction with the City’s delay in responding. Commissioner James said if he had to decide, he would move forward with the interested developer.

Commissioner Dunlap said not all of the housing in the 7th and Tryon Concept was affordable housing. He said affordable housing would work downtown and that it currently existed. He said it’s integrated into the regular market place, so you can’t tell the difference.

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller, that pending Charlotte City Council approval, authorize the County Manager to negotiate with the City of Charlotte and execute any agreements necessary to the execution of the Master Redevelopment agreement for the 4th and Graham.

Commissioner Dunlap said he was the first Commissioner to say, “let’s work with the interested developer,” but now he was willing to work with the City of Charlotte for the “greater good” of the community. He referenced the City’s plan for the development of the Gateway Station and how that would benefit the community as a whole.

Commissioner Fuller said items of this nature should be scheduled for Budget/Public Policy meetings to give the Board more time to have an in-depth discussion.

Commissioner Fuller said the Board needed to think about what it wanted to do with Spirit Square and the implications of that on the 7th and Tryon Vision Plan.

Commissioner Fuller said he wasn’t sure if he agreed with Commissioner Puckett, but the Board should give thought to Commissioner Puckett’s comments around placing the affordable housing someplace else to get a higher value on the land.

Commissioner Fuller said what was missing from all of this was what was the County trying to accomplish, where was the County trying to go, how many affordable housing units did the County want.

Sr. Assistant to the County Manager LaCaria said minimum housing numbers were mentioned in the RFQ and RFP, with the hope of seeing more.

Commissioner Fuller said he wasn’t just referring to the 7th and Tryon Vision Plan but with respect to all development projects the County was embarking on and not just limited to the goal of having affordable housing. He said knowing what the County wanted to achieve overall would help the Board in its decision making.

Commissioner Fuller said he, too, was not pleased with how things had turned out for the interested developer but for the “greater good” of the community and in the spirit of cooperation, he was okay with moving forward with the City of Charlotte.

Commissioner Cotham expressed disappointment with considering the City of Charlotte’s offer at this point, in light of the interested developer’s good faith effort.
Commissioner Cotham said it should be about providing affordable housing and not how much money the County could possibly receive if the housing was placed somewhere else.

Commissioner Cotham expressed opposition to the Brooklyn Village development.

Commissioner Leake talked about the Brook Hill community and asked what could be done if the County was able to obtain that land.

Commissioner Leake addressed the “economic issue” that existed within Mecklenburg County and the need for “low income” housing.

Chair Scarborough addressed the benefits of mixed use housing.

Substitute motion was made by Commissioner Ridenhour, seconded by Commissioner James and failed 6-3 with Commissioners Clarke, Dunlap, Fuller, Leake, Puckett, and Scarborough voting no and Commissioners Cotham, James, and Ridenhour voting yes, to move forward with selling the property at 4th and Graham to the interested developer for development as previously outlined.

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

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and carried 6-3 Commissioners Clarke, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes and Commissioners Cotham, James, and Ridenhour voting no, that pending Charlotte City Council approval, authorize the County Manager to negotiate with the City of Charlotte and execute any agreements necessary to the execution of the Master Redevelopment agreement for the 4th and Graham.

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

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

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

18-4799 PROPOSED REVISIONS TO THE PRE-TRIAL RELEASE DECISION MAKING FRAMEWORK (DMF)

Sonya L. Harper, Director, Criminal Justice Services (CJS) addressed proposed revisions to the Pre-trial Release Decision Making Framework (DMF).

Note: The Board of County Commissioners approved the current pre-trial release decision making framework in March 2015. As a result of a recent study, validation of the local use of the Pretrial Services Assessment (PSA) and work among CJS and local criminal justice partners, suggested revisions to the current decision making framework are now required so that local pre-trial release practice is more data driven and in-line with research findings. The proposed revisions were presented to the BOCC at its Public Policy meeting on June 26, 2018. Criminal Justice Services (CJS) and the local criminal justice partners designed a pretrial decision making framework based on risk scoring with the adoption of the Public Safety Assessment (PSA) in 2014.

The following was covered:

- History of Pretrial Release Decision Making in Mecklenburg County
- Overview of Pretrial Research
- Public Safety Assessment
Commissioner Ridenhour left the dais and was away until noted in the minutes.

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

Motion was made by Commissioner Fuller, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, to approve proposed revisions to the pre-trial release decision making framework (DMF).
Peter Zeiler, Director of Economic Development addressed a proposed interlocal agreement with the City of Charlotte as it related to CF Hippolyta, LLC.
Commissioner Ridenhour returned to the dais.

Note: Charlotte Douglas International Airport (CDIA) and the City of Charlotte are entering into an agreement to sell approximately 90 acres of CDIA held land to CF Hippolyta LLC. The property was originally residential land acquired by CDIA through a federal aviation noise mitigation program and is now targeted for commercial redevelopment per CDIA’s master plan for its excess land. The subject land is currently in the extra territorial jurisdiction of Charlotte and the large majority of the site assemblage is currently tax exempt. CF Hippolyta LLC intends to construct a commercial warehouse and logistics building of approximately 2,500,000 square feet and cause the creation of approximately $200,000,000 million in incremental taxable real and personal property at the site along with placing the land back into taxable status. The construction of this facility will require approximately $13,400,000 in new road construction and existing road improvements. These improvements are to accommodate the projected increased traffic as the land changes use from residential to commercial and to achieve the City of Charlotte’s adopted transportation plan for the area. These road improvements will also provide improved access to an additional 54 acres of CDIA held land that is not part of the transaction with CF Hippolyta LLC. In order to expedite the construction of the road work and to achieve economies of scale with the site construction, CF Hippolyta LLC will privately finance and construct the public road improvements. CDIA will use $4,400,000 of its discretionary funds to reimburse CF Hippolyta LLC at the completion and acceptance of the improvements. Because of the significant taxable investment and the potential to create up to 1,500 new jobs, the City of Charlotte and Mecklenburg County will reimburse any remaining road improvement costs, not to exceed $9,000,000. The mechanism to finance this reimbursement will be the dedication of 45% of the new, incremental ad valorem taxes created by the facility to be constructed by CF Hippolyta LLC. This mechanism is pursuant to Article 20 of Chapter 160A of the North Carolina General Statutes. Under this Article, the City of Charlotte will enter into an infrastructure reimbursement agreement with CF Hippolyta LLC for the entirety of the $9,000,000. The City of Charlotte and Mecklenburg County will enter into an interlocal agreement in which the County will remit to the City 45% of the County’s incremental ad valorem taxes for a period of no more than 10 years, for a total estimated amount of $5,700,519. Road improvements subject to the Interlocal Agreement are:

- Signal and lane improvements to Wilkinson Boulevard from Sears Road west to the Interstate 485 Outer loop access ramps.
- Realignment of Tuckaseegee Road from Interstate 85 to a new intersection with Wilkinson Boulevard east of its current intersection.
- Construction of a new road (Todd Road) from the intersection of Wilkinson Boulevard and the Interstate 485 Inner Loop access ramps to the realigned Tuckaseegee Road.

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

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) Adopt a Resolution approving an Interlocal Agreement with the City of Charlotte for the reimbursement of public road improvements to be constructed by a private developer in support of new economic development opportunities by committing 45% of the incremental ad valorem taxes created by the project for a period of ten years; and

2) Authorize the County Manager to execute a contract for the same, with any necessary or helpful nonmaterial changes.

MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS
RESOLUTION
APPROVING AN INTERLOCAL AGREEMENT BETWEEN
THE CITY OF CHARLOTTE AND MECKLENBURG COUNTY
WHEREAS, under Article 20 of Chapter 160A of the North Carolina General Statutes, as amended, cities and counties are authorized to enter into interlocal cooperation undertakings with other local governments for the joint exercise of any power, function, public enterprise, right, privilege, or immunity of local governments in North Carolina; and

WHEREAS, the City of Charlotte (City) has the authority to construct streets and roads (G.S. 160A-296(a)), the City and Mecklenburg County (County) have the authority to enter into infrastructure reimbursement agreements with developers and property owners (SL 2001-329; G.S. 153A-451), and the City has the authority to finance such infrastructure (G.S. 160A-120); and

WHEREAS, the City of Charlotte has entered or will enter into an Infrastructure Reimbursement Agreement with CF Hippolyta Charlotte LLC or their related entities (together, the Developer) pursuant to which the City will reimburse Developer for certain Public Improvements; and

WHEREAS, the Infrastructure Reimbursement Agreement contemplates using specified incremental City and County taxes to fund the reimbursement of the Public Improvements; and

WHEREAS, the County is willing to contribute specified County incremental taxes to the reimbursement as set forth in the Interlocal Agreement, now, therefore be it.

RESOLVED that the Board of County Commissioners does hereby approve the Interlocal Agreement 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 #275.

COUNTY COMMISSIONERS REPORTS & REQUESTS

18-4822 SELECTION OF NCACC ANNUAL CONFERENCE VOTING DELEGATE

Motion was made by Commissioner Leake, seconded by Commissioner Ridenhour and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to appoint Chair Scarborough as the Board’s voting delegate for the 2018 Annual North Carolina Association of County Commissioners (NCACC) Conference to be held in Catawba County, Hickory, N.C., August 23 - 25, 2018 at the Hickory Metro Convention Center.

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to appoint Commissioner Fuller as the Board’s alternate voting delegate for the 2018 Annual North Carolina Association of County Commissioners (NCACC) Conference to be held in Catawba County, Hickory, N.C., August 23 - 25, 2018 at the Hickory Metro Convention Center.

Note: To participate in the annual election of officers and policy adoption decisions, the Board must officially select someone to serve as the County’s voting delegate during the annual business session. An alternate was not required, however, the Board decided to appoint one.

CONSENT ITEMS

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 approve the following item(s):

18-4767 DONATION OF FLOOD SENSORS TO MECKLENBURG COUNTY BY U.S. DEPARTMENT OF HOMELAND SECURITY

Adopt Resolution authorizing Interlocal Agreement for funding of the Willow Pond Stream Restoration Project.

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 Cornelius (the “Town”) have negotiated the Interlocal Agreement for Funding of the Willow Pond 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 Willow Pond 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 Ordinance/Minute Book 47-A, Document #276.

1. Accept the Offer of Sale of Real Estate from Robert J. & Lynn G. Coleman, owners of property located at 3014 Airlie Street, Charlotte, NC (tax parcel 093-125-16), for $290,000; 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.).

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 - American Legion Memorial Stadium.

Approve Minutes of Regular meeting held June 5, 2018.
Approve refunds in the amount of $32,006.93 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. There is no accrued interest.

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

18-4814     ENGINEERING CONSULTANT SELECTION - BUILDING COMMISSIONING SERVICES FOR THE EASTWAY AND NORTHERN REGIONAL RECREATION CENTERS

Authorize the County Manager to negotiate fees and execute contracts with the top ranked firm, Hanson Professional Services Inc. and in the event negotiations with this firm are unsuccessful, approve negotiations with the alternate firm, McCracken Lopez Engineers for the Eastway and Northern Regional Recreation Centers.

18-4819     MECKLENBURG COUNTY SOLID WASTE FUND TRANSFER

Authorize the transfer of $450,000 from the Solid Waste Enterprise Fund to the Scrap Tire Special Revenue fund in FY18.

Note: Due to higher expenses for tire recycling incurred in FY2018, the LUESA Solid Waste Management Program is experiencing a shortfall in the Scrap Tire Disposal Special Revenue Fund. To cover the shortfall, Solid Waste is requesting to make a transfer from the 7001 Solid Waste Enterprise Fund to 8512 Scrap Tire Disposal Special Revenue Fund. The amount of the transfer will be $450,000, which will cover the shortfall amount. LUESA uses an external tire recycling firm, US Tire to process the tires, and approximately 80% of the tire expenses are expected to be reimbursed by the State Tire Recycling Fund.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

18-4779     CONTRACT AWARD - JAIL CENTRAL-CHILLER #2 AND #3 REPLACEMENT PROJECT

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, award a contract to Jeff Hargett Mechanical, Inc. in the amount of $800,400 for the Jail Central-Chiller #2 and #3 Replacement Project.

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

18-4784     GRANT APPLICATION - 2018 TARGET COMMUNITY ENGAGEMENT FUNDS GRANT (SHERIFF’S OFFICE)

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to, approve the submittal by the Mecklenburg County Sheriff’s Office to apply for a 2018 Target Community Engagement Funds Grant up to $2,000; and if awarded, recognize, receive, and appropriate the amount awarded.
JULY 10, 2018

Note: The Sheriff’s Office will use these funds to purchase miscellaneous school supplies for Classroom Central, a local non-profit that collects and distributes school supplies to students and teachers in high-poverty K-12 schools.

18-4796  BUDGET AMENDMENT - DEPARTMENT OF SOCIAL SERVICES SPECIAL ADOPTION PROMOTION FUNDS

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 State Adoption Promotion Funding in the amount of $36,000.

Note: The purpose of the funds 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 these funds include Adoption Services, Adoption 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.

18-4805  ARCHITECT SELECTION - AMERICAN LEGION MEMORIAL STADIUM

Motion was made by Commissioner Dunlap, seconded by Commissioner Puckett and carried 7-1 with Commissioners Clarke, Cotham, Dunlap, Leake, Puckett, Ridenhour and Scarborough voting yes and Commissioner Fuller voting no, to authorize the County Manager to negotiate fees and execute a contract with Jenkins-Peer Architects for Architectural/Engineering Services for the American Legion Memorial Stadium and in the event negotiations with this firm are unsuccessful, approve negotiations with the alternate firm of Odell.

Commissioner Fuller removed this item from Consent for more public awareness and to express concern regarding the selection of the firms. Mark Hahn, AIA, Director of Asset and Facility Management addressed the selection process.

18-4806  GRANT APPLICATION - HEALTH PROMOTION/DISEASE PREVENTION (PARK AND 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 approve an application for up to $6,400 for a Health Promotion/Disease Prevention (HPDP) grant from The Area Agency on Aging; and if awarded, recognize, receive and appropriate such funds for the grant period.

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

18-4811  TOWN OF MATTHEWS FUNDING FOR FOUR MILE CREEK GREENWAY

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:
JULY 10, 2018

1) Approve and adopt Resolution Authorizing Execution of the Development and Cooperation Agreement for Four Mile Creek Greenway (South Trade Street Underpass) with the Town of Matthews;

2) Recognize, receive and appropriate funding of $125,000 from the Town of Matthews for the project;

3) Commit to using this funding for the required Federal match; and

4) Authorize the County Manager to enter into an agreement to accept funds from the Town of Matthews.

MECKLENBURG COUNTY
RESOLUTION AUTHORIZING EXECUTION OF THE
DEVELOPMENT AND COOPERATION AGREEMENT FOR FOUR MILE CREEK GREENWAY
(SOUTH TRADE STREET UNDERPASS)

WHEREAS, on March 20, 2018 the Mecklenburg County Board of Commissioners approved moving forward with grant funding from the Charlotte Regional Transportation Planning Organization for the South Trade Street/Four Mile Creek Greenway in Matthews (“Project”) which Project will also need Matthews to contribute $125,000 toward the Project; 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 joint greenway construction funding; and

WHEREAS, Mecklenburg County and the Town of Matthews have negotiated the attached Development and Cooperation Agreement for the Four Mile Creek Greenway (South Trade Street Underpass) that will authorize Matthews to provide $125,000 to the County and that sets forth the County’s obligations with respect to the 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 DEVELOPMENT AND COOPERATION AGREEMENT FOR FOUR MILE CREEK GREENWAY (SOUTH TRADE STREET UNDERPASS) between the County and the Town of Matthews 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 #277.

Commissioner Leake removed this item from Consent for more public awareness and to ask how much had been spent in Matthews in the last five years for recreation facilities.

18-4813 DONATION OF OUTDOOR PLAY EQUIPMENT FROM THE CAROLINA PANTHERS (PARK AND 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 recognize and receive a donation of outdoor play equipment as replacement of the existing Play60 equipment at Freedom Park valued at $225,000 from the Carolina Panthers.

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

18-4818 CONSTRUCTION CONTRACT - STEVENS CREEK NATURE PRESERVE VISITORS CENTER
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 award a construction contract to J.M. Cope Construction, Inc. in the amount of $3,730,792 for construction of a new 11,250 sq. ft. building to be located at the Stevens Creek Nature Preserve (15700 Thompson Road, Mint Hill).

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

18-4829  CHILD SUPPORT REINVESTMENT SPECIAL REVENUE FUND

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 the Child Support Reinvestment Special Revenue Fund Ordinance; and

2. Approve the transfer of the previously deposited Child Support Reinvestment Funds from the General Fund to the Child Support Reinvestment Special Revenue Fund up to $5,871,668.05 which includes $761,403 previously recognized, received and appropriated.

MECKLENBURG COUNTY

CHILD SUPPORT REINVESTMENT SPECIAL REVENUE FUND ORDINANCE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA

Section 1. That for the purpose of holding and accounting for the County’s share of Child Support Program reinvestment funds to be used for Child Support program activities as authorized by the Federal Office of Child Support Enforcement and in accordance with regulations contained in OCSE-AT-01-04, there is hereby created the Child Support Reinvestment Special Revenue Fund.

Section 2. The County Director of Finance is authorized to receive and place into this special revenue fund account any funds distributed to Mecklenburg County Child Support Enforcement for the County’s share of Reinvestment Incentive Funds as might be received from time to time from Federal and State authorities, and the transfer of any funds previously collected and deposited to the General Fund.

Section 3. The County Director of Finance is also authorized and directed to invest and reinvest funds in the Special Revenue Fund, and to account for said funds to the Mecklenburg County Board of Commissioners in the annual financial report and at such other times as may be requested by the Board of Commissioners.

Section 4. The County Director of Finance shall hold such funds in the above described Special Revenue Fund until such time as expenditures are approved by the Mecklenburg County Board of Commissioners, pursuant to federal and state laws and regulations.

Ordinance recorded in full in Ordinance/Minute Book 47-A, Document #278.

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

ADJOURNMENT

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, that there being no further business to come before the Board that the meeting be adjourned at 10:47 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, August 8, 2018.

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
Acting County Manager Leslie Johnson
County Attorney Tyrone C. Wade
Clerk to the Board Janice S. Paige

Absent: None

- INFORMAL SESSION -

Commissioners 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) to be removed from Consent and voted upon separately. The items identified were: 18-4764, 18-4831, 18-4844, 18-4850, 18-4853, 18-4854, 18-4855.

STAFF BRIEFINGS - NONE

CLOSED SESSION

18-4830 CLOSED SESSION-TO PREVENT DISCLOSURE OF INFORMATION THAT IS CONFIDENTIAL PURSUANT TO G.S. 105-259.(G.S. 143-318.11(A)(1)
18-4837 CONSULT WITH ATTORNEY
18-4860 BUSINESS LOCATION AND EXPANSION

Prior to going into Closed Session, County Attorney Wade announced there were no Consult with Attorney matters to be discussed in Closed Session.

Motion was made by Commissioner James, seconded by Commissioner Puckett and carried 7-0 with Commissioners Clarke, Cotham, James, Leake, Puckett, Ridenhour 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) and Business Location And Expansion.
August 8, 2018

The Board went into Closed Session at 5:17 p.m. and came back into Open Session at 6:20 p.m.

Commissioners Dunlap and Fuller 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 introductions, invocation by Commissioner Puckett and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

Acting County Manager Leslie Johnson took a moment of personal privilege to acknowledge and recognize Commissioner George Dunlap and Commissioner Vilma D. Leake for having reached their 10 years of service mark with Mecklenburg County. They each received a 10-Year Service pin and were thanked for their service to the community.

AWARDS/RECOGNITION

18-4831 PROCLAMATION - CHILD SUPPORT AWARENESS MONTH

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 adopt a proclamation declaring August 2018 as Child Support Awareness Month in Mecklenburg County.

The proclamation was read by Commissioner Leake and accepted by Assistant County Manager/Interim Director of Child Support Services Anthony Trotman and staff representatives from Child Support Services.
Commissioner Leake removed this item from Consent for more public awareness.

**PUBLIC APPEARANCE**

**18-4835  PUBLIC APPEARANCE**

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

*Note: William Carroll signed up to speak but did not appear.*

**APPOINTMENTS**

**18-4834  APPOINTMENT - WOMEN’S ADVISORY BOARD**

The vote was taken on the following nominees for appointments to the Women’s Advisory Board:

**Round One**

Takiyah Amin
Chantia Carter

Commissioner Puckett
Commissioners Clarke, Cotham, Dunlap, Fuller, James, and Scarborough
Chair Scarborough announced the appointment of Chantia Carter and Rahdreia Hannibal Hawkins to the Women’s Advisory Board to fill unexpired terms expiring April 30, 2021 and Stacey Sandeford-Lyons to fill an unexpired term expiring November 30, 2019.

*Note: They replace Kimberly Caldwell, Gail Johnson and Yesha Shukla.*

**18-4841 TOWN OF HUNTERSVILLE PLANNING BOARD AND BOARD OF ADJUSTMENT**

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 JoAnne Miller to the Town of Huntersville Planning Board as an Extraterritorial Jurisdiction (ETJ) representative and Wilbur Smith to the Board of Adjustment as recommended by the Town of Huntersville Board of Commissioners for three-year terms, effective July 1, 2018 through June 30, 2021.

**18-4862 TOWN OF CORNELIUS PLANNING 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 reappoint Hardison McConnell to the Town of Cornelius Planning Board as an Extraterritorial Jurisdiction (ETJ) representative as
recommended by the Town of Cornelius Board of Commissioners for a three-year term expiring July 1, 2021.

18-4833 APPOINTMENTS

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 Vanessa Green to the Adult Care Home Advisory Committee for a three-year term expiring August 31, 2021.

AIR QUALITY 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 Brian Magi as the Scientist representative, Gordon Miller as a Matthews/General Public representative, and DeAndrea Newman-Salvador as a General Public representative to the Air Quality Commission for three-year terms expiring August 31, 2021.

ARTS AND SCIENCE 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 Erique Berry and Philip Thomas as At-Large representatives to the Arts and Science Advisory Board for two-year terms expiring June 30, 2020.

Note: They replaced Vonnie Brown and Sheila Mullen.

BUILDING DEVELOPMENT 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 Ezequiel Acosta to the Building Development Commission as the Charlotte Plumbing, Heating and Cooling Contractors Association representative, to fill an unexpired term expiring July 31, 2019.

Note: He replaced Scott Shelton.

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 Arun Nair and Samuel Smith to the Charlotte-Mecklenburg Community Relations Committee for three-year terms expiring August 31, 2021.

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake,
August 8, 2018

Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Domar Bailey and Adrienne Martinez to the Charlotte-Mecklenburg Community Relations Committee to fill unexpired terms expiring September 30, 2020.

*Note: They will replace Kristle Lee and Daniel Vicario.*

**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 Magaliz Giraud to the Human Resources Advisory Committee as recommended.

*Note: Per the by-laws of the Human Resources Advisory Committee, the committee will review applications and provide a recommendation for appointment to the Board.*

*Note: She replaced Elizabeth Walker.*

**STORM WATER ADVISORY COMMITTEE**

The following persons were nominated for appointment consideration to the Storm Water Advisory Committee:

Paul Cattieu by Commissioner Puckett
Daniel McIemore by Commissioner Fuller

*Note: An appointment will occur on September 5, 2018.*

**PUBLIC HEARINGS – NONE**

**ADVISORY COMMITTEE REPORTS**

**18-4861 LAKE WYLIE MARINE COMMISSION ANNUAL REPORT**

The Board received as information the Lake Wylie Marine Commission Annual Report given by Neil Brennan, Chairman.

The report addressed the following topics: Safety, Environment, Legislation and Law Enforcement, Pollution, Education and Public Relations.

Mr. Brennan said penalties for construction companies working on big developments weren’t “stiff enough.” He said the fine in Mecklenburg County was up $5,000 a day, in Gaston County up to $5,000, and York County up to $1,000. Mr. Brennan said it should be $100,000 and would get their attention.

Mr. Brennan said this was where the Board’s support was needed because water pollution incidents caused by companies would continue to occur.

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

Comments
Commissioner Puckett thanked Mr. Brennan for the work that’s done by the Marine Commission.

Commissioner James referenced the Whitewater Center incident that happened in 2016 which resulted in the death of a visitor to the Center that was attributed to an infection caused by Naegleria Fowleri (Primary Amebic Meningoencephalitis), a brain-eating amoeba that was in the water. Commissioner James said it was his understanding that this amoeba was also present in lakes.

Commissioner James asked if the Marine Commission had any discussion with the state regarding this type of amoeba and whether the lake should be tested for it, especially during the summer months.

Mr. Brennan said the Marine Commission was thoroughly briefed by Rusty Rozzelle, the County’s Environmental Manager regarding the Whitewater Center incident and also by the Catawba Riverkeeper Foundation. He said the Marine Commission was advised that this was a “rare” occurrence that did come out from” time to time.”

Mr. Brennan said he would reach out to Sam Perkins with the Catawba Riverkeeper Foundation to see if testing for that type of amoeba should be included in the testing that’s done of the lake and would report back to the Board.

Commissioner Fuller thanked Mr. Brennan for the work of the Marine Commission.

Commissioner Fuller asked about the invasive vegetation that was occurring in other bodies of water, particularly, on the eastern side of the state, and if it was happening in this region.

Commissioner Fuller said the issue was brought to the attention of the North Carolina Association of County Commissioners during its legislative agenda process on several occasions.

Mr. Brennan said there was an invasive species in this region called “alligator grass,” although that may not be the official name.

Mr. Brennan said there were certain chemicals that could be used to combat it but it had to be administered by certified and licensed individuals.

Mr. Brennan said it was not prevalent on Lake Wylie, but it did exist.

Commissioner Fuller asked was any additional support needed from the Board, other than addressing the penalty issue for polluting the lakes, which he said might need to be a state issue or penalty and not local.

Mr. Brennan suggested the Board meet with Commissioners from the other counties associated with the Lake Wylie Marine Commission to discuss the issue jointly. Mr. Brennan said penalties should be consistent and with more “teeth” put in them. He said the goal of companies should be about “what could be done to keep the silt out of the lake.”

Commissioner Fuller asked about the boat house referenced and needed in Gaston County to house its police boat and the Belmont City Fire Department boat, which was addressed.

Mr. Brennan concluded by saying “the best thing” the Board could do for Lake Wylie was to “attack” the sedimentation problem, the “cancer” on the lake.
Commissioner Dunlap said it was a very good report with lots of good information, however, he felt the presentation exceeded the normal guidelines. He asked that going forward, presenters be informed of the guidelines.

Chair Scarborough thanked Mr. Brennan for the Marine Commission’s work.

**MANAGER’S REPORT**

**18-4856 UNIFORM SCHEDULES OF VALUES, STANDARDS AND RULES FOR THE 2019 REVALUATION**

The Board received the Uniform Schedules of Values, Standards and Rules for the 2019 Reappraisal from Ken Joyner, Tax Assessor.

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

Comments

Commissioner Ridenhour thanked Tax Assessor Joyner for the work that had been done and continued to be done regarding the upcoming revaluation.

Commissioner Ridenhour inquired about the number of community engagement information sessions that had occurred in Districts 2 and 4. He asked had more taken place in these districts at the request of the representing Commissioner or were the neighborhoods more active and “plugged in.” He asked what he could do to help neighborhoods in his district, District 5, to connect with County staff if they desire to have information sessions take place in their neighborhood.

Tax Assessor Joyner said some neighborhoods were more organized than others and requested sessions. He said in some instances, the word spread from one neighborhood to another about scheduling information sessions. He said this was especially true for District 2, because they were well organized.

Tax Assessor Joyner said Center City Partners, per their work with Districts 2 and 4, had also organized sessions for Districts 2 and 4.

Tax Assessor Joyner said a lot of the outreach had also come about as a result of public information efforts that had been put in place, such as using the Next Door app, that’s used by a lot of neighborhoods.

Tax Assessor Joyner said some neighborhoods may be waiting until after the summer, to request a session.

Commissioner Ridenhour asked what was the process for getting meetings scheduled. Tax Assessor Joyner said meetings could be requested on-line or by calling the Tax Office.

Commissioner Leake thanked Tax Assessor Joyner for the work that had been done and continued to be done regarding the upcoming revaluation.

Commissioner Dunlap said with respect to District 3, neighborhoods that were negatively impacted by the last revaluation were more aggressive this go around, and requested information sessions.

Commissioner Dunlap said information sessions were still being conducted.
Commissioner Dunlap said one difference between the forthcoming revaluation and the revaluation process that occurred the last time was that citizens were more engaged this time on the front end, rather than on the back end.

Commissioner Dunlap referenced the 2019 Citizen’s Revaluation Advisory Committee and how when initially appointed, some Commissioners questioned the qualifications of some of the applicants. He asked Tax Assessor Joyner to comment on whether those appointed to serve, who perhaps were not as well versed in assessment matters or real estate, had caused any concern for him.

Tax Assessor Joyner said he had no concerns regarding the committee. He said it was a well-rounded group. He said the committee was composed of appraisal experts, realtors, and citizens who were knowledgeable because of their involvement with the 2011 revaluation. He said the committee had helped the Tax Assessor’s Office to make sure it was not too technical when addressing matters with the public, either in person or in communication documents. He said the committee helped them to look at things differently and from a broader perspective on certain items, and to think outside the box. He said it had been a good committee, very engaged and interested in the process.

Commissioner James asked for clarity regarding the increase in value for commercial property of 79%. Tax Assessor Joyner said that was the median. He said half were below that and half were above that range.

Commissioner James asked what percentage of County property was commercial in terms of dollars. The response was somewhere around $37 or $38 billion dollars, about 35% of the base, currently.

Commissioner James said that meant 65% of property was residential.

Commissioner James said if 35% of property was going up 79% and 65% of property going up 39%, what was the average increase for all of Mecklenburg County. Tax Assessor Joyner said it was around 52.5%, currently.

Commissioner James said if 52.5% was correct that to get things back in order after the revaluation, with the current county tax rate being 82.32 cents, that if the current tax rate was reduced by 52.5% to keep it revenue neutral, you would basically be multiplying 82.32 cents by .475.

Commissioner James said a revenue neutral tax rate would be around 39 and 43 cents.

Tax Assessor Joyner said it should be remembered that there’s motor vehicle tax, individual and business personal tax and for public service groups that make up about 20% of the tax base. Thus, you’re only working with 80% of the tax base that would see that kind of change.

Commissioner James requested information on a revenue neutral tax rate by district based on what was going on in that district and information on residential neutral, meaning what tax rate would be necessary so that an average homeowner paid no tax increase.

Commissioner James said revenue neutral essentially re-balances commercial and residential. He said if commercial property went up 79% and residential 39%, when you re-balance everything next year, commercial property owners were going to get a bigger tax reduction than residential. He said the revaluation would “throw the burden” back on homeowners if it stays at revenue neutral, which was why he wanted to know what the revenue neutral number was.
Commissioner James said he did not think revenue neutral was going to be sufficient to prevent a “massive” tax increase for homeowners.

Tax Assessor Joyner said he was a little confused by Commissioner James’ comment because if residential was going up currently 40% less than commercial and at 35% & 65%, he would expect there to be a bigger share of the percentage that would be commercial after the revaluation.

Commissioner James asked Tax Assessor Joyner if he thought commercial taxes would be bigger, even though their tax value would allow them to drop faster than residential property.

Tax Assessor Joyner said there was only one tax rate. He noted as an example, if a $100 residential property went up to $138 and a $100 commercial property went up to $179, the commercial would pay a larger share if the necessary revenue stayed the same or went up slightly. He said the commercial would have a higher burden after the revaluation.

Commissioner James said the commercial would have a higher burden, but it would depend on what revenue neutral was and what the plan was for adjusting the tax rate.

Commissioner James said his concern was that if the average increase was 52.5%, it should mean a rate reduction. He said the 20% referenced by Tax Assessor Joyner would impact that however.

Commissioner James said he wanted to understand sooner rather than later, what staff thoughts were on revenue neutral and where it thought revenue neutral would be.

Commissioner James said he would like to receive the revenue neutral information as soon as possible after the first of the year, in the following forms, revenue neutral, residential neutral, and revenue neutral by districts.

Tax Assessor Joyner said he would work with Finance, Budget, and the County Manager’s Office to get that response.

Commissioner James said he would provide Tax Assessor Joyner with the report that was done, per the last revaluation.

Commissioner Cotham thanked Tax Assessor Joyner for the work that had been done and continued to be done regarding the upcoming revaluation.

Commissioner Cotham said she would like to know about their work with senior citizens and communicating with them around this topic. She questioned whether there was or needed to be a designated phone line for seniors to call and ask questions.

Commissioner Cotham commented on the effects of the revaluation on residents, especially those that will be experiencing this for the first time.

Commissioner Cotham said she’d like to know more about staff communication with the international community.

Commissioner Cotham commented on how this would impact renters because it would be passed on to them by their landlord.

Commissioner Cotham said she’d like staff’s opinion on how much they thought someone’s rent could possibly increase as a result of revaluation, including those on Section VIII housing.
Tax Assessor Joyner said staff had spoken with the Apartment Association and informed them that they would be willing to come back and speak with them again, either before notices went out or at the time they went out. He said staff would work on trying to get an answer with respect to anticipated increases in rent.

Tax Assessor Joyner said with respect to the international community that on the website, persons were able to select their language of choice. He said the county had access to translation services and that there were bi-lingual staff available also.

Commissioner Cotham said the County should do all that it could to prepare people.

Commissioner Puckett asked were apartment buildings considered residential or commercial. The response was commercial.

Commissioner Puckett said one concern he had was that there was going to be some surprise among the number of people who live in moderately priced homes currently and who would find out that the land their home was on was “outrageously” more valuable than it had ever been before.

Commissioner Puckett said this was true to for the apartment community because depending upon where the apartment was located would impact the amount of the increase in rent.

Commissioner Puckett said the interesting thing about revaluation was that some residents would get a break and some would not.

Commissioner Clarke commented on the goals of revaluation. He said the primary goal was to make taxation “fair.”

Commissioner Clarke asked was it not correct that at the completion of revaluation there would be residential properties in some districts and areas that would experience much higher percentage increases in value then in other areas. The response was yes.

Commissioner Clarke said one of the reasons the last revaluation was so difficult was because of the number of transactions that had taken place since the prior revaluation. He asked was the volume of transactions that had occurred since the last revaluation normal, average, below or above average. The response was that three years prior to the 2011 Revaluation, the number of sales were around 18,000 – 20,000 used to value around 350,000 parcels. For the 2019 Revaluation it was anticipated that sales would be in the range of 70,000 –75,000 to determine values for 365,000 – 370,000 parcels. Thus, there’s a significant amount of data to rely on for the 2019 Revaluation than there was for the 2011.

Commissioner Fuller talked about the median value of a residential property in the County, $296,000 as of today.

Tax Assessor Joyner said that amount could increase or decrease depending of the conclusion of the revaluation.

Commissioner Fuller said the County was being faced with the issue of “pricing” people out of Mecklenburg County. He said that was something the Board needed to spend a lot of time on. He then elaborated on the availability of affordable housing.

Commissioner Fuller said the Board should be thinking about what investments could be made to allow people to be able to live in Mecklenburg county.

Commissioner Fuller said the Board needed to look at this from more than just the tax revenue side.
Commissioner Fuller said revaluation presented two questions, 1) What was the “fairness” of revaluation and thus the tax rate and 2) What is the “burden or investment that we are seeking to make fair across the whole county.”

Commissioner Fuller thanked Tax Assessor Joyner for the work that had been done and continued to be done regarding the upcoming revaluation.

Commissioner Fuller asked about the types of mailings that had gone out or would go out regarding revaluation. Tax Assessor Joyner addressed the automated system, Modria and how it allows residents to find out information.

Commissioner Fuller acknowledged that Modria was a great system, but said he was speaking in terms of residents receiving something in the mail because not everyone would go on-line. He said something basic with examples of how property values could increase or decrease and how the process worked. He said this would avoid persons being totally shocked upon receipt of their tax bill.

Tax Assessor Joyner talked about a new customer service position, the Customer Experience Representative within the Tax Office. He said meetings would take place to discuss all of the resources available to ensure residents were well informed through a variety of ways.

Commissioner Fuller asked Tax Assessor Joyner to share with the public the department’s customer service efforts that had and were taking place, which he did.

Commissioner Puckett said going forward he hoped consideration would be given to shorten the interval for conducting revaluation. He asked when did the 2019 process began.

Tax Assessor Joyner said the process started January 2017, however, field canvassing started in March 2014.

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 set a public hearing on the Uniform Schedules of Values, Standards and Rules for the 2019 Reappraisal for September 5, 2018 and direct the Clerk to the Board to publish the notice of public hearing.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS – NONE

STAFF REPORTS & REQUESTS

18-4840 MECKLENBURG COUNTY BOARD OF COMMISSIONERS' LEGISLATIVE AGENDA UPDATE

The Board received an update on the 2018 Short Session Legislative Agenda and discussed the 2019 Legislative Agenda process. Starla Tanner, Legislative Affairs Liaison gave the update.

The Board also received a copy of the Short Session 2018 Final Report from the North Carolina Association of County Commissioners.

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

Comments
Commissioner Dunlap noted that a few years ago the voters of Mecklenburg county were asked to vote on changing the term of the County Commission from two years to four years, but it was not passed.

Commissioner Dunlap said Mecklenburg county was the only county in the state that had two year terms. He said the other 99 counties had four year terms.

Commissioner Dunlap said he would hope that the Board would consider asking the state legislature to make all 100 counties consistent by setting the term of office for County Commissioners at four-year terms.

Commissioner Dunlap asked was it correct that there was a county in N.C. where all of the schools within the county were charter schools. *No one could verify, if that was correct.*

Commissioner Dunlap said even if it was not correct, there may be some value in looking into that, primarily from the standpoint that with charter schools came “freedom and flexibility.” He said this allowed schools to operate with different curricula that might be “tailored or suited” for the student population.

Commissioner Dunlap said he wasn’t taking a position “one way or the other”, but it might be something worth looking into.

Chair Scarborough said she would be opposed to it, because she’d seen problems arise as a result of some schools being able to offer more than others based upon their financial capability or resources.

Commissioner Fuller addressed the constitutional amendments for voter approval on the November ballot that were included in the Short Session 2018 Final Report from the North Carolina Association of County Commissioners, that Legislative Liaison Tanner provided to the Board as an FYI.

Commissioner Fuller expressed opposition to those amendments. He said there had not been any deliberation on them by the legislature, yet they were putting the matters before the voters. He said the amendments were misleading.

Commissioner Leake echoed Commissioner Fuller’s opposition to the constitutional amendments being placed on the ballot in November by the legislature. Commissioner Leake said residents should vote no on all of the amendments.

Commissioner Leake said she was supportive of four-year terms.

Commissioner Leake said with respect to discussing Charter schools that was a topic for the School Board and not the County Commission.

Commissioner Leake said she wanted to know when the Board would be meeting with the Board of Education. She said it was her understanding the two bodies would meet on a consistent basis.

Commissioner Ridenhour spoke in response to opposition expressed regarding the constitutional amendments to be placed on the ballot in November by the legislature. He said apparently there was a lack of understanding of what the amendments were about and elaborated more.

Commissioner Ridenhour said the amendments should not be condemned because they were proposed by “republicans” in Raleigh. He said there were some “good” things in these amendments, that there may be some that people don’t like, but he would encourage people
to research and look into the proposed amendments. He said were some that should be supported by all political ideologies.

18-4842 GENERAL OBLIGATION BONDS RESOLUTION

RESOLUTION AUTHORIZING ISSUANCE OF BONDS

Commissioner Jim Puckett 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 park and recreation facilities bond order adopted by the Board of Commissioners on September 3, 2008, the Issuer shall issue its bonds in the aggregate principal amount of $25,000,000. (The Issuer has secured an extension of the maximum period of time for issuing bonds under that bond order from seven to ten years from November 4, 2008 as provided for under Section 159-64 of the North Carolina General Statutes.) 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 the date of issuance of the bonds.

2. 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 $58,000,000. 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 the date of issuance of the bonds.

3. Pursuant to and in accordance with the school facilities bond order adopted by the Board of Commissioners on September 5, 2017, the Issuer shall issue its bonds in the aggregate principal amount of $67,000,000. 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 the date of issuance of the bonds.

4. The bonds to be issued pursuant to the bond orders described in the preceding paragraphs 1, 2 and 3 shall be issued as one consolidated bond issue in the principal amount of $150,000,000 and designated "General Obligation Public Improvement Bonds, Series 2018" (the "Bonds"). The Board of Commissioners has ascertained and hereby determines that the average period of usefulness declared in the preceding paragraphs 1, 2 and 3 is not less than 40 years computed from the date of the Bonds. The Bonds shall be dated their date of issuance, 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 March 1, 2019, and semi-annually thereafter on September 1 and March 1. The Bonds shall mature annually on March 1, as follows:

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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.

5. 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 and principal of the Bonds will be payable at the times described above, 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.

6. 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.

7. The Bonds and the endorsements thereon shall be in substantially the following form:
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 Director of Finance 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 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 September 1 or March 1 next preceding the date of authentication to which interest shall have been paid, unless the date of authentication is a September 1 or March 1 to which interest shall have been paid, in which case from that date, interest to the maturity hereof being payable on March 1, 2019, and semi-annually thereafter on September 1 and March 1 of 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, 2008, September 3, 2013 and September 5, 2017 (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 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.

The bonds maturing on and after March 1, 2029, shall be subject to redemption prior to their stated maturities at the option of the County on or after March 1, 2028, 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 Chairman 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 __, 2018.

Chairman 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 North Carolina.

Secretary,
Local Government Commission

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
DIRECTOR OF FINANCE, as Bond Registrar
August 8, 2018

By: ____________________________

Authorized Signature

Date of Authentication: September __, 2018

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.

8. The Bonds maturing on and after March 1, 2029 shall be subject to redemption prior to their
stated maturities at the option of the Issuer on or after March 1, 2028, 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.

9. 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 Director of Finance 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 Director of Finance, 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.
August 8, 2018

10. The actions of the Director of Finance 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 Chairman of the Board of Commissioners, the County Manager and the Director of Finance 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.

11. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and the Director of Finance 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.

12. 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.

13. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners, the Director of Finance 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.

14. 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;

(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.

Resolution/Extracts recorded in full in Minute/Ordinance Book 47-A, Document #279.

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

CONSENT ITEMS

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 approve the following item(s):


Recognize, receive and appropriate $126,933 from the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG).

Note: This federal grant will fund several public safety initiatives and crime prevention programs.

18-4836 MINUTES

Approve Minutes of Regular meeting held July 10, 2018 and June 19, 2018.

18-4839 GRANT APPLICATION - U.S. EPA - LUESA AIR QUALITY

Approve the submission of the County’s FFY19 Clean Air Act, Section 105, Federal grant application; and upon award of grant, recognize, receive and appropriate the grant award.

Note: Grant funds are used to fund and support, in part, commitments to U.S. EPA to implement programs to improve ambient air quality. These activities include permitting stationary sources of air pollutants, conducting ambient air monitoring, conducting emission inventories and enforcing environmental laws and regulations.

18-4843 LAND DONATION - LITTLE SUGAR CREEK GREENWAY AND STREAM ENHANCEMENT

Accept donation of ±0.166 acres of permanent greenway and storm water easement on Tax Parcel 207-093-48 and ±0.742 acres of permanent greenway and storm water easement on Tax Parcel 207-093-47 from the City of Charlotte for the future construction of the Little Sugar Creek Greenway and Stream Enhancement project.
Receive and Accept the Tax Collector's Settlement.

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.

Pursuant to the provisions of N.C.G.S. 105-373, this memorandum is the Tax Collector's report of settlement to the Mecklenburg County Board of Commissioners for Fiscal Year 2018 (tax year 2017).

The total FY 2018 Real Estate, Personal Property, and Registered Motor Vehicle Tax charged to the Tax Collector for collection was $986,940,369.22.

Net Levy $986,940,369.22
Collected $983,315,600.35
Uncollected $4,624,872.01
Pct. Collected 99.037%

At the end of FY 2018 there were 25 tax bills totaling $249,263.74 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 190 real estate, personal property, and registered motor vehicle tax bills totaling $180,854.78. 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 99.68%.

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.

PEOPLE ● PRIDE ● PROGRESS ● PARTNERSHIPS
700 East Stonewall Street (28202) ● P.O. Box 31567 ● Charlotte, North Carolina 28251 ● 980-314-4488
Settlement recorded in full in Ordinance/Minute Book 47-A, Document #280.

18-4848  TAX REFUNDS

1) Approve refunds in the amount of $12,668.07 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 $16,912.74 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 $17.10.

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

18-4849  EQUITABLE SHARING AGREEMENT AND CERTIFICATION (SHERIFF’S OFFICE)

Approve the Equitable Sharing Agreement and Certification Form for the Sheriff’s Office.

Note: The Federal Equitable Sharing Agreement between the Federal Government and Mecklenburg County Sheriff’s Office sets forth the requirements for participation in the Federal Equitable Sharing Program and the restrictions upon the use of federally forfeited cash, property, proceeds and any interest earned which are equitably shared with the participating
August 8, 2018

law enforcement agencies. By submission of this form, the Sheriff’s Office agrees that it will be bound by the statutes and guidelines that regulate shared assets and the requirements for participation in the Department of Justice and the Department of the Treasury Equitable Sharing Programs. Receipt of the signed Equitable Sharing Agreement and Certification document is a prerequisite to receiving any equitably shared cash, property or proceeds. Board approval is required.

Agreement and Certification recorded in full in Ordinance/Minute Book 47-A, Document #281.

18-4851 EASEMENT DONATIONS – SUGAR CREEK GREENWAY

Accept donation of a permanent greenway easement, access easement, a permanent golf cart path easement, and a temporary construction easement on a portion of Tax Parcel 143-133-01 from West Tyvola Workforce, LLC (“Workforce”) for future trail to be built associated with Sugar Creek Greenway and possible relocation of a portion of existing golf cart path at the Harry L. Jones, Sr. Golf Course.

18-4852 CONTRACT AWARD - MECKLENBURG COUNTY NEW COURTHOUSE ENTRY/EXIT DOORS REPLACEMENT PROJECT

Award a contract to JHC Construction Company in the amount of $975,000 for the Mecklenburg County New Courthouse Entry/Exit Doors Replacement Project.

18-4857 DEVELOPMENT AND COOPERATION AGREEMENT FOR TORRENCE CREEK GREENWAY - TOWN OF HUNTERSVILLE

1. Adopt a resolution titled “Resolution approving the Development and Cooperation Agreement for Torrence Creek Greenway (CATS Park & Ride to Rosewood Lane)” between the County and Town of Huntersville.

2. Accept donation of a permanent greenway easement on Tax Parcel 017-152-20 (+/-1.49 acres) from the Town of Huntersville for construction of greenway trail along Torrence Creek.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION APPROVING THE DEVELOPMENT AND COOPERATION AGREEMENT FOR TORRENCE CREEK GREENWAY (CATS PARK AND RIDE TO ROSEWOOD LANE)

WHEREAS, Mecklenburg County (hereinafter “County”) has as one its goals the expansion of greenway trails, open space, and recreational opportunities along the various creeks and tributaries within the County; and

WHEREAS, the County has approved the Fiscal Year 2019 – 2023 Capital Improvement Plan which includes a greenway trail construction project that will extend trail along Torrence Creek Tributary No. 2 from the CATS Park and Ride Lot (located east of I-77) to the north side of Rosewood Meadow Lane in the Town of Huntersville; and

WHEREAS, The Town of Huntersville (hereinafter “Town”) is supportive of the County’s greenway plans and adopted a Town of Huntersville Resolution on November 7th, 2016 committing the Town to contributing a total $300,000 towards the construction of a trail on
August 8, 2018

WHEREAS, The County approved inclusion of Torrence Creek Greenway Tributary No. 2 (CATS Park and Ride Lot to Rosewood Lane) in its Fiscal Year 2019 -2023 CIP with funding in the amount of $2,300,043 and the Town reaffirmed its commitment to contribute $300,000 towards the project by approving a resolution adopting the Development and Cooperation Agreement between the County and Town associated with the construction project at its June 18th, 2018 meeting; and

WHEREAS, the Development and Cooperation Agreement between the County and the Town provides that the County will be responsible for:

- Funds for the payment of project consultants
- Any other applicable agreements necessary to build the trail
- Design and construction documents for the trail
- Any applicable permits
- Operation and maintenance of the trail following construction completion and the Town will contribute $300,000 towards the project at the time that it is invoice by the County; and

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

RESOLVED by the Mecklenburg County Board of Commissioners that the Board authorizes the County Manager, or her designee, to negotiate and execute interlocal agreements among the County, CPCC, and the Town, as well as deeds and a lease amendment as necessary to accomplish the purposes stated above, consistent with the business terms outlined in the above.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #282.

ORDER OF COLLECTION - 2018 AD VALOREM TAXES

Authorize the Tax Collector to collect 2018 ad valorem taxes.

Note: NCGS 105-321(b) states: “Before delivering the tax receipts to the tax collector in any year, the board of 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, MECKLENBURG
TO THE TAX COLLECTOR OF MECKLENBURG 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 47-A, Document #283.

18-4865   EASEMENT GRANTS - THE VILLAGE AT COMMONWEALTH

Authorize Mecklenburg County Manager to convey, for purposes related to single- and multi-family housing construction and development, (i) two permanent easements and (ii) one temporary construction easement, to New Developer (as defined below), which easements and conditions are (i) described in more detail below and (ii) located generally on portions of Tax Parcels 129-021-02, 129-021-06, 129-022-99, and 129-024-09.

Note: In 2008, Mecklenburg County agreed to exchange certain land at Veterans Park for land owned by Morningside Village, LLC (the “Original Developer”) in order to accomplish realignment of the street network near Original Developer’s proposed single and multi-family residential development in Plaza Midwood (the “Project”). Later in 2008/2009, the Project went into default and was foreclosed upon. Northwood Ravin (the “New Developer”) purchased the project from the foreclosing lender in 2013, and resuscitated/rebranded it as “The Village at Commonwealth”. The original swap agreement, dated January 1, 2008, between County and Original Developer, contemplated the County’s future grant to Original Developer of a temporary construction easement (the “TCE”) over portions of parcels 129-021-02 and 129-021-06 (both owned by County). The TCE was never formally conveyed to Original Developer, and the County now wishes to fulfill that original intent by conveying the TCE to New Developer. The TCE grant will be conditioned upon New Developer’s (i) providing of a survey (to be approved by the County) which shall define the actual area of the TCE, and (ii) agreement to restore (to County’s satisfaction) areas of any County-owned property disturbed during New Developer’s construction activities.

New Developer must also permanently maintain infrastructure previously installed on parcels 129-022-99 and 129-024-09 (both owned by County) associated with storm water BMPs on adjacent parcels 129-024-12 and 129-024-08 (both owned by New Developer). The County proposes to grant two permanent easements (one for maintenance, and one for storm drainage; collectively, the “Permanent Easements”) over portions of parcels 129-022-99 and 129-024-09. As with the TCE, the County’s grant of the Permanent Easements will be conditioned upon New Developer’s (i) providing a survey (to be approved by County) which shall define the actual areas of the Permanent Easements, and (ii) agreement to restore (to County’s satisfaction) areas of any County-owned property disturbed during New Developer’s construction activities.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

18-4764   NAMING APPLICATION - CLARK’S CREEK GREENWAY TRAIL TO BARRY GULLET TRAIL ON CLARK’S CREEK GREENWAY

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Gotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to
1. Acknowledge receipt of an application, submitted by Ron Weathers on behalf of Charlotte Water, to approve renaming a section of Clark’s Creek Greenway from Saxonbury Way to Mallard Creek Greenway to “Barry Gullet Trail on Clark’s Creek Greenway”

2. Schedule a public hearing on September 18, 2018 at 6:30 p.m. to receive public comment on the proposed naming of this section of Clark’s Creek Greenway to “Barry Gullet Trail on Clark’s Creek Greenway” and direct the Clerk to the Board to publish the notice of hearing as required.

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

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

**18-4844 BUDGET AMENDMENT - SHERIFF’S OFFICE - U.S. MARSHALS SERVICE (REVENUE INCREASE)**

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 recognize, receive and appropriate $2,920 from the U.S. Marshals Service.

*Note: Funding has been approved for the purchase of equipment needed for a joint Homeless Sex Offender Operation between the U.S. Marshals Service and the Sheriff’s Office. The following are the items the Marshals Service approved: Binoculars, Wall Height Chart for Registration, Roll-a-Weigh Wheelchair Scale.*

Commissioner Leake removed this item from Consent for more public awareness and to ask if the incoming Sheriff was aware of this. It was noted that the new sheriff would not be sworn in until December and that these were matters for the current Sheriff.

**18-4845 DSS ENERGY PROGRAMS OUTREACH PLAN**

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 approve the DSS Energy Programs Outreach Plan for FY19.

*Note: Annually, the Department of Social Services (DSS) submits for Board approval the Energy Business Plan. The funding plan specifies the services that are provided with this grant such as: Crisis Intervention Program (CIP) and the Low-Income Energy Assistance Program (LiEAP).*

A copy of the Plan is file with the Clerk to the Board.

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

**18-4850 BUDGET AMENDMENT - HEALTH DEPARTMENT (REVENUE AND ASSOCIATED EXPENDITURE INCREASES/DECREASES)**

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:

1. Recognize, receive, and appropriate a net decrease in revenue of $20,269 to reflect actual state and federal changes;

2. Recognize, receive and appropriate a net increase in revenue for Triple P (Positive Parenting Program) of $91,077; and
August 8, 2018

3. Approve the creation of a full-time Health Program Coordinator/Supervisor position in the Triple P Program to be funded with the additional revenue.

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

Commissioner Leake said she wanted to know about the status of where the Health Dept was in filling the positions they’ve requested.

18-4853 HEALTH DEPARTMENT AMENDED FEE SCHEDULE

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 approve the new fees for new services as noted below:

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>New Fees</th>
<th>Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>90750</td>
<td>Shingrix</td>
<td>$138.60</td>
<td>Immunization Program</td>
</tr>
<tr>
<td>T1029</td>
<td>In-Home Lead Investigation Program</td>
<td>$473.00</td>
<td>Environmental Health</td>
</tr>
<tr>
<td>83036</td>
<td>Hemoglobin, glycated</td>
<td>$ 11.97</td>
<td>Family Planning</td>
</tr>
</tbody>
</table>

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

Commissioner Leake asked where would the fees be located for the public’s awareness.

18-4854 LEASE - NORTH MECKLENBURG SENIOR CENTER

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and carried 8-0 with Commissioners Clarke, Cotham, Fuller, Leake, James, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute a lease amendment with the Town of Huntersville for the County to lease portions of the Robert B. Blythe Building located at 102 Gilead Road in Huntersville to serve as the North Mecklenburg Senior Center location.

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

Commissioner Dunlap returned to the dais.

18-4855 RYAN WHITE PART A GRANT APPLICATION

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 1) approve the submission of a grant application for $6,551,004 in Ryan White Part A funds covering the period of March 1, 2019 through February 28, 2020 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.
August 8, 2018

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

ADJOURNMENT

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 there being no further business to come before the Board that the meeting be adjourned at 9:42 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, September 5, 2018.

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 Tyrone C. Wade Clerk to the Board Janice S. Paige

Absent: None

-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) to be removed from Consent and voted upon separately. The items identified were: 18-4866, 18-4867, 18-4868, 18-4871, 18-4872, 18-4875, 18-4884, 18-4885, and 18-4888.

STAFF BRIEFINGS - NONE

CLOSED SESSION

18-4870 CLOSED SESSION- LAND ACQUISITION

18-4879 CONSULT WITH ATTORNEY

18-4895 BUSINESS LOCATION AND EXPANSION – ITEM REMOVED

Prior to going into Closed Session, County Attorney Wade announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcels 005-021-13 totaling +/- 1.3 acres from Henry L. Tillman, Jr.; 005-021-11 and 005-021-12 totaling +/- 1.012 acres from Michael Allen Brown; house and land located at 7225 Bud Henderson Road, Huntersville, NC; house and land located at 9425 Robinson Church Road, Charlotte, NC.
September 5, 2018

Motion was made by Commissioner Leake, seconded by Commissioner Puckett 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 5:15 p.m. and came back into Open Session at 6:00 p.m._

_Commissioner Fuller was present when the meeting came back into Open Session. He entered during Closed Session._

_Commissioner Ridenhour entered and left the meeting during Closed Session and was absent until noted in the minutes._

_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 Commissioner Puckett 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**

18-4877 PUBLIC APPEARANCE

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

_Danya Nelson_ addressed environmental concerns with the work environment at the Department of Social Services Kuralt Center, that she said was affecting the health of an employee. Ms. Nelson said the employee wore a mask to work for four months because of “severe” allergic reactions to something in the building.

Ms. Nelson said the employee experienced symptoms, such as, difficulty breathing, sinusitis, headaches, postnasal drip, sinus drainage, spitting to remove drainage, blood and mucus drainage, coughing, itching and watery eyes, itchy skin, hives & rash, nausea, dry skin, peeling skin on the palm of hands, and fatigue.

Ms. Nelson said the problem had been going on for a year and to date, it had not been resolved. Ms. Nelson said no action had been taken to address the concerns expressed by the employee. Ms. Nelson said the County’s contracted medical provider wrote the employee out of work, prescribed six prescriptions, and informed Human Resources that the employee needed to work from another building or work from home. Ms. Nelson said an allergist made the same recommendation.

Ms. Nelson said the employee had been on medical leave for three months, because a Human Resources employee “refused” to grant the employee a medical accommodation.

Ms. Nelson said the employee had not experienced the allergic reactions while out of the building.

Ms. Nelson said the issue was reported up the chain of command and that “inaccuracies and untruths” had been reported. Ms. Nelson said the employee, the details, and medical advice had been ignored by some employees.
Ms. Nelson said a Human Resources employee communicated that the employee was “not due a medical accommodation because there were no particular substances in the County building.” Ms. Nelson said that was incorrect. She said test results support the “truth.” She said other test results were “not credible.”

Ms. Nelson said for four months the employee had been “treated poorly, lost pay, lost all of their vacation and sick time, experienced a decrease in their quality of life, their health had been negatively affected, and that the list goes on and on.”

Ms. Nelson said there should be equal building maintenance and cleanliness in all buildings.

Ms. Nelson said the employee requests to remain “anonymous.”

Jennifer Vollmer addressed deaths that had occurred in the Mecklenburg County jail this year.

Ms. Vollmer said two of the deaths were ruled or reported as a suicide, one of which she said was in solitary confinement. Ms. Vollmer said she’d been told that it was almost impossible to commit suicide in solitary confinement. Ms. Vollmer said she reached out to the Sherriff’s Office to find out more but can’t get the information she wanted. Ms. Vollmer said she asked the Sherriff’s Office to release the video, if not to her, to the families of those that passed.

Ms. Vollmer said for the other two persons, their families had not received any cause of death information. Ms. Vollmer said she’s been told that the matter was still under investigation and that test results were still pending and that it may take up to a year to get those results.

Ms. Vollmer said she did not believe what was being reported. Ms. Vollmer said Mecklenburg County had a long history of law enforcement “not being transparent.”

Ms. Vollmer said there were four families “hurting” and don’t have answers. She asked the Board “what were they going to do and when were they going to do it.”

She said those that passed away were Kenneth Biggham, Lavargio Allen, DeMarcus McAlway, and Jerome Thompson.

Alan Sussman addressed bicycle safety. He asked that the Board and City Council join together and consider requiring helmets to be worn when riding bicycles throughout the City and County. Mr. Sussman shared his personal experience of being hit by a car while riding his bike. Mr. Sussman sustained serious injuries and spent almost two years in and out of hospitals and rehabilitation centers. Mr. Sussman said he was more fortunate than others, because he was wearing a helmet.

**APPOINTMENTS**

**18-4880 ** APPOINTMENTS

**BOARD OF EQUALIZATION AND REVIEW**

The following persons were nominated for appointment consideration to the Board of Equalization and Review Board (BER):

<table>
<thead>
<tr>
<th>Name</th>
<th>Nominated By</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vincent Bordini</td>
<td>Commissioner Puckett</td>
</tr>
<tr>
<td>Julian Cuthbertson</td>
<td>Commissioner Fuller</td>
</tr>
<tr>
<td>Steven Dobbs</td>
<td>Commissioner Puckett</td>
</tr>
<tr>
<td>Pamela Hemphill</td>
<td>Commissioner Fuller</td>
</tr>
</tbody>
</table>
September 5, 2018

George Munn  by Commissioner Puckett
John Petoskey  by Commissioner Puckett

There was discussion by the Board whether persons previously interviewed, but not selected, should go through the interview process again. It was the consensus of the Board that they do.

The Board also discussed the qualifications needed for the BER, as well as, the need for diversity and orientation on and for all advisory boards.

It was suggested that nominees be clearly informed of the criteria for serving, prior to their interview.

Note: Appointments 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 consideration to the Board of Equalization and Review: Commissioners Cotham, Fuller, and Leake.

Note: Appointments will occur on October 2, 2018.

Public Comments

David Pawlowski signed up to speak to this matter. Mr. Pawlowski said he’d appeared before the Board of Equalization and Review on behalf of taxpayers many times. Mr. Pawlowski asked the Board to delay making appointments to the BER and seek more applicants with appraisal experience, especially in commercial real estate. Mr. Pawlowski said he was recommending commercial real estate experience, because the next revaluation would impact commercial real estate more than residential. Mr. Pawlowski said at a revenue neutral tax rate, commercial properties would pay 25% more in property taxes than they did now, possibly up to 50% more. He said this could negatively impact small businesses that lease real estate. Mr. Pawlowski said three relevant qualifications needed would be someone with 1) technical appraisal knowledge, 2) the ability to weigh information quickly and apply correct appraisal and legal standards, and 3) impartiality.

BOCC Comments

Commissioner James asked County Manager Diorio if she felt the mix on the current Board of Equalization and Review was light on people with commercial appraisal experience. County Manager Diorio asked County Assessor Joyner to comment.

County Assessor Joyner said he would forward information to the Board with respect to the backgrounds of the current members of the Board of Equalization and Review.

County Attorney Wade said it would be up to the Board’s Ad Hoc Interview Committee to inquire of the nominees during the interview process, the extent of their real estate and/or personal property valuation knowledge and experience. He said the interview process was the Board’s opportunity to assess each nominee.

Commissioner Clarke said the question for the County Assessor was whether property was valued at its “true” value. He said the County Assessor and his staff would do everything they could to ensure that this was done right and that taxpayers would have the opportunity to appeal if they disagreed with that assessment.
Commissioner Clarke said the Board’s current qualifications for serving on the Board of Equalization and Review were broad. He said the Board needed to let them remain as is or develop some specific language making the qualifications more stringent and perhaps requiring individuals to have some experience in conducting appraisals of real property.

Commissioner Clarke said the Board’s goal was to make sure property was valued at its “true” value and that all taxpayers were treated “equally.”

Commissioner Fuller said commercial real estate appraisal was a very “specialized” field, thus, the pool of applicants would be limited. In addition, the time commitment required, also posed a problem for some persons. He said it was something to consider, but with respect to timing, perhaps it was something to consider going forward. He said the Board should move forward with the current process.

Commissioner Dunlap recalled that during the last revaluation, there were members on the BER that also appeared before the BER on behalf of taxpayers. Commissioner Dunlap said going forward, he would recommend that be prohibited and stated in the qualifications.

Commissioner Puckett said the Board should continue to seek applicants, because it was possible, as it was the last time the matter came before the Board, that the Board may or may not choose to fill all six slots by those nominated and interviewed.

Commissioner Puckett, with respect to any future amendments to the qualifications for serving on the BER, asked that the County Assessor offer some suggested general qualifications for serving (skill sets and experience).

Commissioner Puckett said it was important to have some knowledge of what staff was looking for in the advisory board, which would help the committee during the interview process.

Commissioner Fuller expressed concern for Commissioner Puckett’s suggestion. He said the County Assessor should not be put in a policy making position because that was not his role. Commissioner Fuller said the qualifications should be made known to the public in advance.

Commissioner Dunlap said in his view, Commissioner Puckett was only suggesting getting advice from the County Assessor upfront, which he was not opposed to doing.

Commissioner Fuller said he wasn’t opposed to getting advice from the County Assessor, but the Board had to be careful, because it could end up having the same effect as a policy. Commissioner Fuller said it would not be proper to apply criteria that those nominated weren’t aware of in advance.

Commissioner Ridenhour returned to the meeting.

Commissioner Cotham addressed the need for more commercial real estate experience on the BER. She suggested that perhaps the County Manager could reach out to some of the trade associations, such as REBIC, contractors association, etc., to see if anyone was interested in serving and/or perhaps they could place something in one of their newsletters about the County’s need for applicants.

Commissioner Cotham said she concurred with Commissioner Dunlap’s suggestion that persons serving on the BER could not represent taxpayers while serving.

Commissioner Cotham suggested staff reach out to those previously interviewed to see if they were still interested in being considered.
Commissioner Cotham said she welcomed feedback from the County Assessor and from members of the BER regarding what skill set they felt would be a good fit for the BER.

Commissioner Cotham addressed the importance of BER members having good interpersonal skills.

Commissioner Clarke said unless the Board wanted to defer this matter, it should move forward with what was already in place. He said it was the interview committee’s responsibility to determine if a nominee met the standard and to present that recommendation to the full Board.

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

**PLANNING COMMISSION**

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

- Manuel Betancur by Commissioner Clarke
- Richard Black by Commissioner James
- Claire Fallon by Commissioner Leake
- Douglas Welton by Commissioner Leake

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 Planning Commission must undergo an interview process.

The following Commissioners volunteered to serve on the Board’s Ad Hoc Interview Committee for appointment consideration to the Planning Commission: Commissioners Clarke, Leake, Puckett, and Ridenhour.  

Note: An appointment will occur on October 2, 2018.

**18-4890 MEDIC AGENCY BOARD (MECKLENBURG EMS) APPOINTMENT**

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. Sid Fletcher to fill the unexpired term of Dr. Thomas Zweng, expiring December 31, 2019, on the Mecklenburg EMS Agency Board as a Novant Health representative as requested by Novant Health.

NOTE: In 1996, the Mecklenburg Board of County Commissioners along with County management staff worked with EMS management and leaders in both the medical and business communities to address the needs of the County’s EMS department. The Amended and Restated Joint Undertaking Agreement, approved by the Board of County Commissioners in November 2009, states the affairs of the Agency shall be governed by a seven-member Board of Commissioners which shall be appointed by the Mecklenburg County Board of Commissioners as follows:

- Three (3) persons shall be Charlotte-Mecklenburg Hospital Authority (CMHA) employees nominated by the CMHA Chief Executive Officer; and
- Three (3) persons shall be Novant Health Southern Piedmont Region (Presbyterian) employees nominated by the Presbyterian Chief Executive Officer; and
c. One (1) person shall be a County employee nominated by the County Manager.

Each Agency Commissioner shall be appointed for a term of three (3) years or until such Commissioner’s successor is nominated and appointed. There is no limit to the number of successive terms in which a Commissioner may serve.

18-4893 STORM WATER ADVISORY COMMITTEE APPOINTMENT

The vote was taken on the following nominees for appointment to the Storm Water Advisory Committee:

Paul Cattieu  Commissioners Cotham, Clarke, James, Puckett, Ridenhour, and Scarborough
Daniel Mclemore  Commissioners Dunlap, Fuller, and Leake

Chair Scarborough announced the appointment of Paul Cattieu to the Storm Water Advisory Committee for a three-year term expiring June 30, 2021 as the Industrial, Manufacturing or Commercial Property Professionals representative.

Note: He replaced James Merrifield.

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

PUBLIC HEARINGS

18-4894 PUBLIC HEARING ON PROPOSED UNIFORM SCHEDULES OF VALUES, STANDARDS AND RULES FOR THE 2019 COUNTY-WIDE REAPPRAISAL

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 the proposed Uniform Schedules of Values, Standards and Rules for the 2019 County-wide Reappraisal, to include the receipt of a report from the 2019 Citizen’s Revaluation Advisory Committee.

Note: In preparation for the 2019 revaluation, the Assessor is required to prepare Uniform Schedules of Values, Standards and Rules to be used in appraising real property at its true value and at its present-use value. N.C.G.S. 105-317 sets forth the procedures for adoption of the Schedules of Values. Pursuant to statutory requirements, the Assessor submitted the proposed schedules to the Board of Commissioners on August 8, 2018 and has made a copy available for public inspection at the Assessor’s Office and on the website. A Notice of the September 5, 2018 Public Hearing was published in The Charlotte Observer on August 10, 2018. The purpose of the Public Hearing is to receive comments from the public about the Schedules, including a report from the 2019 Citizen’s Revaluation Advisory Committee. The Assessor will request the Board to adopt the Schedules at its meeting on September 18, 2018.

Jon Manuel, Chair of the 2019 Citizen’s Revaluation Advisory Committee spoke on behalf of the Committee regarding its work thus far.

Report Highlights
Committee Recommendations: 1) Approve the Schedule of Values, which is the process outline or manual of the revaluation, as presented during the Board’s last meeting. 2) Once this revaluation is completed, the board takes time to review the tax rate to ensure citizens are not unduly burdened with additional tax liability, and to review zoning classifications and density restrictions to ensure we have appropriate housing supply for our growing community.
The Committee reported that it supported the efforts made by County Assessor Ken Joyner and his staff to seriously address many of the issues that arose from the 2011 revaluation. They were impressed with staff’s thoroughness and believe that this should result in a much improved, credible and reliable revaluation.

They thanked the Board for the opportunity to serve.

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

David Pawlowski addressed the Schedules of Values, Standards and Rules for the 2019 County-Wide Reappraisal. He said concerns were expressed to the Assessor’s Office from the commercial side of the equation. He said those concerns were responded to by the Assessor’s Office and resulted in some technical changes being made. He commended the Assessor’s Office on being responsive to concerns raised and its customer service. He asked the Board to seek feedback from knowledgeable parties on the forthcoming technical changes.

**Commissioner Clarke returned to the dais.**

County Assessor Joyner addressed recommended technical changes to the Schedules of Values, Standards and Rules for the 2019 County-Wide Reappraisal. He said the recommended changes would be incorporated into the final Schedules of Values that would be presented to the Board for adoption on September 18, 2018.

**County Assessor recommended technical changes**

1. **Base Rate Changes to the following Building Types:**

   * **Chapter 11, p.230**
     
     05 - Patio Home  
     
     $80 to $90

   * **Chapter 11, p. 233**  
     
     62- Dup-Triplex  
     
     $80 to $90

2. **Grading Factor**

   Chapter 11, p. 201 & other applicable tables

   Grade XX - Custom  
   
   2.20 to 2.45

3. **3.1.11 CHANGE the Custom Quality Modifier to Jurisdiction**

   * **Chapter 6, p. 113**
     
     Custom Quality Modifier - The Custom Quality Modifier is a factor that may be applied at the parcel level to capture the exceptional level of detail and craftsmanship of Custom (XX) homes. These types of homes are typically found in Mecklenburg County’s more affluent neighborhoods, where a high degree of construction excellence is to be expected.

   CHANGETO
Jurisdiction - The Jurisdiction code is a factor that may be applied at the parcel level to make adjustments - “plus” or “minus” - to the building value. This adjustment to the base rate occurs prior to any adjustment(s) resulting from depreciation or obsolescence that may be applied to the property.

4. ADD a Chapter 13, Schedule of Values, Standards, and Rules, Conclusion

Chapter 13, p. 301

For the purpose of appraising all real property in Mecklenburg County for the 2019 general reappraisal, these Schedule of Values, Standards and Rules 2019 incorporate by reference the Commercial Data Study by Bidencope & Associates referred to herein, and the methodologies and best practices of the International Association of Assessing Officers (“IAAO”).

In the event values, factors and/or data set forth in the Schedule of Values, Standards and Rules 2019 conflicts with corresponding values, factors and/or data set forth in the Commercial Data Study, the Assessor shall use his best professional judgment and methodologies and best practices of the IAAO to appraise real property at its true value and at its present-use value in accordance with The Machinery Act for the 2019 general reappraisal.

In the event the information set forth in these Schedule of Values, Standards and Rules 2019 and/or in the Commercial Data Study by Bidencope & Associates is insufficient to determine a property’s true value as defined by The Machinery Act, N.C.G.S. 105-271 et. seq., the Assessor shall use his best professional judgment and methodologies and best practices of the IAAO to appraise real property at its true value and at its present-use value in accordance with The Machinery Act for the 2019 general reappraisal.

BOCC Comments

Commissioner Dunlap asked for clarity on how homes would be graded, which was addressed.

Commissioner James addressed the stigma adjustment term used during the last revaluation and asked if the Jurisdiction term noted in the technical changes meant the same thing. County Assessor Joyner addressed the jurisdiction term.

Commissioner Fuller asked if what was presented all the technical changes and was Chapter 13 an amendment or a new chapter. The response was yes, these were all the changes and Chapter 13 was a new chapter. County Assessor Joyner elaborated on the purpose of Chapter 13.

Commissioner Fuller asked if the 2019 Citizen’s Revaluation Advisory Committee had the opportunity to review the Schedules of Values and other pertinent documents and was staff from the Assessor’s office present at their meetings. The response was yes to both. This was also echoed by Mr. Manuel.

Commissioner Puckett asked about the grading and about Chapter 13, which were addressed.

Commissioner Ridenhour asked if the 2019 Citizen’s Revaluation Advisory Committee had the opportunity to review the technical changes. County Assessor Joyner said the Committee had not reviewed Chapter 13, but that it was discussed with the Committee that there would be some other technical changes. He said the Committee was aware of changes 1, 2, & 3 and that staff would provide them with the 4th change, (Chapter 13) on tomorrow.

Commissioner Ridenhour said he’d like to receive the Committee’s feedback on the technical changes, when the matter came back before the Board.
Commissioner Ridenhour asked about the Base Rate Changes and the use of the term Jurisdiction, which was addressed.

**Commissioners James and Puckett left the dais and were away until noted in the minutes.**

Commissioner Ridenhour asked who crafted the technical changes. *County Assessor Joyner said his staff wrote items 1, 2, & 3, and the County’s attorney for the Tax Office wrote the 4th item.*

Commissioner Leake addressed apartment complexes in District Two where rents were increasing but the upkeep of the complex was deteriorating. She asked how those apartment complexes would be rated. *County Assessor Joyner addressed the market and how that process worked. He explained that the County had no authority with respect to rents charged by landlords.*

Commissioner Leake asked about property values in Clanton Park and Lincoln Heights, which was addressed.

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

Motion was made by Commissioner Fuller, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Ridenhour and Scarborough voting yes, to close the public hearing on the proposed Uniform Schedules of Values, Standards and Rules for the 2019 County-wide Reappraisal.

**ADVISORY COMMITTEE REPORTS - NONE**

**Commissioners James and Puckett returned to the dais.**

**MANAGER’S REPORT**

**18-4882 2018 NACO ACHIEVEMENT AWARDS**

The Board acknowledged and recognized the County’s 2018 NACo (National Association of County Counties) Achievement Award Winners.

Public Information Director Danny Diehl presented the winners. Awards were received for the following programs: Adaptive CrossFit Yoga, BAARN: Bringing Accessible Agriculture Recreationally Now; Bike Riders, Connecting Communities to Nature, Learn to Ride Biking Initiative, and Open Streets 704.

*A description of the award-winning programs is on file with the Clerk to the Board.*

**18-4918 BOND RATING ANNOUNCEMENT**

County Manager Diorio announced that on August 16 and 17, 2018 the County met with all three rating agencies (Fitch, Moody’s, and Standard & Poors) to request bond ratings and to present an economic and financial update of Mecklenburg County. After those meetings, all three rating agencies rated the 2018 general obligation bonds AAA; their highest rating. The rating agencies also affirmed the current AAA rating. Having a AAA rating lowers the interest cost to the County and it makes its debt more attractive in the market for buyers seeking low risk.
It was also noted that the County would sell $150 million of General Obligation (GO) bonds on September 12, 2018. Proceeds of the series 2018 GO bonds would be used to fund Charlotte-Mecklenburg Schools improvements at $125 million and Parks and Recreation improvement projects at $25 million.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

18-4870 CLOSED SESSION- LAND ACQUISITION – NORTH MECKLENBURG REGIONAL RECREATION CENTER PROPERTIES

Motion was made by Commissioner Puckett, 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 negotiate and execute all documents necessary for acquisition of the following Tax Parcels in the Town of Cornelius for expansion of the North Mecklenburg Regional Recreation Center site:

Parcel 005-021-13 totaling +/- 1.3 acres from Henry L. Tillman, Jr. for a purchase price of $130,000; and

Parcels 005-021-11 and 005-021-12 totaling +/- 1.012 acres from Michael Allen Brown for a purchase price of $113,000.

18-4870 CLOSED SESSION- PROPERTY ACQUISITION – HISTORIC LANDMARKS COMMISSION – INGLESIDE

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 Historic Landmarks Commission purchase of the house and land located at 7225 Bud Henderson Road, Huntersville, NC 28078 for $590,000.00 and recognize and appropriate up to a total of $104,000.00 for construction repairs, maintenance and closing costs.

Note: Ingleside is the finest example of Italianate style architecture in Mecklenburg County. William Speight Davidson (1817-1873), a member of one of the most prominent families of ante-bellum Mecklenburg, built this home c. 1860. A graduate of Davidson College and the Medical College of South Carolina in the early 1840s, Davidson was a physician, farmer, and leader of the planter class of north Mecklenburg. Davidson and his wife, Mary Johnston Davidson (1827-1897), participated in a way of life that is far removed from what the local citizenry experiences today. By purchasing the property, the Historic Landmarks Commission will be able to undertake a systematic study of how best to assure the long-time preservation of Ingleside and how best to make its cultural significance known and appreciated by the public.

18-4870 CLOSED SESSION- PROPERTY ACQUISITION – HISTORIC LANDMARKS COMMISSION – WALLACE LOG HOUSE
September 5, 2018

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 Historic Landmarks Commission purchase of the house and land located at 9425 Robinson Church Road, Charlotte, NC 28215 for $450,000.00 and recognize and appropriate up to a total of $56,000.00 for construction repairs, maintenance and closing costs.

Note: The Wallace Log House is a unique historic artifact in Mecklenburg County. It is the only extant log structure of high physical integrity that was the home of an African American sharecropper family and most likely of enslaved people before Emancipation. Long-time residents of the Crab Orchard township of East Mecklenburg heard stories from their grandparents about Tena Wallace and her family who lived in the Wallace Log House. By preserving the Wallace House, the Historic Landmarks Commission will provide a rare glimpse into a social structure that was prevalent in Mecklenburg County into the early twentieth century. The Commission will place preservation covenants in the deed when the house is sold to assure that it will be preserved in perpetuity. The property is now threatened by intense developmental pressure along Robinson Church Road.

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):

18-4869  PUBLIC AUCTION FOR DISPOSAL OF SURPLUS EQUIPMENT

Adopt a resolution authorizing sale of surplus personal property by public auction on September 15, 2018 at 9:00 a.m. at 5550 Wilkinson Blvd., Charlotte, N.C.

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 15, 2018 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 #284.

18-4873  GRANT APPLICATION - AIR QUALITY LEARNING STATION (AQLS)

Apply for, recognize, receive and appropriate up to $200,000, if awarded, from the North Carolina Department of Environmental Quality, Division of Air Quality, to construct an Air Quality Learning Station in Mecklenburg County; and
Authorize the carrying forward of unspent grant funds to subsequent years until completion of the project.

Note: Years of successful education and outreach programming have shown the hardest part of engaging the public with air quality issues is that air pollution is often invisible. This project will help make air pollution and air monitoring more visible and relevant to the public. The project will create and install a publicly-accessible air quality sensor station used for education and outreach purposes. Helping community members ‘become the scientists’ and better understand air quality issues is a critical step when asking them to actively participate in improving air quality.

18-4874 PRELIMINARY STREET LIGHTING ASSESSMENTS- SET PUBLIC HEARING

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 2, 2018 on the preliminary assessment rolls.

Note: Mecklenburg County participates in an assessment program to provide street lighting in order to increase safety in subdivisions. Homeowners in these subdivisions went through a rigorous petition process that qualified the subdivisions for funding in the form of a loan for the installation and operation of street lights. Homeowners are in turn assessed for these costs until the subdivisions are incorporated into the city limits. The public hearing is required by General Statutes and will allow property owners in these subdivisions to comment on the street lighting assessments for operating costs paid during the FY18 fiscal year.

PRELIMINARY ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
CAPP S HOLLOW SUBDIVISION
OPERATION COSTS FY 2018

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 $2,046.65 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 2018 Fiscal Year plus $300 in legal and other costs for a total of $2,346.65 spent for these street lighting fixtures in the Capps Hollow Subdivision during the 2018 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 2018 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

1699
September 5, 2018

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 street lighting fixtures in the Capps Hollow Subdivision during the 2018 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 02, 2018 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, 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 to each property owner on said streets in the Capps Hollow Subdivision at the address as shown in the tax records 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 #285.

PRELIMINARY ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
CARDINAL WOODS SUBDIVISION AND CARDINAL WOODS ESTATE
OPERATION COSTS FY 2018

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 $5,876.03 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 2018 Fiscal Year and has incurred $300 in legal and other costs for a total of $6,176.03 spent for the operation of these acorn street lighting fixtures in the Cardinal Woods Subdivision and Cardinal Woods Estate during the 2018 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 2018 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

1700
September 5, 2018

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 street lighting fixtures in the Cardinal Woods Subdivision and Cardinal Woods Estate during the 2018 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 02, 2018 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 Cardinal Woods Subdivision and Cardinal Woods Estate 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 #286.

PRELIMINARY ASSESSMENT ROLL RESOLUTION STREET LIGHTING ASSESSMENT PROJECT HEARTHSTONE SUBDIVISION OPERATION COSTS FY 2018

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 $2,471.93 to Duke Power Company for charges incurred for the operation of these street lights in the Hearthstone Subdivision during the 2018 Fiscal Year, plus $300 in legal and other costs for a total of $2,771.93, spent for the operation of these street lights in the Hearthstone Subdivision during the 2018 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 2018 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 street lighting fixtures in the Hearthstone Subdivision during the 2018 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 02, 2018 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.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #287.

PRELIMINARY ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
McGINNIS VILLAGE SUBDIVISION
OPERATION COSTS FY 2018

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
September 5, 2018
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 $3,281.17 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 2018 Fiscal Year, plus $300 in legal and other costs for a total of $3,581.17, spent for the operation of these street lighting fixtures in the McGinnis Village Subdivision during the 2018 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 2018 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 street lighting fixtures in the McGinnis Village Subdivision during the 2018 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 02, 2018 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 #288.

PRELIMINARY ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
MOUNTAIN POINT SUBDIVISION
OPERATION COSTS FY 2018

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 $6,119.28 to Duke Power Company for charges incurred for the operation of these street lights in the Mountain Point Subdivision during the 2018 Fiscal Year, plus $300 in legal and other costs for a total of $6,419.28, spent for the operation of the street lights in the Mountain Point Subdivision during the 2018 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 2018 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 street lighting fixtures in the Mountain Point Subdivision during the 2018 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 02, 2018 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 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 #289.
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 that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of $2,100.04 to Duke Power Company for charges incurred for the operation of these street lights in the Mountain Point Estates Subdivision during the 2018 Fiscal Year, plus $300 in legal and other costs, for a total of $2,400.04, spent for the operation of the street lights in the Mountain Point Estates Subdivision during the 2018 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 2018 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 street lighting fixtures in the Mountain Point Estates Subdivision during the 2018 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 02, 2018 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 #290.
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 paid a total of $3,302.24 to Duke Power Company for the monthly operation costs incurred for these street lighting fixtures in the Royal Oaks Subdivision during the 2018 Fiscal Year and has incurred $300 in legal and other costs for a total of $3,602.24, spent for operation of these street lighting fixtures in the Royal Oaks Subdivision during the 2018 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 2018 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 street lighting fixtures in the Royal Oaks Subdivision during the 2018 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 02, 2018 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
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 $1,731.86 to Duke Power Company for charges incurred for the operation of these streetlights in the Spicewood Subdivision during the 2018 Fiscal Year, plus $300 in legal and other costs for a total of $2,031.86, spent for the operation of the street lights in the Spicewood Subdivision during the 2018 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 2018 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 street lighting fixtures in the Spicewood Subdivision during the 2018 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 02, 2018 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 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 #292.

18-4878 MINUTES

Approve Minutes of Regular meeting held August 8, 2018.

18-4881 TAX REFUNDS

Approve refunds in the amount of $10,576.74 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.

Approve refunds in the amount of $8,781.33 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. There is no estimated accrued interest for the refunds being presented.

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

18-4883 STORM WATER PROGRAM - FY19 HAZARD MITIGATION FLOODPLAIN ACQUISITION

1. Authorize acceptance of a bid and assignment from Self-Help Ventures Fund in an amount not to exceed $64,500 in order to acquire the property from a foreclosure action, located at 812 Norwood Drive, Charlotte, NC (tax parcel 071-131-19) via Trustee’s Deed; and

2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to use 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 action will consist of acquiring and demolishing the existing residence using County Storm Water Services capital funds. This will serve the dual functions of removing the building and its occupants from flood risk while securing property needed for future stream enhancements and greenway construction, both of which are currently funded project.

18-4886 RESOLUTION CONCERNING THOMPSON ORPHANAGE SCULPTURE
Approve a Resolution supporting the County's application to NCDOT for the proposed installation of the Trail of History Thompson Orphanage Sculpture for Urban Little Sugar Creek Greenway.

RESOLUTION SUPPORTING MECKLENBURG COUNTY’S APPLICATION FOR AND INSTALLATION OF THE TRAIL OF HISTORY THOMPSON ORPHANAGE SCULPTURE PURSUANT TO NORTH CAROLINA DEPARTMENT OF TRANSPORTATION POLICY

WHEREAS, the bronze Trail of History Thompson Orphanage Sculpture (the “Sculpture”), which is to be provided to Mecklenburg County (the “County”) by the non-profit Trail of History organization and thereafter (i.e., following dedication thereof) maintained by the County, will serve the public as an educational reminder of certain individuals of particular importance to the overall development of the County; and

WHEREAS, the Sculpture, a rendering of which is attached hereto as Exhibit A, is proposed to be located along Little Sugar Creek Greenway as shown on the attached map as Exhibit B; and

WHEREAS, the North Carolina Department of Transportation (“NCDOT”), in recognizing that aesthetic enhancements to urban spaces, public greenways, and rights of way (including architectural and design features, public art, and/or other visual interests) provide cultural benefits to communities and can potentially result in positive economic development and tourism (both locally and throughout North Carolina), adopted its North Carolina Public Art on the Right of Way Policy in December of 2010 (the “Policy”); and

WHEREAS, NCDOT policy provides that local government agencies may request aesthetic enhancements to urban spaces, public greenways and rights of way, provided such agencies and/or enhancements conform to NCDOT policies and procedures (including [but not limited to] providing an adopted local resolution (and assuming financial responsibility for installation and maintenance of such enhancements.)

NOW, THEREFORE, BE IT RESOLVED, by the Mecklenburg County Board of Commissioners (the “Board”) at its regularly scheduled meeting on September 5, 2018, that the Board supports the County’s application to NCDOT for acceptance and subsequent installation and maintenance of the Sculpture in accordance with applicable NCDOT policies and procedures.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #293.

18-4887 INTERLOCAL AGREEMENT BETWEEN MECKLENBURG COUNTY AND THE CITY OF CHARLOTTE REGARDING STEVENS CREEK STREAM RESTORATION PROJECT

Adopt Resolution Regarding Interlocal Agreement (ILA) between Mecklenburg County and the City of Charlotte to fund the Stevens Creek Stream Restoration Project.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION REGARDING INTERLOCAL AGREEMENT BETWEEN MECKLENBURG COUNTY AND THE CITY OF CHARLOTTE TO FUND THE STEVENS CREEK STREAM RESTORATION PROJECT

WHEREAS, on May 17, 1993, the Mecklenburg County Board of Commissioners (the “Board”) adopted the “Mecklenburg County Storm Water Management Plan” (the “Plan”), which sets forth guiding principles and a financial plan for the operation of a comprehensive storm water management program in Mecklenburg County, North Carolina (the “County”); and

WHEREAS, N.C.G.S. §160A-461 (“Interlocal Cooperation Authorized”) authorizes units of local governments to enter into agreements with each other in order to execute certain undertakings, 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, County and the City of Charlotte (the “City”) have negotiated and finalized an Interlocal Agreement (the “ILA”) for Funding of the Stevens Creek and Gravity Sewer Project, to be dated on or about the date hereof, a copy of which is attached hereto as Exhibit A; and

WHEREAS, N.C.G.S. §160A-461 further requires that such agreements “…be ratified by resolution of the governing board of each unit and spread upon its minutes”; and

WHEREAS, on April 9, 2018, the City Council recognized and approved for the City to enter into the Interlocal Agreement with the County;

NOW, THEREFORE, BE IT RESOLVED,

(i) that the County Manager (or his/her authorized designee) be authorized and directed to execute the ILA, and that this Resolution be spread upon the County minutes;

(ii) that the County Manager (or his/her authorized designee) be authorized to provide County’s written approval of the award by City of the construction contract for the Project, as more specifically detailed in the ILA;

(iii) that the County Manager (or his/her authorized designee) be authorized to enter into and approve any subsequent proposed change orders to the construction contract originally approved by County pursuant to subsection (ii) above; and

(iv) that County shall appropriate $2,702,664.39 from the Storm Water Services Fund, combined with $184,800 in appropriated Capital Improvement Paygo Funds for Park and Recreation, fund the sum of $2,887,464.39 to the City as the County’s contribution for completion of the Project, in accordance with the terms and conditions of the ILA.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #294.

18-4889 MECKLENBURG COUNTY SOLID WASTE EXTENSION OF DISPOSAL CONTRACT WITH BFI WASTE SYSTEMS

Authorize the County Manager to execute an extension of the BFI Waste Systems of North America, Inc. Speedway landfill disposal contract to 2028 with possible additional extension(s) based on available capacity and needs of the County.

18-4891 EASEMENT DONATION - PINE VALLEY NEIGHBORHOOD PARK

Accept donation of a permanent access easement and water line easement on Tax Parcel 207-124-08 (+/- 0.088 acres) from the Pine Valley Homeowners Association for development of Pine Valley Neighborhood Park.

18-4892 MECKLENBURG COUNTY SOLID WASTE COLLECTION SERVICES

Authorize the County Manager to negotiate and execute a contract with Waste Connections, Inc. for a multi-year contract for the collection of solid waste, and if a successful contract cannot be negotiated with Waste Connections, Inc. to then negotiate and execute a contract with Waste Pro.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

September 5, 2018
CONVEYING OF PERSONAL PROPERTY - SHERIFF’S OFFICE

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 the conveyance of personal property, a trailer, from the Mecklenburg County Sheriff’s Office to the City of Charlotte Fire Department.

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

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION ON DONATION OF EQUIPMENT TO CITY OF CHARLOTTE FIRE DEPARTMENT

WHEREAS, the Mecklenburg County Sheriff’s Office has a trailer that is no longer being used by the Mecklenburg County Sheriff’s Office; and

WHEREAS, the trailer is obsolete and is no longer being used by the ALERT team at Mecklenburg County Sheriff’s Office; and

WHEREAS, the Mecklenburg County Sheriff has learned that the City of Charlotte Fire Department is in need of a trailer; 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 September 5, 2018 Board of County Commissioners meeting indicating that the Board of Commissioners would consider donating the ALERT trailer to the City of Charlotte Fire Department at its September 5, 2018 meeting; now, therefore, be it,

RESOLVED, that the Mecklenburg County Board of Commissioners, does hereby approve, donating the ALERT trailer to the City of Charlotte Fire Department and authorizes the County Manager, or her designee, to take all necessary actions to convey title to such equipment to the City of Charlotte Fire Department.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #295.

DUKE ENERGY LIGHTING SERVICE CONTRACT - PARK ROAD PARK

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 a 10-year contract with Duke Energy at $145.95 per month to provide path lighting along the lakeside at Park Road Park.

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

Commissioner Ridenhour asked about the type of lighting that would be placed in the park. Lee Jones, Director of Park and Recreation addressed the question.

GRANT APPLICATION - SENIOR HEALTH INSURANCE INFORMATION PROGRAM (SHIIP)
September 5, 2018

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 a grant application of up to $13,000 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 FY2019 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.

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

18-4871 DECLINE RIGHT OF FIRST REFUSAL - CMS PROPERTY AT DOUBLE OAKS

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, to decline the County’s statutory right of first refusal on Tax Parcel 075-105-29 (+/- 11.1 acres) owned by Charlotte-Mecklenburg Board of Education to permit sale of the property to the City of Charlotte.

Note: At its August 14, 2018 meeting, the Charlotte-Mecklenburg Board of Education (“CMBE”) declared its intent to sell the subject parcel to the City of Charlotte, contingent upon the County declining its statutory right of first refusal. The subject parcel is located at 1209 Eureka Street in the Double Oaks neighborhood of Charlotte. Discussions between CMS and the City resulted in an agreement for the City to purchase the property for a sales price of $3,125,000. The City intends to have the property redeveloped for workforce and affordable housing, and other uses. The County’s Asset and Facility Management Department has determined that the County has no business need to acquire the property.

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

Commissioner Fuller asked about the City’s plans for the affordable housing referenced. County Manager Diorio said she did not know any of the details but would get that information.

Commissioner Fuller said he’d also like to know what the County’s contributions have been relating to affordable housing.

18-4872 DECLINE RIGHT OF FIRST REFUSAL - CMS PROPERTY AT DAVIDSON IB

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, to decline the County’s statutory right of first refusal on Tax Parcel 007-013-19 (+/- 5.1 acres) owned by Charlotte-Mecklenburg Board of Education to permit sale of the property to the Town of Davidson.

Note: At its August 14, 2018 meeting, the Charlotte-Mecklenburg Board of Education (“CMBE”) declared its intent to sell the subject parcel to the Town of Davidson, contingent upon the County declining its statutory right of first refusal. The subject parcel is located on South Street in the Town of Davidson and once served as Davidson IB School. Discussions between CMS and the Town resulted in an agreement for the Town to purchase the property for a sales price of $2,460,000. The Town intends to renovate the property and use it for Town offices. The County’s Asset and Facility Management Department has determined that the County has no business need to acquire the property.

1712
Commissioner Leake removed this item from Consent for more public awareness.

18-4875  BUDGET AMENDMENT - CRIMINAL JUSTICE SERVICES (REVENUE AND EXPENSE 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 $113,300 for Re-Entry Services from the North Carolina Department of Public Safety.

Note: The additional funds will be used for supportive services such as housing and employment support for ex-prisoners. The contract term shall be effective to spend the additional funds through June 30, 2019.

Commissioner Leake removed this item from Consent for more public awareness. Commissioner Leake requested information on the impact made, as a result of the County’s receipt of these funds over the last five years.

Commissioner Fuller asked if the funds could be used for expungement. Criminal Justice Services Director Sonya Harper said no.

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

18-4888  NCDOT GRANT FUNDING FOR GREENWAYS

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:

1. Recognize, receive and appropriate the award of two grants for McDowell Creek and Stewart Creek Greenways awarded by the North Carolina Department of Transportation (NCDOT); and

2. Approve the use of Federal Disadvantaged Business Enterprise (DBE) special provision for bidding, in lieu of using the County M/W/SBE provisions, as required in order to obtain NCDOT grant funding.

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

Lee Jones, Director of Park and Recreation addressed the receipt of these grants.

18-4884  BUDGET AMENDMENT - FUND BALANCE APPROPRIATION – LUESA

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, and Scarborough voting yes, to appropriate fund balance in the amount of $104,921 from Huntersville Extra Territorial Jurisdiction (ETJ) Fire Tax.

Note: Due to the enhanced level of service to citizens associated with the opening of Fire Station #4 on McIlwaine Road, the Town of Huntersville requested a drawdown of $104,921 from its fund balance. The request was directly attributable to the opening of the fourth station, which occurred
September 5, 2018

on May 12, 2018 and serves the Huntersville ETJ. The expense of $104,921 is commensurate with the full year operating costs of that station.

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

Commissioner Dunlap returned to the dais.

18-4885 SET PUBLIC HEARING -- ZONING PETITION #2018-001C

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 adopt resolution setting a public hearing on petition for zoning changes, Petition 2018-001C, to be held on Tuesday, September 18, 2018, at 6:30 p.m. in the Meeting Chamber of the Charlotte-Mecklenburg Government Center; and direct the Clerk to the Board to publish the notice of public hearing as required.

Note: The Planning Commission received a rezoning petition (Petition 2018-001C) for a property that is located in the Town of Pineville’s sphere of influence, which has not been accepted by Pineville. Therefore, the petition must be heard by the Board of County Commissioners. It’s Petition No. 2018-001(C) by Northwood Ravin Development for a change in zoning for approximately 12 acres located on the west side of Lancaster Highway near the intersection of Lancaster Highway and Southcrest Lane from R-3 (Single Family Residential) to UR-2(CD) (Urban Residential, Conditional).

A RESOLUTION PROVIDING FOR PUBLIC HEARING ON PETITION FOR ZONING CHANGES

WHEREAS, the Board of County Commissioners has received a petition for zoning changes, which petition, numbered 2018-001(c) is on record in the Office of the Board Clerk; and

WHEREAS, the Board of County Commissioners deems it in the public interest that a hearing be held on said petition;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Mecklenburg, that a public hearing will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, located at 600 East Fourth Street beginning at 6:30 p.m., or as soon thereafter as the agenda allows, on Tuesday, September 18, 2018 on petition number 2018-001(c).

BE IT FURTHER RESOLVED that notice of said hearing be published as required by law.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #296.

Commissioners Fuller removed this item from Consent for more public awareness and to ask if the petitioner could provide elevation information. Tammie Keplinger with City of Charlotte Planning and Design Development addressed the question.

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 9:08 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 18, 2018.

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 Tyrone C. Wade

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) to be removed from Consent and voted upon separately. The items identified were: 18-4896, 18-4899, 18-4905, 18-4909, 18-4913, 18-4914, 18-4917, 18-4920.

STAFF BRIEFINGS - NONE

CLOSED SESSION

18-4902 CONSULT WITH ATTORNEY
18-4921 LAND ACQUISITION

Prior to going into Closed Session, County Attorney Wade announced there were no Consult with Attorney matters to be discussed in Closed Session.

County Attorney Wade announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcel # 08118315 and Tax Parcels 117-03-110 and 117-03-111.

Motion was made by Commissioner Puckett, 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: Land Acquisition.
The Board went into Closed Session at 5:20 p.m. and came back into Open Session at 5:55 p.m.

Commissioner Ridenhour was present when the Board came back into Open Session. He entered the meeting during Closed Session.

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 move Item 18-4917 Joint Proclamation—Gold Star Mothers and Families Day 2018 from Consent to the Awards/Recognition section of the agenda.

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, followed by introductions, invocation by Commissioner Ridenhour and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

18-4917 JOINT PROCLAMATION – GOLD STAR MOTHERS AND FAMILIES DAY 2018

Motion was made by Commissioner Ridenhour, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a Joint Proclamation declaring September 30, 2018 as Gold Star Mothers and Families Day in Charlotte/Mecklenburg County.

Note: American Gold Star Mothers are mothers who have lost their sons and/or daughters to death in the armed forces or any war of conflict, or who may have died as a result of injuries sustained during active duty, inactive duty, or suicide.

The proclamation was read by Commissioner Ridenhour and received by Fostoria Pierson, President of the Blue Star Mothers Chapter of Charlotte, NC.

Note: Commissioner Leake pulled this item from Consent, as well, for more public awareness.
PUBLIC APPEARANCE

18-4900 PUBLIC APPEARANCE

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

Zenata Howard signed up to speak but did not appear.

APPOINTMENTS

18-4916 NOMINATIONS/APPOINTMENTS

ADULT CARE HOME 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 Toye Allen and Tom Rothrock to the Adult Care Home Advisory Committee for a three-year term expiring September 30, 2021.

AIR QUALITY 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 Rosa Mustafa to the
Air Quality Commission as the Environmental representative to fill an unexpired term expiring August 31, 2019.

*Note: She replaced Brian Adair.*

**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 nominate and appoint Rosanny Crumpton to the Charlotte-Mecklenburg Community Relations Committee to fill an unexpired term expiring September 30, 2020.

*Note: She replaced Destiny Jenkins.*

**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 Belle Leonard and Antoinette Mingo to the Nursing Home Community Advisory Committee for a one-year term expiring September 30, 2019.

*Note: They replaced Celia Furr and Monique Horace.*

**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 Ann Harrison to the Park and Recreation Commission as the North Region 1 representative to fill an unexpired term expiring June 30, 2019.

*Note: She replaced Elaine Powell.*

**REGION F AGING 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 Jeannie Fennell to the Region F Aging Advisory Committee as the Alternate representative for a one-year term expiring June 30, 2019.

**CONSENT ITEMS**

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 following item(s):

18-4901 MINUTES

Approve Minutes of Regular meeting held September 5, 2018.
18-4903  TAX REFUNDS

Approve refunds in the amount of $16,465.83 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 $8.07.

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

18-4904  FLEET AUCTION REVENUE

Recognize, receive and appropriate vehicle auction revenue from auction held on April 7, 2018 in the amount of $35,991.03 to the Fleet Reserve Fund.

Note: This funding will be appropriated to the Fleet Reserve Fund for replacement vehicles.

18-4908  STORM WATER PROGRAM - FY19 HAZARD MITIGATION FLOODPLAIN ACQUISITION

1. Accept the Offer of Sale of Real Estate from Better Homes of Charlotte, Mountainbrook, LLC, owner of property located at 3421 Johnny Cake Lane, Charlotte, NC (tax parcel 209-112-05), for $417,500; and

2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to use 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.). The requested action will consist of acquiring the property and demolishing the existing building using Storm Water Services capital funds for the purchase.

18-4911  FY18-19 NCDOT RURAL OPERATING ASSISTANCE PROGRAM (ROAP) GRANT APPLICATION

1. Affirm/Adopt Certified Statement FY2019 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 2018-2019, and

2. Approve a reduction in State revenue in the amount of $416.

Note: Annually, the Mecklenburg County Department of Social Services submits a Rural Operating Assistance Program (ROAP) grant application. This NCDOT grant provides funding for transportation services to elderly and disabled citizens, Work First clients requiring transitional/employment transportation services, and the general public living outside the urban area boundary (not the metropolitan boundary of Mecklenburg County) and do not have a human service agency or organization paying for their transportation. The Mecklenburg Transportation System (MTS) of DSS’ Services for Adults Division operates this program.
WHEREAS, the state-funded, formula-based Rural Operating Assistance Program (ROAP) administered by the North Carolina Department of Transportation, Public Transportation Division provides funding for the operating cost of passenger trips for counties within the state; and

WHEREAS, the county uses the most recent transportation plans (i.e. CCP, CTIP, LCP) available and other public involvement strategies to learn about the transportation needs of agencies and individuals in the county before determining the sub-allocation of these ROAP funds; and

WHEREAS, the county government or regional public transportation authorities created pursuant to Article 25 or Article 26 of Chapter 160A of the General Statutes (upon written agreement with the municipalities or counties served) are the only eligible recipients of Rural Operating Assistance Program funds which are allocated to the counties based on a formula as described in the Program Guidelines included in the ROAP State Management Plan. NCDOT will disburse the ROAP funds only to counties and eligible transportation authorities and not to any sub-recipients selected by the county; and

WHEREAS, the county finance officer will be considered the county official accountable for the administration of the Rural Operating Assistance Program in the county, unless otherwise designated by the Board of County Commissioners; and

WHEREAS, the passenger trips provided with ROAP funds must be accessible to individuals with disabilities and be provided without discrimination on the basis of national origin, creed, age, race or gender (FTA C 4702.1A, FTA C 4704.1, Americans with Disabilities Act 1990); and

WHEREAS, the period of performance for these funds will be July 1, 2018 to June 30, 2019 regardless of the date on which ROAP funds are disbursed to the county;

NOW, THEREFORE, by signing below, the duly authorized representatives of the County of Mecklenburg North Carolina certify that the following statements are true and accurate:

(A) The county employed a documented methodology for sub-allocating ROAP funds that involved the participation of eligible agencies and citizens. Outreach efforts to include the participation of the elderly and individuals with disabilities, persons with limited English proficiency, minorities and low-income persons in the county’s sub-allocation decision have been documented.

(B) The county will advise any sub-recipients about the source of the ROAP funds, specific program requirements and restrictions, eligible program expenses and reporting requirements. The county will be responsible for invoicing any sub-recipients for unexpended ROAP funds as needed.

(C) The county will monitor ROAP funded services routinely to verify that ROAP funds are being spent on allowable activities and that the eligibility of service recipients is being properly documented. The county will maintain records of trips for at least five years that prove that an eligible citizen was provided an eligible transportation service on the billed date, by whatever conveyance at the specified cost.

(D) The county will be responsible for monitoring the safety, quality and cost of ROAP funded services and assures that any procurements by subrecipients for contracted services will follow state and federal guidelines.

(E) The county will conduct regular evaluations of ROAP funded passenger trips provided throughout the period of performance.

• The county will only use the ROAP funds to provide trips when other funding sources are not available for the same purpose or the other funding sources for the same purpose have been completely exhausted.

• The county assures that the required matching funds for the FY2019 ROAP can be generated from fares and/or provided from local funds.
September 18, 2018

- The county will notify the Mobility Development Specialist assigned to the county if any ROAP funded services are discontinued before the end of the period of performance due to the lack of funding. No additional ROAP funds will be available.

- The county will provide an accounting of trips and expenditures in quarterly milestone reports to NCDOT – Public Transportation Division or its designee. Back-up documentation is required to support the quarterly reports and may be requested at an MDS site visit.

- Any interest earned on the ROAP funds will be expended for eligible program uses as specified in the ROAP application. The County will include ROAP funds received and expended in its annual independent audit on the schedule of federal and state financial assistance. Funds passed through to other agencies will be identified as such.

- The county is applying for the following amounts of FY2019 Rural Operating Assistance Program funds:

<table>
<thead>
<tr>
<th>State-Funded Rural Operating Assistance Program</th>
<th>Allocated</th>
<th>Requested</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elderly &amp; Disabled Transportation Assistance Program (EDTAP)</td>
<td>292,720</td>
<td>292,720</td>
</tr>
<tr>
<td>Employment Transportation Assistance Program (EMPL)</td>
<td>220,146</td>
<td>220,146</td>
</tr>
<tr>
<td>Rural General Public Program (RGP)</td>
<td>46,272</td>
<td>46,272</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>559,138</strong></td>
<td><strong>559,138</strong></td>
</tr>
</tbody>
</table>

Certified Statement recorded in full in Ordinance/Minute Book 47-A, Document #297.

18-4912 LAND ACQUISITION - STEWART CREEK TRIBUTARY 2

Authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 071-143-25 (+/- .665 acres) located in west Charlotte for the future construction of Stewart Creek Tributary 2 Greenway for $8,000.

18-4926 PURCHASE AND SALE AGREEMENT WITH CITY OF CHARLOTTE

Authorize the County Manager to enter into a Contract for the Purchase and Sale (the “Contract”) between Mecklenburg County, as seller (the “County”), and The City of Charlotte, as purchaser (the “City”), of five Mecklenburg County tax parcels (07316101, 07316103, 07316106, 07316201, and 07316202) totaling approximately one (1) acre and located at the intersection of 4th and Graham Streets in Charlotte, North Carolina (collectively, the “Property”) under the following terms and conditions:

County shall sell all of its right, title and interest in the Property to City under the terms and conditions of the Contract, which requires at a minimum:

(a) an earnest money deposit by City in the amount of $170,250.00, which shall be due into escrow promptly following the date on which both parties have formally executed the Contract (the “Effective Date”); and

(b) an inspection period (for City’s benefit) of forty-five (45) days following the Effective Date; and

(c) a closing date not more than fifteen (15) days following the expiration of the aforementioned inspection period; and

1722
payment to County, at closing, of a purchase price of $6,810,000.00, subject to adjustments, per the Contract for taxes [as applicable] and other usual and customary prorations; and

construction commitment by City to construction of affordable housing on the property, to include a minimum of not less than forty (40) units or fifteen percent (15%) of the total residential development (whichever is greater). Said units will be for persons earning at or below eighty percent (80%) of the area median income. The affordability period shall be no less than thirty (30) years.

Note: Mecklenburg County wishes to cooperate with the City of Charlotte and the North Carolina Department of Transportation in the development of the planned Gateway Station. Conveying these parcels to the City will facilitate this project, which contemplates a mixed-use development with a relocated Amtrak passenger train station as the focal point.

Agreement recorded in full in Ordinance/Minute Book 47-A, Document #298.

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

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 approve the Board’s moving up of Consent items prior to the Public Hearing items as noted above.

18-4896  BUDGET AMENDMENT - DSS: FY19 FAMILY CAREGIVER AND PROJECT CARE GRANTS AND NON-SMART START CHILD CARE

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 the following:

1. An increase of $34,338 in State funds from Centralina Council of Governments (CCOG) for the Family Caregiver Program.

   Note: Funding supports services for family members caring for individuals age 60 or older with Alzheimer’s disease or a related brain disorder, and grandparents or relative caregivers providing support for grandchildren. Matching funds are not required.

2. An increase of $1,262 in State funds from the NC Department of Health and Human Services, Division of Aging and Adult Services (DAAS) for the Project Care Grant.

   Note: Project Care provides support for families caring for individuals with Alzheimer’s disease. Services include referrals and information, individual care consultation, respite care, training, education, and community awareness. Matching funds are not required. Mecklenburg County DSS is a regional site for NC DAAS.

3. An increase of $255,033 in Federal funds from the Division of Child Development and Early Education (DCDEE) to be used for Child Care Program Administration.
Note: Mecklenburg County contracts with Child Care Resources, Inc. (CCRI) to provide administrative services for processing applications and determining eligibility for the Child Care Subsidy Program.

Commissioner Leake removed this item from Consent for more public awareness. County Manager Diorio addressed the item.

18-4899 ORDINANCE AMENDMENT - FY 2018 AUTHORIZATION CENTRAL PIEDMONT COMMUNITY COLLEGE FACILITIES CAPITAL PROJECT ORDINANCE

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 second amendment of the FY 2018 Authorization Central Piedmont Community College Facilities Capital Project Ordinance.

Note: This capital project ordinance amendment is a technical correction to the CPCC budget ordinance approved by the Board of County Commissioners July 20, 2018. The technical correction does not change the County's financial commitment.

MECKLENBURG COUNTY, NORTH CAROLINA FY 2018 AUTHORIZATION CENTRAL PIEDMONT COMMUNITY COLLEGE FACILITIES CAPITAL PROJECT ORDINANCE

The following ordinance was offered as an amendment to and restatement of the FY2018 Authorization Central Piedmont Community College Facilities Capital Project Ordinance as adopted June 20, 2017 and amended on May 1, 2018.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 18th DAY of SEPTEMBER, 2018

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

- Harris Campus - Phase III, $60,203,658
- Central Campus Phase IV, $82,912,884
- Land, $8,000,000

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 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:

<table>
<thead>
<tr>
<th>Fiscal Year (Start-End)</th>
<th>Revenues Available</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017-2018</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>2018-2019</td>
<td>11,807,898</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 Ordinance/Minute Book 47-A, Document #299.**

Commissioner Leake removed this item from Consent for more public awareness. County Manager Diorio addressed the item.

**18-4905  BUDGET AMENDMENT - DSS: FY19 HOME AND COMMUNITY CARE BLOCK GRANT (HCCBG) AMENDMENTS**

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. Approve amended Home and Community Care Block Grant Funding Plan with the FY19 increase incorporated into the total funding amounts; and
2. Recognize, receive and appropriate a net increase of $321,690 funding from Centralina Council of Governments (COG) for the Home and Community Block Grant.

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). During the fiscal year, adjustments to the funding plan may be required for funding changes. Action Item 1 represents changes in the plan as a result of increased funding. 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.

Commissioner Leake removed this item from Consent for more public awareness. County Manager Diorio addressed the item.

_A copy of the amended Plan is on file with the Clerk to the Board._

**18-4909  BUDGET AMENDMENT - COMMUNITY SUPPORT SERVICES - REVENUE INCREASE (CSS)**

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 $190,000 for the second year of a five-year Substance Abuse and Mental Health Services Administration (SAMHSA) Grant as a subcontractor with Duke University.

Note: Community Support Services will enter into a subcontract for year two (2) (September 30, 2018 to September 29, 2019) with the Center for Health Policy and Inequalities Research at Duke University to provide comprehensive substance use services as a part of a federally funded project. The project, Community Resources for Empowerment and Wellness (CREW), is funded through the Substance Abuse and Mental Health Services Administration (SAMHSA) and will provide substance abuse treatment services in Charlotte and Durham, North Carolina for individuals with and at high-risk for HIV for a 5-year period lasting through September of 2022.

The services available in Charlotte to be provided through Community Support Services include individual and group substance use and mental health treatment, care coordination, and peer navigation. A subcontract between the Duke University Center for Health Policy and Inequalities
Research and Community Support Services would be managed by the Office of Research Support at Duke University. The total subcontract amount for the 5-year period is $920,000. The budget for year two (2) of the project is $190,000.

Commissioner Leake removed this item from Consent for more public awareness. County Manager Diorio addressed the item.

18-4913  SET PUBLIC HEARING - NCDOT URBAN GRANT 5307 APPLICATION

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 schedule a public hearing for October 2, 2018 to receive comments on the Mecklenburg County Department of Social Services' application for the North Carolina Department of Transportation's 5307 Urbanized Area Formula Grant for fiscal year 2019-2020.

Note: Annually, the Mecklenburg County Department of Social Services requests a public hearing to receive comments regarding the FY20 Urban Grant. This grant provides funding for the operating and capital requirements of the Mecklenburg County Department Social Services' Mecklenburg Transportation System (MTS) Unit of the Services for Adults Division. This grant was to provide financial assistance for the support of public transportation services in urbanized areas. This includes planning activities, administrative needs, purchase of capital equipment or facilities to assist in the provision of transit services in urban areas of Mecklenburg County. The Charlotte Area Transit System is the designated recipient of Section 5307 funds in the Charlotte Regional Transportation Planning Organization (CRPTO). A formula was developed to share the funding with all eligible transit operators in the CRPTO. The North Carolina Department of Transportation’s Public Assistance Division (NCDOT PTD) will be the direct recipient for the transit operators in NC which includes MTS. FY20 FTA Section 5307 Formula Funding is $1,034,620, with a 50% Operating match and a 10% Capital Match (County) and 10% Capital Match (State).

Commissioner Leake removed this item from Consent for more public awareness. County Manager Diorio addressed the item.

18-4914  BUDGET AMENDMENT – DEPARTMENT OF SOCIAL 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 an increase in State Adoption Promotion Funding in the amount of $12,000.

Note: The purpose of the funds 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 these funds include Adoption Services, Adoption 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. County Manager Diorio addressed the item.

18-4920  NORTH CAROLINA AGRICULTURE COST SHARE PROGRAM AGREEMENT
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 submission of N.C. Agriculture Cost Share Programs Application for Assistance to restore a portion of West Branch Rocky River Tributary; and

2. Authorize the County Manager (or his/her authorized designee) to execute the North Carolina Agriculture Cost Share Agreement; and

3. Recognize, receive and appropriate an amount up to $29,964.00 upon execution of the Agreement; and

4. Authorize the carry forward of unspent funds until expended

Note: Charlotte-Mecklenburg Storm Water Services (Storm Water) plans to restore approximately 15,000 linear feet of the West Branch Rocky River Tributary. Storm Water staff have worked with (a) Barger Farms, LLC, (Barger) which owns the property located at 1335 Concord Road, Davidson, North Carolina), and (b) the Mecklenburg County Soil and Water Conservation District (NCSWCD) to facilitate funding for the removal and exclusion of cows from the tributary (the Project), in order to protect the tributary and reduce fecal coliform bacteria levels therein. This Project will include (a) installation of an alternative watering system (including a new pump), (b) approximately 6,820 feet of fencing, and (c) construction of stream crossing, which in the aggregate shall come to an estimated cost of $39,952.00. Storm Water will enter into the North Carolina Agriculture Cost Share Agreement (Agreement) with Barger and the North Carolina Soil and Water Conservation District (NCSWCD) to complete the Project. Storm Water will initially complete the Project, at its cost. Twenty-five (25%) of the costs of the Project will ultimately be paid for by storm water revenue fees, and upon completion of the Project, NC Agriculture Cost Share Programs will reimburse Storm Water for seventy-five (75%) of the cost. Pursuant to the Agreement, Barger must maintain all cattle exclusion requirements for a minimum of 10 years, or otherwise reimburse up to seventy-five percent of the initial funding to NCSWCD. This application was submitted on behalf of NCSWCD on May 30, 2018 with pending approval of Mecklenburg County upon execution of the attached agreement. This grant/partnership, along with the restoration will help to improve water quality along the West Branch Rocky River Tributary.

Commissioner Leake removed this item from Consent for more public awareness and for clarity. Ebenezer Gujjarlapudi, Director of LUESA addressed this item.

PUBLIC HEARINGS

18-4907 PUBLIC HEARING ON TEFRA HEARING – QUEENS UNIVERSITY OF CHARLOTTE

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 proposed financing by Queens University of Charlotte.

Note: Queens University of Charlotte (the “University”), requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the “Authority”), issue its Educational Facilities Revenue Bonds (Queens University of Charlotte), in one or more series (the “Bonds”), in an aggregate principal amount not to exceed $13,500,000 for the following purposes:
September 18, 2018

(A) to finance the construction and furnishing of a new 120 to 130 bed residence hall on the main campus of the University at the location of an existing administrative office building known as Stultz Hall (to be demolished), the renovation of an existing residence hall known as Belk Residence Hall, and the renovation of existing space on the main campus to house the administrative teams and functions to be relocated from Stultz Hall (collectively, the “Project”); and

(B) to pay certain expenses incurred in connection with the authorization and issuance of the Bonds.

Queens University of Charlotte is using the Wisconsin Public Finance Authority as the issuer of the Bonds because of a 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. In order to comply with federal tax law, and the code and approval requirements, Queens University of Charlotte has requested that the Mecklenburg County Board of Commissioners hold a public hearing and approve the Resolution. This approval will not make the County responsible in any way for the Bonds or the Project financed with bond proceeds. Hosting the public hearing and approving the issuance ministerial acts that will enable the Borrower to comply with federal tax law requirements in order that interest on the Bonds be exempt from federal income tax.

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 resolution titled:

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS EDUCATIONAL FACILITIES REVENUE BONDS (QUEENS UNIVERSITY OF CHARLOTTE), IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $13,500,000

WHEREAS, Queens University of Charlotte (the “University”) has requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the “Authority”), issue its Educational Facilities Revenue Bonds (Queens University of Charlotte), in one or more series (the “Bonds”), in an aggregate principal amount not to exceed $13,500,000 for the following purposes:

(A) to finance the construction and furnishing of a new 120 to 130 bed residence hall on the main campus of the University at the location of an existing administrative office building known as Stultz Hall (to be demolished), the renovation of an existing residence hall known as Belk Residence Hall, and the renovation of existing space on the main campus to house the administrative teams and functions to be relocated from Stultz Hall (collectively, the “Project”); and

(B) to pay certain expenses incurred in connection with the authorization and issuance of the Bonds; and

WHEREAS, the Project is and will be owned and operated by the University and is or will be located on the University’s main campus at 1900 Selwyn Avenue, Charlotte, North Carolina, which campus is bounded by Selwyn Avenue to the east, Wellesley Avenue to the south and Radcliffe Avenue to the north; and

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; and
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; and

WHEREAS, the Borrower has requested that the Board approve the Authority’s issuance of the Bonds and the financing of the Project 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 Bonds in an aggregate principal amount not to exceed $13,500,000 and (b) the financing 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 Bonds or for any costs incurred by the University with respect to the Bonds or the Project.

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

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #300.

18-4910 PUBLIC HEARING ON NAMING OF CLARK’S CREEK GREENWAY TRAIL TO “BARRY GULLET TRAIL ON CLARK’S CREEK GREENWAY”

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 request to name a section of Clark’s Creek Greenway to “Barry Gullet Trail on Clark’s Creek Greenway”.

No one from the Public appeared to speak.

Commissioner Puckett spoke in support of the naming.

Commissioner Leake noted her support as well.

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 approve naming a section of Clark’s Creek Greenway to “Barry Gullet Trail on Clark’s Creek Greenway”.

Note: Barry Gullet retired from the City of Charlotte on January 1, 2018 after a 39-year career at Charlotte Water (formally Charlotte-Mecklenburg Utility Department). After serving several roles, he became the Director of the Department in 2010. He was involved in many projects which later became routes for greenways. Barry has collaborated with Mecklenburg County and Charlotte Water staff to route greenway trails through the complexities of large wastewater treatment plant sites and along sewer easements for several years resulting in several miles of greenway. He and his family are frequent users of Clark’s Creek and other greenways. Barry served many scouts as a merit badge counselor and introduced many scouts to cycling on greenways. He led scouts on projects such as Big Sweep, to clean shore lines and planting trees to improve the City watershed for drinking water. He helped build a strong relationship between the City and Mecklenburg County. He has been a leader in numerous environmental initiatives serving as liaison for government programs, including development of the SWIM (Storm Water Management and Improvement buffers) and several professional activities.
organizations (see application). Barry is the recipient of local, state and national awards including the Order of the Long Leaf Pine awarded by Governor Roy Cooper on behalf of the State of North Carolina, George Warren Fuller Award by the American Water Works Association and the Arthur Sidney Bidell Award by the Water Environment Federation and many others (see application). This naming application was endorsed by the Greenway Advisory Council on June 11, the North Region Advisory Council on June 11 and the Park and Recreation Commission on June 12.

18-4922 PUBLIC HEARING ON ZONING PETITION 2018-001C

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 Zoning Petition #2018-001(C) for a change in zoning for approximately 12 acres located on the west side of Lancaster Highway south of Southcrest Lane from R-3 to UR-2 (CD) with five-year vested rights, Petitioner: Northwood Ravin Development.

Chair Scarborough acknowledged the presence of the Zoning Committee of the Planning Commission.

John Fryday, Chairman of the Zoning Committee introduced members of the Zoning Committee that were present. He announced the Zoning Committee would meet Tuesday, October 2, 2018 at the Government Center to discuss and make a recommendation regarding Petition 2018-001(C). Mr. Fryday said the meeting was open to the public, however, it would not be a continuation of the public hearing. He said the public was welcome to provide input to the Zoning Committee regarding the petition, prior to its meeting by going to www.charlotteplanning.org.

Note: The Planning Commission received a rezoning petition for a property located in the Town of Pineville’s sphere of influence, which has not been accepted by Pineville. Therefore, the petition must be heard by the Board of County Commissioners. Petition No. 2018-001(C) by Northwood Ravin Development for a change in zoning for approximately 12 acres located on the west side of Lancaster Highway near the intersection of Lancaster Highway and Southcrest Lane from R-3 (Single Family Residential) to UR-2(CD) (Urban Residential, Conditional).

John Kinley, Senior Principal Planner with the City of Charlotte Planning and Design Development Department presented the request. Mr. Kinley also presented Staff’s recommendation for approval.

A copy of the presentation by the Charlotte Planning and Design Development Department is on file with the Clerk to the Board.

The Board then heard from Attorney Collin Brown, with K & L Gates, the Petitioner’s representative. Attorney Brown walked the Board through the rezoning request.

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

Comments

Commissioner Leake said she was concerned about traffic in the area but that it was addressed in the Petitioner’s presentation.

Commissioner Leake asked about rental cost and if the “average” citizen would be able to afford to live there. Attorney Brown said the exact cost was still unknown to date, however,
these would not be what someone would consider as “affordable” units. He said the price could range anywhere from $1,500 per month up to $3,000 (larger units).

Commissioner Leak addressed the need for nice, affordable housing throughout the County.

Steven Vick, a resident in the area, the Bridlestone neighborhood, said he lived diagonally across the street on the northwest corner from the property being requested for rezoning. Mr. Vick expressed concern for the following: decrease in property values as a result of the proposed development; whether the request met the stated purposes of UR-2; traffic concerns; and drainage issues, which he said he just found out that a solution had been determined.

Mr. Vick asked the Board to delay approving the request until the issues he outlined and those identified by Planning staff were “fully resolved and documented.”

Attorney Brown said the petitioner was made aware of staff’s concerns and that a revised plan would be provided, however, that’s not permissible until after the public hearing. He said the revised plan, he believed, would address all of the outstanding issues. He said the petitioner would confirm the storm water flow issues referenced by Mr. Vick.

Attorney Brown said with respect to traffic, unfortunately, he did not have a solution to fix that. He said they’ve been very involved with the Bridlestone Community and had talked about contributing to the placement of speed humps in their community to help slow down cut through traffic.

He said the site plan was developed based on the expectation that Lancaster Highway would eventually be expanded.

Attorney Brown said the petitioner shared a lot of the concerns expressed by Mr. Vick, because they want to rent units in the area and they want people to live there. He said the petitioner would do everything they could and within their power to do, to address those concerns. He said solving the traffic issue in south Charlotte, however, was not something within their power to do.

Attorney Brown said this was a 12-acre site that would no doubt see some type of development, be it commercial or single-family. He said what was being proposed would have less of a traffic impact then perhaps something else on a tract that size.

Commissioner Dunlap said based on what’s been provided and the current rules, the request looked to be in order.

Commissioner James asked about impact studies as it related to schools and traffic. John Kinley with Planning said with respect to the City’s process for obtaining impact studies relating to rezonings within the City’s jurisdiction, staff relied on the City’s Department of Transportation (CDOT) to inform them of when a traffic study was needed as part of a rezoning. He said the property in this instance was under the jurisdiction of the state Department of Transportation (NCDOT). He said the rezoning was sent, however, to CDOT for comment and a response was received but nothing was said regarding the need for a traffic study because the property was not within the City’s jurisdiction.

Mr. Kinley said if approved and when the petitioner went through the development permitting process, NCDOT would then have the opportunity to comment.

Commissioner James said his preference would be to have the traffic study on the front end, prior to consideration for approval.
Commissioner James commented on the fact that the Town of Pineville, nor the City of Charlotte were interested in having jurisdiction over this area and subsequently it’s governed by County Zoning rules that were probably 20 years old.

Commissioner James said this area, at some point, would be within the City’s sphere of influence, and therefore the Board should receive everything that would normally be provided, as if it was within the City’s jurisdiction.

Mr. Kinley said this proposed development would not meet the City’s requirement for a traffic study because the number of estimated new trips was less than 2,500. He said in this instance the number of new trips was only 700.

Commissioner James asked was it known when Lancaster Highway would be expanded. Mr. Kinley said he did not know but would find out and share that information with the Board.

Commissioner James asked was there any part of Lancaster Highway that the City had adopted. Mr. Kinley said he did not know but would find out and share that information with the Board.

Commissioner James said he wanted to know because if the City adopts a road, they’re responsible for making improvements to that road. He said if it was a state road then it would be up to the state. Commissioner James said he was interested in the timeline for expansion by which ever party was responsible for doing so.

Commissioner James said at some point he would like to know if the City was interested in controlling this area, as part of its Extraterritorial Jurisdiction, even if they don’t annex it.

Commissioner James asked that it be placed in writing, when staff reports back, that this proposal falls below CDOT’s requirement for requesting a traffic impact study.

Commissioner James asked about the impact of the proposal on schools. Mr. Kinley said CMS reviewed the proposal and estimated that it would add 19 students to the schools in the area. The Board was referred to page five of the staff analysis for more detail.

Commissioner James said that sounded low.

Commissioner Fuller asked about the County’s Zoning Ordinance in comparison to the City’s.

Commissioner Fuller asked was there a list of factors indicating what the Board should consider when considering approval of a rezoning request.

Tammie Keplinger with Planning said the County’s process and the City’s process for considering zoning requests were very similar. She said both bodies receive a staff analysis with the same information, with the exception of CDOT information, which was only provided where applicable. She said the public notification process was also the same.

Ms. Keplinger said with respect to a list of factors to consider when considering a zoning request, that those matters were outlined in the County’s Zoning Ordinance as of 2001, which she said staff would provide to the Board for reference.

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

Commissioner Puckett said the impact on schools may be correct because it was rental property and not single-family homes.

Commissioner Puckett said he understood the traffic concerns but based on the proposal, there could possibly be some relief for persons in the Bridlestone neighborhood, because of
the ability to turn right out of the neighborhood, were this approved, thus two ways to get in and out of the neighborhood.

Commissioner Cotham expressed concern for rental units and the impact of that on property values, as well as, concern for traffic in the area.

Commissioner Ridenhour expressed concern for the impact of the development on traffic. He said he would also like to know the timeframe for getting Lancaster Highway widened. He expressed disappointment that the state won’t allow a traffic signal to go this area. He said perhaps that was something that needed to be addressed with the County’s representatives in the General Assembly.

Commissioner Clarke asked about community engagement between the petitioner and the surrounding community. Attorney Brown said numerous meetings had taken place.

Commissioner Clarke asked to what extent had the petitioner changed its plan for development, per concerns expressed by residents in the area and Planning staff.

Attorney Brown said there had been significant changes to their site plan. He noted the decrease in the number of units from 145 to 110; design changes to make the units match more with the single-family homes across the street; an access point on Lancaster Highway; as well as, other changes.

Commissioner Clarke asked was this area in the Town of Pineville’s sphere of influence.

Commissioner James said no and elaborated.

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 close the public hearing on Zoning Petition #2018-001(C).

Note: A decision will be made following the receipt of a recommendation from the Planning Commission. The expectation is that a recommendation would be received at the Board’s October 16, 2018 meeting.

ADVISORY COMMITTEE REPORTS

18-4898 HUMAN RESOURCES ADVISORY COMMITTEE ANNUAL REPORT

The Board received as information the Human Resources Advisory Committee Annual Report given by Jeremy Stephenson, Chairman and Jacci Moss, Vice Chairman.

Commissioner Dunlap returned to the dais.

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

Comments

Commissioners thanked the Committee for their work and for the quality of their report.

Commissioner Fuller said it appeared that the Committee was advising staff more so than the Board. He said he was not opposed to that but questioned whether the view of employees was being served by the Committee.
Commissioner Fuller said perhaps another committee was needed, focused on the needs, concerns and views of employees; or should there be an employee representative on the Human Resources Advisory Committee.

Mr. Stephenson said they would happy to provide the Board with copies of their agendas and minutes, so that the Board could be aware of the issues being addressed by the Committee.

Mr. Stephenson addressed the importance of having persons on the Committee with expertise in Human Resources versus someone without that expertise. He said a different committee might be needed to address the concern expressed by Commissioner Fuller.

Ms. Moss said many of the topics discussed by the Committee were topics that were eventually brought to the Board for consideration. Ms. Moss said the Committee was not a “stamp of approval” and that the County’s Human Resources Department would attest to that.

Ms. Moss addressed employee engagement and satisfaction and having measures in place to obtain that information. She said she would not recommend establishing another committee for that purpose because those tend to take on a life of its own. She said the results of whatever tool is used to measure employee satisfaction would then be communicated to the County's Human Resources Department and presented to the Committee if appropriate.

Mr. Stephenson said the Committee was “confident” that the County was “actively” engaged in engaging employees and measuring employee satisfaction. He said the “pulse” of employees was being taken.

Commissioner James said there was a chain of command for employees to follow when they had a concern. He said it was the responsibility of the County Manager to address those concerns and not the Board.

Commissioner James said a committee should not be formed to address employee grievances. He said mechanisms were already in place for those matters to be addressed.

Commissioner Dunlap said the Board should not be involved in personnel matters.

Commissioner Dunlap noted the employee satisfaction survey that’s done annually by the County.

Commissioner Puckett said he echoed Commissioner James’ comments with respect to how employee concerns should be addressed.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

**MANAGER’S REPORT**

**Thank You to Staff**

County Manager Diorio thanked all members of staff that were involved in planning for the impact of tropical depression storm Florence, for all their work. She said the County agencies involved were the Department of Social Services, Public Health, Community Support Services, Park and Recreation, Storm Water, GIS, Public Information, and the County Manager’s Office, as well as, Medic and the Sheriff’s Office.

**Commissioner Fuller Recognized**

County Manager Diorio recognized and acknowledged Commissioner Fuller’s receipt of the North Carolina Association of County Commissioners “Outstanding County Commissioner’s Award” in August of this year at the Association’s Annual Conference. The award is presented
annually to a County Commissioner that has demonstrated special achievements and efforts during the past year on behalf of county government throughout the state and/or region and not just within their own county.

It was noted that Commissioner Fuller was the fifth County Commissioner from Mecklenburg County to receive this prestigious award. The other recipients were former Commissioners W. T. Harris in 1974, Elisabeth Hare in 1977, Becky Carney in 2000, and Norman A. Mitchell in 2008.

18-4906 2018 NACO ACHIEVEMENT AWARDS

The Board acknowledged and recognized the County’s 2018 NACo (National Association of Counties) Achievement Award Winners.

Public Information Director Danny Diehl presented this matter to the Board.

Note: Awards were received for the following programs: 1) Information Technology Department: Information Technology Services/EPMO/Criminal Justice Services CRM Pre-Trail Project; 2) LUESA: Creating Space for Citizen Science; 3) LUESA: Small Quantity Business Hazardous Waste Program; 4) LUESA: Using Web GIS to Aid Inter-Agency Collaboration in Mecklenburg County; 5) Tax Collector: Customer Appreciation Initiative; 6) Tax Collector: Delinquent Tax Credit Reporting; 7) Tax Collector: Innovative Online Publication.

Note: A description of the programs is on file with the Clerk to the Board.

18-4924 UNIFORM SCHEDULES OF VALUES, STANDARDS AND RULES FOR THE 2019 REVALUATION

County Assessor Ken Joyner addressed the proposed adoption of the Uniform Schedules of Values, Standards and Rules for the 2019 Revaluation, which he said would include the technical changes presented to the Board with a slight revision to the definition for jurisdiction.

Commissioner Ridenhour asked about the Citizen’s Revaluation Advisory Committee’s feedback with respect to the technical changes. County Assessor Joyner said per the responses received, everyone was in agreement with moving forward.

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:

1. Adopt the Uniform Schedules of Values, Standards and Rules for the 2019 Revaluation; and
2. Direct the Clerk to publish a notice of the adoption of the Uniform Schedules of Values, Standards and Rules for the 2019 Revaluation

Note: To meet statutory requirements for the adoption of the Uniform Schedules of Values, Standards and Rules to be used in appraising real property at its true value and at its present-use value for the 2019 Revaluation.

Order of Adoption recorded in full in Ordinance/Minute Book 47-A, Document #301.

18-4934 THANKSGIVING DAY PARADE
September 18, 2018

County Manager Diorio addressed a request for assistance from Charlotte Center City Partners as it related to the Thanksgiving Day Parade.

Commissioner Leake asked who would be doing the work. The response was Center City Partners would contract with someone.

Commissioner Leake asked that Center City Partners consider looking at small businesses to do some of the work and not those that they dealt with on a regular business.

Commissioner Fuller asked for clarity, which was given by County Manager Diorio.

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 approve appropriation of $150,000 to Charlotte Center City Partners for the purchase of a Sprung Structure for the storage of Floats and Props for the Novant Health Thanksgiving Day Parade.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

18-4928 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information monthly department management reports for September 2018.

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.

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

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 8:37 p.m.

Janice S. Paige, Clerk

Ella B. Scarborough, Chair

1736
MINUTES OF CLOSED SESSION OF
MECKLENBURG COUNTY BOARD OF COMMISSIONERS

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, October 2, 2018. These Closed Session minutes are part of the minutes of that meeting and should be read in that context.

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 Tyrone C. Wade Clerk to the Board Janice S. Paige

Absent: None

Also Present: Assistant County Manager/Chief of Staff Derrick Ramos, Assistant County Manager’s Mark Foster, Leslie Johnson, and Anthony Trotman, Finance Director Sarah Lyberg, Asset and Facility Management Director Mark Hahn, Jacqueline McNeil and Peter Wasmer with Asset and Facility Management, Dan Morrill, Thomas Egan, and Leonard Norman with the Historic Landmarks Commission
Dan Morrill, Consulting Director of the Historic Landmarks Commission (HLC), addressed a proposed HLC Option Agreement for property acquisition of property located at 921 Beatties Ford Road, Charlotte, NC, tax parcel 06906621, “The Excelsior Club.”

The following was noted:

- **The history of The Excelsior Club, an iconic structure in Charlotte’s African American community since 1944.**
- **Option Agreement Details**
  - The two adjacent properties belong to the same owner but are not part of the proposed Option.
  - The proposed Option would cost $4,000 for 12 months.
  - After the 12 months, the property could be purchased for an asking price of $350,000 as part of the Option Agreement.
  - The HLC would attempt to sell the property during the Option Period.
  - The owner would maintain and be responsible for the property during the Option Period.
  - The current appraisal for the property is $110,000.
  - Costs to renovate the shell of the building were estimated at $525,000.
- **HLC Criteria to Decide What Properties to Purchase**
- **Development Options**
  - Market the property as an individual parcel or market property with adjoining parcels owned by the present owner of the Excelsior Club
  - Require Buyer to Restore The Excelsior Club
  - Require Buyer to Replicate The Excelsior Club
  - Require Buyer to Incorporate Elements of The Excelsior Club into a new structure
  - Require Buyer to Celebrate the Heritage of The Excelsior Club with Interpretive Exhibits, Signage, and Audio-Visual Media.
- **HLC’s Applicable Guiding Principle**
- The owner, Carla Cunningham has agreed to the proposed Option.
- The owner does not plan to renovate the building and has a Certificate of Appropriateness to demolish the building, as of June 13, 2019, if she desired to do so, or a buyer, were she to sell the property and not enter the Option Agreement.
- The Option Agreement would give the HLC the exclusive right to purchase for a year.
- During the one-year period, the HLC’s hope would be to have a buyer for the property or to assign it to an assignee who would exercise the HLC Option.
- Upon approval of the Option Agreement and the passing of 12 months, the HLC would return to the Board with a Due Diligence Report and a request for recognizing and appropriating the full purchase price and expenses, if the HLC decides to exercise the
OCTOBER 2, 2018

Option.
- Further stated in the purchase agreement is to fully execute based on the Board of County Commission approval.
- The funding for the acquisition would come from the existing Historic Landmarks Commission Revolving Fund. These funds already exist and do not require either operating expenditures or capital issuance by the County.
- It would be explained to the owner that the only way to make this work would be to include the two adjacent parcels.
- At this time the Board would only be risking $4,000 in order to give the HLC a year to come up with a feasible way to preserve the property.

Comments

**Commissioner James** expressed concern for the following and asked that it be noted in the minutes:

- That the option mandates a $350,000 purchase price
- That the option did not include the adjacent parcels
- That the owner was asking way more than the appraised value of $110,000
- That the owner was asking an enormous amount for a building that was about to collapse and that the owner allowed to get in such a state of disrepair
- The option agreement, if done as outlined, was the “Carla Cunningham retirement fund”
- If a buyer wasn’t found within the 12-month period, he would be opposed to the County agreeing to purchase it at $350,000.
- To pay the amount being requested would be a “waste” of taxpayer money.
- The media’s reaction to the County paying 3 1/2 times market for a building that’s about to collapse.

Commissioner James said he was okay with spending $4,000 for the option, if the agreement did not say it would be purchased for $350,000.

**Commissioner Dunlap** asked would the Board be obligated to purchase the property at $350,000 were the Option Agreement approved. *Dr. Morrill said that would be the Board’s decision. He said it was an option.*

**Commissioner James** said he would be okay with spending the $4,000 for the Option Agreement but only if the maximum purchase amount was $110,000.

**Commissioner Leake** said she was supportive of preserving the property, but the asking price of $350,000 was too much.

Commissioner Leake addressed the significance of the building to the community.
Motion was made by Commissioner Leake but died for lack of second, to approve the Historic Landmarks Commission (HLC) Option Agreement for the Excelsior Club located at 921 Beatties Ford Road, Charlotte, NC for $350,000 with the development options as outlined and recognize and appropriate $4,000 for the 12-month Option which will be forfeited if the Option is not exercised by the HLC, and with the understanding that $350,000 would not be the desired purchase price.

Commissioner Dunlap said this was not a good deal. He suggested other possible options, such as, buying the property at the appraised value and the HLC replicate the building and do any of the development options outlined, which could be done for less than $500,000.

Commissioner Dunlap said he was supportive of preserving the building but not at the asking price. He said other possibilities should be explored to reduce that cost and make it more “palatable” for a potential buyer.

Commissioner James asked about the possibility of obtaining the property through eminent domain for $110,000.

Dr. Morrill said it was possible, but it would have to be done by the City of Charlotte, because the property was designated as a historic landmark by Charlotte City Council.

Commissioner Puckett spoke in opposition to the asking purchase price of $350,000.

Commissioner Puckett expressed concern for paying even the appraised value amount, since it would cost way more than that to renovate the building and being able to recoup that back via the sale of the property.

Commissioner Dunlap commented on the condition of building and noted the major problem was in the basement of the building.

Commissioner Ridenhour addressed the condition of the building, which he said was not good. He said the amount estimated for repair was just to upfit the shell of the building.

Commissioner Ridenhour questioned spending $4,000 for the Option, which would only put the County back in the same spot at the end of the 12-month period of trying to decide what to do.

Commissioner Leake asked were the taxes paid on the property. Staff said they thought they were but would confirm.

County Manager Diorio said if the taxes were delinquent the County could consider foreclosing on the property.
Dr. Morrill suggested the Board approve spending the $4,000 and letting the HLC give it their “best shot” and commit that if the HLC cannot assign the property, it would not come back to the Board to seek approval to purchase.

Commissioner Fuller said the Option being proposed did not have to be exercised at the end of the 12-month period. He said spending the $4,000 was just to preserve “options.”

Motion was made by Commissioner Fuller, seconded by Commissioner Leake, to approve the Historic Landmarks Commission (HLC) Option Agreement for the Excelsior Club located at 921 Beatties Ford Road, Charlotte, NC for $350,000 and recognize and appropriate $4,000 for the 12-month Option which will be forfeited if the Option is not exercised by the HLC. Further, with the understanding that the County was not obligated to do anything at the end of the 12-month period.

Substitute motion was made by Commissioner Clarke, seconded by Commissioner Puckett, to direct the HLC to go back to the owner and offer an $8,000 Option, on the condition that the owner reduce the purchase price to $130,000.

Discussion continued.

Assistant County Manager Leslie Johnson commented on lowering the purchase price to $130,000 and how that might help the HLC market the property.

Thomas Eagan with the HLC commented on his meetings with the owner. Per those meetings, it was felt the owner would not agree to anything other than what was presented by the HLC for consideration.

County Manager Diorio informed the Board that they weren’t required to take any action at this time, if they did not want to.

Commissioner Clarke withdrew his substitute motion after further discussion.

Commissioner Fuller withdrew his motion after further discussion.

Commissioner Clarke suggested that the owner be informed that the County was not prepared to take any action at this point in time and would take into further consideration of whatever comes forth. The owner should be informed also that the County was uncomfortable with the asking price.

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

Commissioner James suggested the County Manager meet with the owner and inform her that the County was not comfortable with moving forward and report back to the Board.
It was the consensus of the Board to have the County Manager speak with the owner directly and let her know the sentiment of the Board without giving any numbers.

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

________________________________________________________________________

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, October 2, 2018.

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 Tyrone C. Wade 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.

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) to be removed from Consent and voted upon separately. The items identified were: 18-4935, 18-4938, 18-4944, 18-4946, and 18-4965.

STAFF BRIEFINGS - NONE

CLOSED SESSION

18-4939 LAND ACQUISITION
18-4943 CONSULT WITH ATTORNEY

Prior to going into Closed Session, County Attorney Wade announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcels 06906621 and 20523103.

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 go into Closed Session for the following purpose(s): Land Acquisition and Consult with Attorney.

The Board went into Closed Session at 5:13 p.m. and came back into Open Session at 6:35 p.m.

Commissioner Dunlap was present when the Board came back into Open Session. He entered the meeting during Closed Session.

Commissioner Fuller was absent when the Board came back into Open Session. He left during
Closed Session and was absent until noted in the minutes. 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

18-4941 PUBLIC APPEARANCE

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

Blanche Penn, Iyanna Fleming (tenant), Jeffrey White (tenant), Apryl Lewis, and Jessica Moreno addressed unhealthy living conditions at Lake Arbor Apartments, including the presence of mold. They provided a handout of photos as examples. The following was noted: 1) that the landlord had not been responsive; 2) residents had not been invited to take part in discussions between the landlord and his attorneys regarding how to address the issue; 3) concerns had also been expressed to Charlotte City Council; and 4) legislation was needed to prevent landlords from operating in this manner.

They asked Commissioners to visit the complex to see the conditions first hand and to give whatever support they could to get this matter resolved.

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

Comments

County Manager Diorio shared an update with the Board received from the City of Charlotte regarding this matter. The following was noted:

Lake Arbor Apartments is a privately owned, 296-unit apartment complex with numerous housing code enforcement cases.

- Since the city’s involvement with Lake Arbor began several months ago, 56 housing units have been brought into compliance.
- There are 267 active, open cases being monitored by Code Enforcement.
- As of Sept. 28, Housing and Neighborhood Services has inspected all Lake Arbor units (both occupied and not occupied) and is working with the apartment complex owner to bring units into compliance.
- The property owner has committed to presenting a corrective action plan to City staff on October 9, 2018. At that time, they will be able to determine a timeline for bringing the open code cases into compliance.
- Currently all “48 hour” code enforcement violations, which are violations that must brought into compliance within 24 hours or emergency housing have been addressed.
- The second priority is to close all remaining Code Enforcement violations using a building-by-building systematic strategy to efficiently and effectively bring all units into compliance.
- The third priority is to continue addressing daily maintenance issues.
- Eleven open code cases are currently in Environmental Court, scheduled for Nov. 6.
- Eight households have been referred to housing support organization Community Link to receive Emergency Housing Relocation assistance, with seven of those households relocating to another location.
- One household refused the location assistance, citing that they want to remain at Lake Arbor.
- Most recently, on Sept. 21, Code Enforcement, 311, CMPD, Solid Waste and other Community Partners participated in a resource fair to assist the Lake Arbor Community.
- Code Enforcement, Community Relations, Legal Aid of the Southern Piedmont and other community stakeholders met with Lake Arbor residents on Aug. 25 at the Tuckaseegee Recreation Center to listen to their concerns and provide fair housing information and other resource information as well as a timeline or achieving maximum code.
A copy of the update received from the City is on file with the Clerk to the Board.

Commissioner Ridenhour asked was there anything the County could do from a public health perspective perhaps when it came to inspections by a health inspector. He said if not, perhaps that was something to be considered for a future legislative agenda item.

County Manager Diorio said she didn’t think there was any legislative authority that existed for public health inspectors to inspect residential units. She asked Public Health Director Gibbie Harris to comment.

Director Harris said the County did not have legislative authority over apartment complexes. She said the authority that existed for the County had to do with hotels. She said there was some minimal authority when there were “significant” health issues, that weren’t being addressed by the responsible party, but it was very limited.

Commissioner Ridenhour said he would like to see information on what the County could possibly do to get additional legislative authority to address these types of matters for the well-being of the public’s health.

Commissioner Clarke asked was it true that the owners of private property under state law had a lot of protections and rights of appeal. County Attorney Wade said that was correct.

Commissioner Clarke said legislators had come down on the side of property owners, more so, than on the side of code enforcement, tenants, and residents.

Commissioner Leake expressed concern for the property owner’s disengagement with the tenants. Commissioner Leake said the property owner lived out of state, but a local law firm served as their representative.

Commissioner Leake said there were other neighborhoods with unhealthy living conditions that needed addressing, as well, because of the failure of landlords to maintain their properties. She said City inspectors were aware of this.

Commissioner James said Commissioner Ridenhour’s suggestion about seeking additional legislative authority had come up in the past, including by him. Commissioner James said the County was told by the legislature that it could not have authority over apartments, which was defined as anything rented weekly or more. He said the only authority the County had was over any establishment that rented “by the night.”

Commissioner James said he brought the issue up, when there was a bed bug issue a few years ago at some of the weekly motels that were considered apartments, even though their signage said motel.

Commissioner James said the issue of trying to seek additional authority was ignored by both political parties.

Commissioner Fuller returned to the meeting.

Commissioner Cotham expressed concern for this issue and referenced past issues that were finally addressed because of more public attention. She said it was a City of Charlotte issue, but support could be given by continuing to raise the issue publicly.

Commissioner Dunlap said per the Board’s rules regarding Public Appearance, the discussion that had taken place should not have. He said the Board should be consistent, rather than, allowing public appearance discussion on the part of Commissioners, sometimes and other times not. He suggested the matter be taken to a Board committee for review.

Nancy Carter, former Charlotte City Councilmember and Melissa Patton, Executive Director of Sustainable Foothills and Carolina Land and Lake RCND, asked the Board to support a
resolution endorsing the proposed educational enhancement of the Mountain Island Education State Forest. Below is a copy of the resolution offered to the Board for consideration.

Resolution Offered to the Mecklenburg Board of County Commissioners
October 2, 2018

Whereas the health, education and wellbeing of our residents are of primary concern, the Mecklenburg Board of County Commissioners recognizes that educating children and adults to the benefits of clean water, forested land and protection of our natural resources advances all of these concerns,

Whereas Mountain Island is the water source for Mecklenburg and much of the surrounding area is protected land,

Whereas Mountain Island Educational State Forest consists of 2,000 acres leased to the North Carolina Forest Service where an environmental education center is currently funded to more than $4,000,000 by the North Carolina Legislature,

Whereas the construction so funded will open this area to visitors, facilitate public awareness of our water source, wildlife, and forest land and be managed and maintained by the North Carolina Forest Service,

Whereas partners endorsing this project include the North Carolina Department of Agriculture and Consumer Services, the North Carolina Forest Service, Gaston and Lincoln counties, Gastonia, Charlotte City Council, the Carolina Land and Lakes Resource Development and Conservation Council, the North Carolina Association of Soil and Water Conservation Districts, the North Carolina Foundation for Soil and Water Conservation and the Mecklenburg County Soil and Water Conservation District,

Therefore be it resolved that the Mecklenburg Board of County Commissioners join with partners and its residents to endorse the proposed educational enhancement of the Mountain Island Education State Forest and its opening to the public.

APPOINTMENTS

18-4950 APPOINTMENTS

PLANNING COMMISSION

Commissioner Clarke, Chair of the Board’s Ad Hoc Appointment Committee for the Planning Commission, presented the Committee’s recommendation for appointment. The other members of the committee were Commissioners Leake, Puckett, and Ridenhour.

The committee voted unanimously to recommend the appointment of Douglas Welton to fill an unexpired term expiring June 30, 2021.

The other nominees were: Manuel Betancur, Richard Black, and Claire Fallon.

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 appoint Douglas Welton to the Planning Commission to fill an unexpired term expiring June 30, 2021.

Note: He replaced Nasif Majeed.

PUBLIC HEARINGS

18-4937 BUSINESS INVESTMENT GRANT: YOKOHAMA CORPORATION OF NORTH AMERICA
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 Yokohama Corporation of North America (Yokohama).

Director of Economic Development Peter Zeiler presented this matter to the Board.

No one appeared to speak.

Note: Yokohama is a Japanese tire manufacturer currently celebrating its 100th anniversary with annual sales in excess of $5.5 billion. Yokohama products are available across all market segments such as SUVs, light vehicles and commercial trucks. Yokohama’s North American Headquarters is in Santa Ana, California and the company has major manufacturing plants in West Point, Mississippi and Salem, Virginia. Yokohama is seeking to establish a North American Technical Center to guide development and industrialization of North American and international tire products.

- The site would consist of:
  - 10,000 square feet of office
  - 15,000 square feet of lab and testing space
- Staffing lines will include:
  - Engineering and development
  - Testing and analysis
  - Clerical
- Yokohama currently has 15 staff located in Mecklenburg County that would transfer to the final location chosen by Yokohama.

Yokohama’s proposed project meets all the following Business Investment Program guidelines for a five-year grant, specifically:

- A taxable investment of $3.85 million to be completed in the next three years.
- Creation of 45 new jobs with an average wage of $86,000.
- There is competition for this project from Greenville South Carolina and Stow, Ohio.
- Expansion of an existing operation in Mecklenburg County.

The Business Investment Program grant is a 50% grant over 5 years, with an estimated total amount of up to $106,877.

The general terms and conditions of this grant include:

- A portion of the grant must be repaid if the company moves this investment from Charlotte within 5 years of the end of the grant term.
- Actual grant payments are based on the value of the investment as appraised by the Mecklenburg County Tax Office.
- All property taxes due from the company must be paid before a grant payment is made.

The Board of County Commissioners indicated their intent to approve this grant in a closed session on February 20, 2018.

In an open session meeting on September 17, 2018, the Town of Cornelius approved a Business Investment Program grant of $59,348.

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 and adopt a resolution approving a Business Investment Program grant to Yokohama for a total estimated amount of $106,877 and authorize the County Manager to negotiate and execute the contract.
WHEREAS, Yokohama Corporation of North America is seeking to establish a new operations center in Cornelius, NC; and

WHEREAS, the company evaluated sites in Greenville, South Carolina and Stow, Ohio; and

WHEREAS, this project as described by the company has been determined to meet all of the criteria for a Business Investment Program grant from the Town of Cornelius 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 February 20, 2018 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 $3.85 million and will create 45 new jobs within five years at an average annual salary of approximately $86,000. The Business Investment Program grant is a 50% grant over 5 years, with an estimated total amount of up to $106,877. The grant will be subject to the County’s standard contract provisions, including compliance requirements for the company related to the 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 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 #302.

18-4940 STREET LIGHTING FINAL ASSESSMENTS

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

A) 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 to

B) 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.

Note: Mecklenburg County participates in an assessment program to provide street lighting in order to increase safety in subdivisions. Homeowners in these subdivisions went through a rigorous petition process that qualified the subdivisions for funding in the form of a loan for the installation and operation of street lights. Homeowners are in turn assessed for these costs until the subdivisions are incorporated into the city limits. The public hearing is required by General Statutes and allows property owners in these subdivisions to comment on the street lighting assessments for operating costs paid during the fiscal year 2018.
Commissioner Dunlap asked about the process when there’s been a change in property owners, which was addressed by Dave Canaan with the Land Use and Environmental Services Agency (LUESA).

No one from the public 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 2018**

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 $2,046.65 to Duke Power Company for charges incurred for the operation of these street lights in the Capps Hollow Subdivision during the 2018 Fiscal Year plus $300 in legal and other costs for a total of $2,346.65 spent for the operation of the street lights in the Capps Hollow Subdivision during the 2018 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 2018 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 02, 2018 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 2018 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 2018 Fiscal Year which is $2,346.65.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #303.

FINAL ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
CARDINAL WOODS SUBDIVISION AND CARDINAL WOODS ESTATE
OPERATION COSTS FY 2018

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 $5,876.03 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 2018 Fiscal Year and has incurred $300 in legal and other costs for a total of $6,176.03 spent for the operation of these acorn street lighting fixtures in the Cardinal Woods Subdivision and Cardinal Woods Estate during the 2018 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 2018 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 02, 2018 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 2018 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 2018 Fiscal Year which is $6,176.03.
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 $2,471.93 to Duke Power Company for charges incurred for the operation of these street lights in the Hearthstone Subdivision during the 2018 Fiscal Year plus $300 in legal and other costs for a total of $2,771.93 spent for the operation of the street lights in the Hearthstone Subdivision during the 2018 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 2018 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 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 02, 2018 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 2018 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 2018 Fiscal Year, which is $2,771.93.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #305.
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 $3,281.17 to Duke Power Company for charges incurred for the operation of these street lights in the McGinnis Village Subdivision during the 2018 Fiscal Year plus $300 in legal and other costs for a total of $3,581.17 spent for the operation of the street lights in the McGinnis Village Subdivision during the 2018 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 2018 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 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 02, 2018 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 2018 Fiscal Year in the McGinnis Village Subdivision, and requests the Mecklenburg County Land Use & Environmental Services Agency to prepare the necessary document 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 2018 Fiscal Year which is $3,581.17.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #306.
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 $6,119.28 to Duke Power Company for charges incurred for the operation of these street lights in the Mountain Point Subdivision during the 2018 Fiscal Year plus $300 in legal and other costs for a total of $6,419.28 spent for the operation of the street lights in the Mountain Point Subdivision during the 2018 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 2018 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 02, 2018 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 2018 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 2018 Fiscal Year which is $6,419.28.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #307.

FINAL ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
MOUNTAIN POINT ESTATES SUBDIVISION
OPERATION COSTS FY 2018

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 that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of $2,100.04 to Duke Power Company for charges incurred for the operation of these street lights in the Mountain Point Estates Subdivision during the 2018 Fiscal Year plus $300 in legal and other costs for a total of $2,400.04 spent for the operation of the street lights in the Mountain Point Estates Subdivision during the 2018 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 2018 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 02, 2018 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 2018 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 2018 Fiscal Year which is $2,400.04.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #308.

FINAL ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
ROYAL OAKS SUBDIVISION
OPERATION COSTS FY 2018

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 $3,302.24 to Duke Power Company for the monthly operation costs incurred for these street lighting fixtures in the Royal Oaks Subdivision during the 2018 Fiscal Year and has incurred $300 in legal and other costs for a total of $3,602.24 spent for operation of these street lighting fixtures in the Royal Oaks Subdivision during the 2018 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 2018 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 02, 2018 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 2018 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 $3,602.24.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #309.

FINAL ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
SPICEWOOD SUBDIVISION
OPERATION COSTS FY 2018

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 $1,731.86 to Duke Power Company for charges incurred for the operation of these street lights in the Spicewood Subdivision during the 2018 Fiscal Year plus $300 in legal and other costs for a total of $2,031.86 for the operation of the street lights in the Spicewood Subdivision during the 2018 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 2018 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 02, 2018 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 2018 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 2018 Fiscal Year which is $2,031.86.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #310.

18-4945 NCDOT URBAN GRANT 5307 APPLICATION

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 NCDOT Urban Grant 5307 grant application.

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.

Note: Annually, the Mecklenburg County Department of Social Services requests a public hearing to receive comments regarding the FY20 Urban Grant. This grant provides funding for the operating and capital requirements of the Mecklenburg County Department Social Services’ Mecklenburg Transportation System (MTS) Unit of the Services for Adults Division. This grant is to provide financial assistance for the support of public transportation services in urbanized areas. This includes planning activities, administrative needs, purchase of capital equipment or facilities to assist in the provision of transit services in urban areas of Mecklenburg County. The Charlotte Area Transit System is the designated recipient of Section 5307 funds in the Charlotte Regional Transportation Planning Organization (CRPTO). A formula was developed to share the funding with all eligible transit operators in the CRPTO. The North Carolina Department of Transportation’s Public Assistance Division (NCDOT PTD) will be the direct recipient for the transit operators in NC which includes MTS.
Director of Social Services Peggy Eagan addressed the matter.

No one from the public 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 approve submission of the North Carolina Department of Transportation’s 5307 Urban Transportation Grant for Fiscal Year 2019-2020 by adopting the Public Transportation Program Resolution FY 2020 Resolution.

PUBLIC TRANSPORTATION PROGRAM RESOLUTION

FY 2020 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 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 Ordinance/Minute Book 47-A, Document #311.

18-4947 TEFRA HEARING – TRINITY EPISCOPAL SCHOOL

1761
The Chairman held the public hearing described below and introduced the following resolution, a copy of which had been provided to each Commissioner and which was read by its title:

RESOLUTION APPROVING THE ISSUANCE OF NOT TO EXCEED $2,500,000 OF THE PUBLIC FINANCE AUTHORITY EDUCATION FACILITIES REVENUE BONDS (TRINITY EPISCOPAL SCHOOL), SERIES 2018

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 open the public hearing.

WHEREAS, at 6:00 P.M. or as soon thereafter as the agenda allowed, 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 unit of government and a body corporate and politic of the State of Wisconsin, of not exceeding $2,500,000 of its Education Facilities Revenue Bonds (Trinity Episcopal School), Series 2018 (the “Bonds”);

WHEREAS, the Authority will loan the proceeds of the Bonds to Trinity Episcopal School, a North Carolina nonprofit corporation (the “Borrower”) and the Borrower will use the proceeds of the loan from the Authority for the purpose of financing the costs of acquiring, constructing, equipping and improving and operating, as applicable, land and buildings used or to be used by the Corporation as school facilities located and to be located at 750 East 9th Street, Charlotte, North Carolina (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 the project is located (the “Project Jurisdiction”);

WHEREAS, the Borrower has requested that the Board approve the financing of the Project and the issuance of the Bonds 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 18, 2018, a notice of public hearing has been published in The Charlotte Observer, setting forth a general, functional description of the type and use of the facilities to be financed, the maximum 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: None.

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

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

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 Internal Revenue Code of 1986, as amended (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;
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF MECKLENBURG, NORTH CAROLINA:

Section 1. For the sole 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 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, 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.

Motion was made by Commissioner Puckett, seconded by Commissioner James, to adopt RESOLUTION APPROVING THE ISSUANCE OF NOT TO EXCEED $2,500,000 OF THE PUBLIC FINANCE AUTHORITY EDUCATION FACILITIES REVENUE BONDS (TRINITY EPISCOPAL SCHOOL), SERIES 2018, 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 recorded in full in Ordinance/Minute Book 47-A, Document #312.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

18-4970 REVISED MECKLENBURG COUNTY DEBT POLICY

Finance Director Sarah Lyberg addressed a revised County Debt Policy.

Note: The Mecklenburg County Debt Policy was last updated in 2014. Since then, there have been new tax laws, economic shifts, and updates to debt policy best practices. Staff presented a revised Mecklenburg County Debt Policy to the Board of Commissioners at the September 25, 2018 Budget/Public Policy Meeting. Based on BOCC feedback from that meeting, a final Revised Mecklenburg County Debt Policy was presented for approval.

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

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

Motion was made by Commissioner James, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to approve the revised Mecklenburg County Debt Policy to remain aligned with Best practices.
Table of Contents
Introduction .................................................................................................................................................. 1
Long-Term Debt Instruments .................................................................................................................... 2
Short-Term Debt Instruments .................................................................................................................... 3
Internal Financing ...................................................................................................................................... 3
Other Financing Options ........................................................................................................................... 4
County Debt Policy .................................................................................................................................... 4
Purposes for Debt Issuance ......................................................................................................................... 5
Debt Structure ........................................................................................................................................... 5
Debt Ratios .................................................................................................................................................. 5
Debt Management Policies ....................................................................................................................... 6
Refinancing of Outstanding Debt ............................................................................................................... 7
Credit Enhancement ..................................................................................................................................... 8
Administration and Implementation .......................................................................................................... 8
Capital Planning and Debt Determination .................................................................................................. 8
Debt Service Fund ...................................................................................................................................... 9
Pay-As-You-Go Funding ............................................................................................................................. 9
Issuance of Debt ......................................................................................................................................... 9
Legality ....................................................................................................................................................... 10
Interest Rate Exchange Agreements ......................................................................................................... 10
Continuing Disclosure and Relationships with Other Interested Parties ................................................... 10
Investment of Bond Proceeds .................................................................................................................... 11
Arbitrage Rebate Reporting ....................................................................................................................... 11
Attachment I: Interest Rate Exchange Agreement Policy ............................................................................ 12

Introduction
The Debt Policy guides the issuance and repayment of debt in support of effective and efficient financial management. A debt policy establishes the parameters for issuing and managing debt. It also provides guidelines regarding the timing and purposes for which debt may be issued, the types of permissible debt, and the methods of sale that may be used.

The Debt Policy is used in conjunction with the County’s operating and capital budgets, Capital Improvement Program (CIP), and other financial policies. The Debt Policy:

- Enhances the quality of decisions;
- Documents the decision-making process;
- Identifies objectives for staff to implement;
- Demonstrates a commitment to long-term financial planning objectives; and
- Factors positively in private sector credit rating agencies’ review of the County’s credit policy.

The Debt Policy below reflects private sector credit rating agency guidance and criteria for highly-rated jurisdictions, the Local Government Commission (LGC) and best practices as outlined by the Government Finance Officers Association.

Long-Term Debt Instruments

General Obligation Bonds: General obligation (“GO”) bonds are secured by a promise to levy taxes in an amount necessary to pay debt service—principal and interest due each fiscal year. General obligation bonds are backed by the full faith and credit of the County. These bonds are either authorized by a referendum, or through a non-voted (two-third’s) authorization by the governing body. The authority for non-voted authorization allows governments to issue up to two-thirds of the previous year’s net debt reduction without a referendum.

Revenue Bonds: Revenue bonds are repaid from pledged revenues generated by debt-financed asset, or by the operating system of which that asset is a part.

Special Obligation Bonds: Special obligation bonds are bonds that are payable from the pledge of revenues other than locally-levied taxes. Examples include beer and wine tax or enterprise revenues.

Installment Financing/Limited Obligation Bonds (LOB): These are alternative financing methods that do not require voter approval.

Installment financing can take several forms. An Installment Purchase Contract is an agreement in which equipment or property is acquired, and repaid over a period, with or without interest. This type of structure can be used to finance a wide-range of capital projects and equipment purchases.

Limited obligation bonds or certificates of participation are bonds that are issued to finance a project or asset. Revenues resulting from the operation or lease of the project are pledged to repay the debt.

Short-Term Debt Instruments

Generally, a government issues long-term debt based on when the bond proceeds are needed to begin construction on capital projects. However, other borrowing instruments may be more efficient and cost effective under specific circumstances. The County may consider short-term financing options, such as those outlined below, where such financing provides an efficient and effective means of financing. The County may consider other short-term or variable rate borrowing structures not listed below, including but not limited to, floating rate notes.
and variable rate demand bonds. The County will evaluate such options taking into account the projects being financed, the expected timing of cashflows and funding needs, the County's overall financial position, and current market conditions, among other factors.

**Bond Anticipation Notes:** Bond anticipation notes are short-term obligations issued in advance of a larger, future bond issue. In certain circumstances, it may be appropriate for the County to issue short-term obligations to provide interim or bridge financing for a project with the intention of refinancing the notes with long-term debt or retiring the notes with other funds.

**Commercial Paper:** Commercial Paper ("CP") is a short-term obligation with maturities ranging from 1 to 270 days. The County may consider utilizing CP as interim financing during the design and/or construction period to take advantage of typically lower interest rates at the short-term end of the yield curve. Once a capital project is completed, the County may recommend refunding CP with debt instruments.

**Draw-Down Facility:** A draw-down facility is a loan placed with a bank with a stated maximum balance and term, similar to a line of credit. As the County spends money on a capital project, the County would "draw" funds on the facility increasing the outstanding loan balance. The County would pay interest primarily on the "drawn" balance of the loan—not the maximum balance. This type of facility can be used to minimize initial interest costs prior to the project being completed.

**Internal Financing**

Another financing option the County may consider is internal financing, which is the use of internal sources (Pay-as-you-go "PAYGO") to finance capital improvement projects or other purchases in place of third-party financing, such as pay as you go ("PAYGO"). The County will evaluate the use of internal financing where it offers economic and/or administrative efficiencies. Any internal financing structured as debt, such as a loan to the Solid Waste Enterprise Fund, will be repaid in full with interest and may not be forgiven except with the written authorization of the Director of Finance and the County Manager. All loans will be required to pay a rate of interest, which will be established by the Director of Finance and the County Manager at the time of execution.

**Other Financing Options**

The list above is not an exhaustive list of options available to the County. The County will evaluate other financing options, their legality under state statutes, and whether use of any such instrument would result in improved financing results for the County.

**County Debt Policy**

- Debt shall not be used to finance ongoing operational expenses.
- Any debt issued shall not have a maturity date beyond the useful life of the asset being acquired or constructed by the debt proceeds.
- The County shall establish an affordable debt level to preserve credit quality and ensure sufficient revenue is available to pay annual debt service. This will be balanced against the County's need to maintain its infrastructure and manage growth.
- The County will use appropriate debt instruments to provide funding for capital assets at the lowest cost with minimal risk. The County will monitor its debt positions to maintain the lowest effective cost.
- The County will, at all times, manage its debt and sustain its strong financial position, including healthy reserves, to seek and maintain the highest credit rating possible.
- The County will maintain a Debt Service Fund to provide dedicated funding and management of general debt issuances and expenditures.
- The County shall utilize pay-as-you-go and other alternative sources of funding for capital projects to minimize debt levels. To have an effective pay-as-you-go program, at least one funding source must be identified that is consistent, reliable, and large enough to provide for capital needs in an amount that reduces dependency on debt.

**Purposes for Debt Issuance**

The County may issue debt to acquire or construct capital assets including land, buildings, machinery, equipment, technology, furniture, fixtures and any other eligible expenses specifically indicated in the Capital Improvement Policy. When feasible, debt issuance will be pooled together to minimize issuance expense. The County will prepare and adopt a Capital Improvement Program (CIP) to identify and establish an orderly plan to meet the County's infrastructure needs. The CIP will also identify all financing sources and the related debt service impact.

**Debt Structure**

Debt will be paid off in a timeframe that is less than or meets the useful life of the asset or project acquired through the financing. The life of the debt, interest mode, and principal maturity schedule make up the structure of the debt. This debt could be general obligation, revenue or special obligation bonds or limited obligation bonds or short-term instruments, or installment financing.

The County may consider various financing techniques, including fixed or variable interest rate debt, and interest rate swap agreements or derivatives to minimize costs and risk over the life of the issue. The County will review any such proposed structure with its financial advisors and legal counsel to determine if the use of any swap or derivative is appropriate and warranted given the potential benefits, costs, risks, and objectives. The County will evaluate the use of swaps or derivatives based on market conditions. The County will limit the issuance of variable rate debt to help maintain the County's "AAA" credit ratings. The County's long-term variable rate debt ratio limit is 15% of total outstanding debt. The County shall not pursue swaps, derivatives, variable rate debt, or other structures for speculation.

**Debt Ratios**

The County shall abide by the following debt ratios:

- **Direct Debt as a Percentage of Assessed Valuation**
  This ratio measures direct debt levels, debt issued by Mecklenburg County, against the property tax base which generates the tax revenues that are the main source of debt repayment. The ceiling for this ratio is 1.75%.

- **Direct Debt per Capita**
  This ratio measures the burden of direct debt placed on the population supporting the debt. This measure will not exceed $2,000.

- **General Debt Service as a percentage of Operational Expenditures**
This ratio reflects the County’s budgetary flexibility to adapt spending levels and respond to economic condition changes. This ratio is targeted at a level of 17%.

- **Ten-year Payout Ratio**
  This ratio reflects the amortization of the County’s outstanding debt. A faster payout is considered to be a positive credit attribute. The County will maintain a floor for its ten-year payout of 64.0%.

In addition, the County will monitor the following debt ratios, which are impacted by external partners and economic trends.

- **Overall Debt as a Percentage of Assessed Valuation**
  This ratio measures debt levels against the property tax base which generates the tax revenues that are the main source of debt repayment. The county will manage within a ceiling of 4.0% for this ratio.

- **Overall Debt per Capita**
  This ratio measures the burden of debt placed on the size of the population supporting the debt and includes debt issued by municipalities within the County. It is widely used by rating analysts as a measure of an issuers’ ability to repay debt. This measure will not exceed $4,000.

These ratios will be calculated and reported each year in conjunction with the capital budget process, the annual financial audit and as needed for fiscal analysis. The county will also manage debt within parameters of related financial policies, including the General Fund Balance Policy.

### Debt Management Policies

a. The County will issue debt only for purposes of constructing or acquiring capital assets and for making major renovations to existing capital assets.

b. The County shall not construct or acquire a public facility if it is unable to adequately provide for the subsequent annual operation and maintenance costs of the facility.

c. The County will ensure that adequate systems of internal controls exist, to provide reasonable assurance as to compliance with applicable laws, regulations, and covenants associated with outstanding debt.

d. The County will limit the use of Installment Financings, such as LOBs, to circumstances that require immediate action, or where there is a potential for significant benefit to the county.

e. The County will manage debt issuance to comply with the adopted debt limits and other financial policies and will evaluate such limits at least every five years.

f. The County will attempt to structure debt in the best and most appropriate manner, consistent with the financial policies of the County.

g. The County will monitor its outstanding debt in relation to existing conditions in the debt market and will refund any outstanding debt when sufficient cost savings can be realized or evaluate the use of interest rate swap agreements to achieve cost savings.

h. The County will utilize the Debt Service Fund to manage debt issuances and to make debt service and capital expenditures more budget neutral and intentional.

i. To reduce the impact of capital programs on future years, the County will fund a portion of its CIP on a pay-as-you-go basis by:
   - Appropriating a minimum amount of the property tax rate for capital projects, e.g., three cents or a proportional amount following revaluation of assessed property values;
   - Appropriating proceeds from all county land sales for capital projects.

Pay-as-you-go funding will save money by eliminating interest expense on the funded projects. Pay-as-you-go capital appropriations improve financial flexibility in the event of sudden revenue shortfalls or emergency spending.

### Refinancing of Outstanding Debt

The County in conjunction with its Financial Advisor will monitor the municipal bond market for opportunities to obtain interest savings by refunding outstanding debt. Current refundings of existing fixed rate debt will generally be considered when net present value savings meet or exceed 3% of the refunded par amount.

Additionally, the County may consider refinancing existing debt for reasons other than to achieve interest savings, including but not limited to mitigating risks associated with the County’s debt portfolio.

Taxable advance refundings, synthetic refinancing opportunities, and other alternative structures will be evaluated on a case-by-case basis and must be determined to be in the best interest of the County by the Director of Finance and the County Manager.

The County will attempt to coordinate refunding transactions with the issuance of new debt to leverage combined issuance costs and create administrative efficiencies.
Credit Enhancement

Credit enhancements (letters of credit, liquidity providers, bond insurance, etc.) may be used to improve the overall cost of funds on a debt financing, mitigate potential risks to the County, or for other reasons deemed appropriate by the Finance Director and the County Manager. The County’s Financial Advisor will provide an analysis establishing the additional value any credit enhancement.

Administration and Implementation

The County Manager and the Director of Finance are responsible for the administration and issuance of debt including the completion of specific tasks and responsibilities included in this policy. The County will evaluate the debt policy at least every five years.

Capital Planning and Debt Determination

The Mecklenburg County Capital Improvement Program (CIP) comprises the financing, acquisition, development, and implementation of improvement projects for the County’s fixed assets. The CIP is a comprehensive five-year plan for land acquisition, and the development, modernization, or replacement of county-owned facilities, infrastructure, and equipment.

The Citizens Capital Budget Advisory Committee (CCBAC) is appointed by the Board of County Commissioners (BOCC) to review and make recommendations regarding proposed capital projects.

The County Manager and Director of Finance review, evaluate, and recommend capital projects for all functional areas through the CIP process. The BOCC adopts capital project ordinances to authorize projects in the CIP, and any amendments for capital plan updates. The BOCC also approves the capital budget to provide funding through the budget process. Available pay-as-you-go funding and debt issuance is allocated to fund the CIP, consistent with the Debt policy.

Where appropriate and consistent with the Debt Policy, the County will utilize the non-voted (two-thirds) bond authorization for bonds to fund projects, such as government facilities.

The County may use a combination of bonds and installment financings to finance capital assets. Installment financings do not require voter approval but do require collateral as security.

Any capital item that has not been included in the CIP or capital budget process, but because of its critical or emergency nature, or is mandated immediately by either State or Federal requirements, will be considered for financing by installment purchase contract.

Debt Service Fund

The Debt Service Fund is established to provide separate dedicated funding for debt service management. The Debt Service Fund will be used to facilitate the payment of principal and interest for the County’s general debt service and assist in the continued compliance with adopted debt policies. Annually, the County will appropriate to the Debt Service Fund a set tax rate through the annual budget process but be no lower than a minimum of nineteen cents of the property tax rate, or proportional amount as adjusted for revaluation of assessed property values. Funds appropriated can only be utilized for debt service or pay-as-you-go capital in the current or subsequent fiscal years. Accumulated fund balance should be limited to two years’ non-property tax revenue. After the fund balance goal has been reached in the Debt Service Fund, a portion of the funds appropriated to the Debt Service Fund may be reallocated for use in pay-as-you-go capital funding.

Pay-As-You-Go Funding

To reduce the impact of capital programs on future years, the County will fund a portion of its approved CIP on a pay-as-you-go basis, by annually appropriating three cents of the property tax rate, or proportional amount as adjusted for revaluation of assessed property tax values. In addition, proceeds from all County land sales will be appropriated for approved CIP projects. These revenue sources will allow additional funding for CIP projects, and reduce the County’s dependence on borrowing.

Issuance of Debt

The scheduling and amount of bond sales and installment purchase transactions will be recommended by the Director of Finance and the County Manager. The BOCC must approve the sale. These decisions will be based upon the identified cash flow requirements for each project to be financed, market conditions, and other relevant factors including the debt ratios.

If the cash requirements for capital projects are minimal in any given year, the County may choose not to issue debt. Instead, the County may fund up-front project costs and reimburse these costs when financing is arranged. In these circumstances, the County will take steps required to reimburse itself in accordance with IRS guidelines.

Debt service for each issue will be structured with a goal to level out the County’s total debt service payments over the life of the debt portfolio and minimize the interest payments over the life of the issue. Structuring must take into consideration current market conditions and practices in the municipal finance market.

Method of Sale: There are four primary methods of issuing debt obligations: competitive sale, negotiated sale, private placement and bank loan. In a competitive sale, underwriters submit sealed bids and the underwriter or underwriting syndicate with the most favorable bid (as defined in the Notice of Sale), is awarded the bonds. In a negotiated sale, the underwriter or underwriting syndicate is selected by the County. The interest rates and underwriter’s discount are negotiated, and the bonds are sold to investors during an order period. In a private placement, the County hires a placement agent to place a debt obligation with a specific investor or group of investors. A bank loan is a debt obligation sold directly to a bank or group of banks.
Generally, new fixed rate general obligation bond sales are required to be conducted on a competitive basis by the Local Government Commission (LGC), a division of the Office of the State Treasurer. Refunding Bonds and all other types of securities can be sold using a method of sale selected by the County. Variable rate bonds, revenue and special obligation bonds and Installment Financings will be sold on a negotiated basis with the underwriter selection determined through a competitive process. Underwriter(s) will be selected for each issue based on the experience and expertise necessary for that issue.

Legality

The County must receive an opinion acceptable to the market from a nationally recognized law firm that each financing transaction complies with applicable law and all agreements in connection with any financing are legal, valid and binding obligations of the County.

Interest Rate Exchange Agreements

Interest Rate Exchange Agreement shall mean a written contract entered into in connection with the issuance of County debt or in connection with County debt already outstanding with a counterparty to provide for an exchange of payments based upon fixed and/or variable interest rates. The County will govern the use of Interest Rate Exchange Agreements by the policy described in Attachment I to this debt management policy.

Continuing Disclosure and Relationships with Other Interested Parties

The County is committed to full and complete primary and secondary financial disclosure to interested parties including state and national regulators as well as those in the underwriting market, institutional investors, rating agencies and other market participants to enhance the marketability of the County’s bonds. It will provide on-going disclosure information to established national information repositories and maintain compliance with disclosure standards promulgated by state and national regulatory...
agencies. The County will maintain good communications with investors and bond rating agencies to inform them about the County’s financial position making the County’s Comprehensive Annual Financial Report (CAFR), operating and capital improvements Budget and other required documents easily accessible.

Investment of Bond Proceeds

The County will invest its bond proceeds in compliance with North Carolina statutes, any restrictions within the related bond documents, and in compliance with the County’s investment policy. Additionally, the County will invest the proceeds of any tax-exempt bond issue in compliance with IRS or other federal rules and regulations.

Arbitrage Rebate Reporting

The County will comply with all arbitrage rebate requirements as established by the Internal Revenue Service and all disclosure requirements established by the Securities and Exchange Commission. This effort includes tracking investment earnings on bond proceeds, calculating rebate payments in compliance with the tax law and remitting rebatable earnings to the federal government in a timely manner in order to preserve the tax exempt status of the County’s outstanding debt issues.

Amended by the Board of County Commissioners, February 15, 2003 Amended by the Board of County Commissioners, April 15, 2003 Amended by the Board of County Commissioners, September 3, 2003 Amended by the Board of County Commissioners, November 5, 2008 Amended by the Board of County Commissioners, June 5, 2012 Amended by the Board of County Commissioners, May 20, 2014 Amended by the Board of Commissioners,

Attachment I: Interest Rate Exchange Agreement Policy

Mecklenburg County Interest Rate Exchange Agreement Policy

This policy will govern the use by Mecklenburg County (the “County”) of Interest Rate Exchange Agreements. “Interest Rate Exchange Agreement” shall mean a written contract entered into in connection with the issuance of County debt or in connection with County debt already outstanding with a counterparty to provide for an exchange of payments based upon fixed and/or variable interest rates. The failure by the County to comply with any provision of this policy will not invalidate or impair any Interest Rate Exchange Agreement.

The Conditions Under Which Interest Rate Exchange Agreements May Be Entered Into

Purposes
Interest Rate Exchange Agreements may be used for the following purposes only to:

a. achieve significant savings as compared to a product available in the bond market if the use of derivatives helps to achieve diversification of a particular bond offering;

b. enhance investment returns within prudent risk guidelines;

c. prudently hedge risk in the context of a particular financing or the overall asset/liability management of the County;

d. incur variable rate exposure within prudent guidelines;

e. achieve more flexibility in meeting overall financial objectives than available in conventional markets; and

f. accomplish a financial objective not otherwise obtainable using traditional financing methods.

Legality
The County must receive an opinion acceptable to the market from a nationally recognized law firm that the Interest Rate Exchange Agreement is a legal, valid and binding obligation of the County and entering into the transaction complies with applicable law.

Speculation
Interest Rate Exchange Agreements shall not be used for speculative purposes. Associated risks will be prudent risks that are appropriate for the County to take.

Methods by Which Such Contracts Shall be Solicited and Procured
In general, the County should procure Interest Rate Exchange Agreements by competitive bidding. The County shall determine which parties it will allow to participate in a competitive transaction. The County has the right to accept matching bids to diversify counterparty risk or reward firms for ideas and work performed. The parameters for the bid must be disclosed in writing to all potential bidders.

Notwithstanding the above, the County may procure Interest Rate Exchange Agreements by negotiated methods when the County makes a determination that, due to the size or complexity of a given swap, a negotiated transaction would result in the most favorable pricing and terms or innovation.

To facilitate the procurement of Interest Rate Exchange Agreements, the County will engage an independent financial advisory firm to assist in the price negotiations, in the development of terms and in risk assessment. The County shall obtain an
independent opinion that the terms and conditions of the Interest Rate Exchange Agreement reflect a fair market value of such agreement as of the date of its execution.

Form and Content of Interest Rate Exchange Agreements
To the extent possible, the Interest Rate Exchange Agreements entered into by the County shall contain the terms and conditions set forth in the International Swap and Derivatives Association, Inc. ("ISDA") Master Agreement, including any schedules and confirmation. The schedule should be modified to reflect specific legal requirements and business terms desired by the County.

The County shall consider including provisions that permit the County to assign its rights and obligations under the Interest Rate Exchange Agreement and to optionally terminate the agreement at its market value at any time. In general, the counterparty shall not have the right to optionally terminate an agreement.

Events of Default
Events of default of a counterparty shall include the following:

a. failure to make payments when due;
b. material breach of representations and warranties;
c. illegality;
d. failure to comply with downgrade provisions; and/or
e. failure to comply with any other provisions of the agreement after a specified notice period.

The County will have the right to terminate the agreement upon an event of default by the counterparty. Upon such termination, the counterparty will be the “defaulting party” for purposes of calculating the termination payment owed.

Aspects of Risk Exposure Associated with Such Contracts
Before entering into an Interest Rate Exchange Agreement, the County shall evaluate all the risks inherent in the transaction. These risks to be evaluated could include:

a. counterparty risk – the risk of a payment default on a swap by an issuer’s counterparty;
b. termination risk – the risk that a swap has a negative value and the issuer owes a breakage fee if the contract has to be terminated;
c. rollover risk – the risk of a failed remarketing or auction with respect to any variable rate bonds associated with a swap; or the risk that an issuer cannot secure a cost-effective renewal of a letter or line of credit;
d. basis risk - the risk that floating rate cash flow streams may diverge from each other;
e. tax event risk – the risk that the spread between taxable and tax-exempt rates will change as a result of changes in income tax laws or other conditions; and
f. amortization risk – the risk that the amortization of the swap will not be fully integrated with the amortization of the underlying bonds.

The County shall endeavor to diversify its exposure to counterparties. To that end, before entering into a transaction, it should determine its exposure to the relevant counterparty or counterparties and determine how the proposed transaction would affect the exposure. The exposure should not be measured solely in terms of notional amount, but also how changes in interest rates would affect the County’s “Value at Risk” exposure for outstanding agreements.

Counterparty Selection Criteria
The County may enter into an Interest Rate Exchange Agreement if the counterparty has at least two long term unsecured credit ratings in the AA category from Fitch, Moody’s, or S&P, and the counterparty has demonstrated experience in successfully executing Interest Rate Exchange Agreements. If after entering into an agreement the ratings of the counterparty are downgraded below the ratings required, then the agreement shall be subject to termination unless (a) the counterparty provides either a substitute guarantor or assigns the agreement, in either case, to a party meeting the rating criteria reasonably acceptable to the County or (b) the counterparty (or guarantor) collateralizes the Interest Rate Exchange Agreement in accordance with the criteria set forth in this Policy and the Interest Rate Exchange Agreement.

Provisions for Collateralization
Should the rating of the counterparty, or if secured, the entity unconditionally guaranteeing its payment obligations not satisfy the requirements of the Counterparty

Selection Criteria, then the obligations of the counterparty shall be fully and continuously collateralized by (a) direct obligations of, or obligations the principal and interest on which are guaranteed by, the United States of America or (b) direct obligations of U.S. Agencies and such collateral shall be deposited with the County or an agent thereof. The specific collateral requirements for each Interest Rate Agreement shall be set forth in the corresponding swap documentation.

Long-Term Implications
In evaluating a transaction involving the use of Interest Rate Exchange Agreements, the County shall review long-term implications associated with entering into Interest Rate Exchange Agreements, including costs of borrowing, historical interest
rate trends, variable rate capacity, credit enhancement capacity, opportunities to refund related debt obligations and other similar considerations.

Methods to be Used to Reflect Such Contracts in the County's Financial Statements The County shall reflect the use of Interest Rate Exchange Agreements on its financial statements in accordance with generally accepted accounting principles.

Monitoring
The County shall monitor the performance of Interest Rate Exchange Agreements and may employ a financial advisor to assist in evaluating the effectiveness of its Agreements. A written report, provided at a minimum quarterly, shall include at least:

a. preparing a description of each contract, including a summary of its terms and conditions, the notional amount, rates, maturity and other provisions thereof;

b. determining any amounts which were required to be paid and received, and that the amounts were paid and received;

c. determining that each counterparty is in compliance with its rating requirements;

d. determining that each counterparty is in compliance with the downgrade provisions, if applicable (See Counterparty Selection Criteria);

e. assessing the counterparty risk, termination risk, basis risk and other risks, which shall include the marked to market value for each counterparty and relative exposure compared to other counterparties and a calculation of the County's Value at Risk for each counterparty; and

f. determining, at least quarterly, that all posted collateral, if required, has a net market value of at least the collateral in the Interest Rate Agreement.

Policy Recorded in full in Ordinance/Minute Book 47-A, Document #313.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS

Commissioner Ridenhour returned to the dais.

18-4963 RESOLUTION SUPPORTING LEGISLATION TO STUDY HOMESTEAD ACT THRESHOLDS AND NEEDS RELATED TO ALL COMMUNITIES IN NC

Commissioner Fuller presented the Board’s Intergovernmental Relations Committee, which he chairs, recommendation to adopt a resolution supporting and advocating for legislation directing a review and analysis of the NC Homestead Act.

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

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 adopt resolution titled Resolution Supporting Legislation to Study Homestead Act Thresholds and Needs Related to all Communities in NC as recommended by the Board’s Intergovernmental Relations Committee and submit it to the North Carolina Association of County Commissioners for its 2019 legislative agenda for consideration.

Note: Prior to the above vote, Commissioner Puckett suggested adding a statement asking that it also be considered to have differentiated eligibility limits to reflect local economic variances.

Commissioner Fuller said the idea was to not direct what the outcome of the study should be, but to outline the issues and ask that the matter be studied.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION SUPPORTING LEGISLATION TO STUDY HOMESTEAD ACT
THRESHOLDS AND NEEDS RELATED TO ALL COMMUNITIES IN NORTH CAROLINA

WHEREAS, the need for senior citizens to have the opportunity “to age at home” and have affordable housing is critical; and

WHEREAS, on Sept. 20, 2016, Mecklenburg County applied for the World Health Organization’s status of “Age-Friendly” by joining the AARP Network of Age-Friendly Communities; and

WHEREAS, the Center for Disease Control defines aging in place as “the ability to live in one’s own home and community safely, independently, and comfortably, regardless of age, income, or ability level”; and

WHEREAS, the increasing contributions of older adults to economic, social and cultural development is a valuable resource for our County and State; and

WHEREAS, the U.S. Census Bureau estimates that nearly 23 percent of North Carolina’s population will be 60 and older by the year 2030, an increase of more than 26 percent from 2012; and

WHEREAS, in 2017 the median income for the elderly in the United States was 40.9% less than individuals below 65 years of age; and

WHEREAS, the largest numbers of homeless individuals in North Carolina live in the urban centers with the highest rates of homelessness occurring in the western more rural counties; and

WHEREAS, North Carolina allows a low-income homestead tax exemption in the amount of either $25,000, or 50% of the appraised home value (whichever is greater) for qualifying individuals that are at least 65 years of age or totally and permanently disabled; and

WHEREAS, the qualifying Annual Income Eligibility Limit is set every year by the NC Department of Revenue. The limit for 2017 was $29,600 for income received from all sources during the calendar year 2016; and

WHEREAS, there are counties in North Carolina with higher costs of living where the median income for individuals 65 and older is above the threshold but is still an amount that makes paying property taxes burdensome thereby decreasing opportunities for senior citizens to qualify for the exemption and denying them the opportunity to age in place by staying in their homes and communities; and

WHEREAS, legislation directing a thorough review and analysis of the Homestead Act to include state officials and local government officials, would support efforts to alleviate homelessness and support the growing population of older adults in North Carolina:

NOW therefore be it

RESOLVED, that the Mecklenburg Board of County Commissioners supports and advocates for legislation directing a review and analysis of the North Carolina Homestead Act that includes state and local government officials to assess the needs of all counties in North Carolina.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #314.

COUNTY COMMISSIONERS REPORTS & REQUESTS

18-4962 BROADCAST OF MEETINGS ON FACEBOOK (COMMISSIONER RIDENHOUR)

Commissioner Ridenhour asked the Board to consider livestreaming/broadcasting all meetings of the Board on Facebook to further enhance the County’s current social media efforts to provide information to the public in as many ways as possible.
Motion was made by Commissioner Ridenhour, seconded by Commissioner Puckett, to direct staff to begin livestreaming/broadcasting all meetings of the Board on Facebook.

County Manager Diorio asked that staff be allowed time to report back on this matter. She asked Nicole Nolen from Public Information to comment on this, which she did.

Commissioner James said it may require a different type of platform based on the types of meetings held by the Board.

Substitute 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 table consideration of livestreaming/broadcasting all meetings of the Board on Facebook until the next meeting, which would give staff time study the request and report back.

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):

18-4929 LAND ACQUISITION – SOUTH PRONG CLARKE CREEK GREENWAY

Authorize the County Manager to negotiate and execute all documents necessary for the donation of a portion of Tax Parcel 021-211-01 (±1.38 acres) from The Hills Bowman, LLC.

Note: The subject property is being donated to the County as part of the land transaction related to a proposed single-family neighborhood development in Huntersville. Acquisition of this property is consistent with the County’s Greenway Master Plan. South Prong Clarke Creek Greenway is a planned greenway in Huntersville on the County’s Greenway Master Plan that is anticipated to extend from Clarke Creek near the Skybrook neighborhood to Huntersville-Concord Road at build-out and will be approximately 3 miles long. The trail will connect residential neighborhoods to David B. Waymer Aeromodeller Park, as well as, to Clarke Creek Greenway which will eventually terminate at the Cabarrus County line.

18-4942 MINUTES ITEM REMOVED

18-4948 TAX REFUND

1. Approve refunds in the amount of $8,203.23 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 $8,929.06 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 $8.23.

A list of the taxpayer recipients is on file with the Clerk to the Board.
18-4957  SET PUBLIC HEARING ON AMENDMENTS TO THE MECKLENBURG COUNTY FLOODPLAIN REGULATIONS

Set a public hearing to be held at the October 16, 2018 Board meeting to receive comments on proposed revisions to the Mecklenburg County Floodplain Regulations with the intent to adopt the proposed revisions following the public hearing.

Note: The Federal Emergency Management Agency (FEMA) has completed revisions to the Flood Insurance Rate Maps (FIRMs) for a portion of Mecklenburg County. The FIRMs show property most susceptible to flooding, and are used by staff to regulate development, and by FEMA and homeowners for flood insurance purposes. The revised FIRMs become effective on November 16, 2018. This date is mandated by FEMA and all jurisdictions impacted by the new maps (Mecklenburg, Charlotte, Cornelius, Huntersville, Davidson, and Mint Hill) must amend their floodplain ordinance to include this date prior to November 16, 2018. This action is required in order for Mecklenburg County to remain a participating community in the National Flood Insurance Program (NFIP). Participation in NFIP makes federally-backed flood insurance available to property owners within Mecklenburg County. The State of North Carolina issued a new Model Floodplain Ordinance Template in 2017 for use by communities that included several required changes and some recommended changes. County staff evaluated the changes and (at the recommendation of the Storm Water Advisory Committee, SWAC) formed a stakeholders group to review the updated ordinance proposed by staff. Staff updated the Floodplain Ordinance (using the City of Charlotte ordinance as an example) and on June 29, 2018, the Stakeholders unanimously endorsed the proposed changes to the ordinance. On July 19, 2018, SWAC unanimously endorsed the updated ordinance and on July 20, 2018, the State floodplain agency (North Carolina Department of Public Safety, NCDPS) reviewed the updated floodplain ordinance and deemed it compliant with the NFIP requirements. County staff also proposed some changes to bring the County’s ordinance up-to-date with Floodplain Ordinances for the City and Towns. The County Attorney has reviewed and approved the proposed Mecklenburg County Floodplain Regulations. The Mecklenburg County Floodplain Regulations apply to only approximately one square mile of land within unincorporated Mecklenburg County that lies outside of the planning jurisdictions (and associated floodplain regulations) of the City of Charlotte and the six towns. Floodplains make up less than 50 acres of the land regulated by the Mecklenburg County Floodplain Regulations.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

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

18-4935  CHARLOTTE-MECKLENBURG BOARD OF EDUCATION FY2018-2019 BUDGET

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

Note: The Board of Education was requested approval of changes in the CMS allocation of the County appropriation by purpose and function of the amount included in the FY2019 Adopted Budget Ordinance approved by the Board of County Commissioners (BOCC) on June 19, 2018. As part of the adopted FY2019 County budget, the BOCC approved a total operating funding level of $459,864,612 for CMS. The BOCC is required to approve any reallocation of funds submitted by the Board of Education (BOE) that exceeds ten percent within the purpose/function code categories of the approved County appropriation. 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). Also, as a follow up to the June 12 public policy workshop, CMS adopted budget includes a 3% pay increase for all non-certified staff including teacher assistants, custodians, child nutrition, maintenance, trades, and central office staff as initially planned in the proposed budget.

Commissioner Fuller removed this item from Consent for more public awareness and for clarity.

It was noted by some Commissioners, a desire to meet with the Board of Education in advance of budget season. Commissioner Dunlap said he thought a meeting would even take place before the Board of Education started spending bond dollars. He said he had questions regarding some of the projects.

County Manager Diorio said she wasn’t aware of the desire to meet regarding the spending of CMS bond dollars.

Commissioner Dunlap said he would follow up with staff regarding his questions.

18-4938  BUDGET AMENDMENT – SHERIFF’S OFFICE (REVENUE INCREASE)

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 recognize, receive and appropriate $1,333.04 from Meridian Management Corporation.

Note: Meridian Management Corporation is reimbursing the Sheriff’s Office for damages sustained while attempting to fix a leak in the Courts. The wrong water line was cut, resulting in water damage to computer equipment. Funds received will be used to replace the damaged equipment.

Commissioner Leake removed this item from Consent for more public awareness. Commissioner Leake also requested information on the number of computers damaged.

18-4944  BUDGET AMENDMENT – HEALTH DEPARTMENT (REVENUE INCREASE)

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 recognize, receive, and appropriate an increase in Federal revenue of $13,440;

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 increase of $13,440 to federal revenue is in the WIC Client Services program. The increase of $3,603 to state revenue is in the Campus Safe Spaces programs.

Recognize, receive, and appropriate an increase in state revenue of $3,603 to reflect actual state and federal funding modifications and an increase in federal revenue of $100,000.

Note: The primary goal of the PrEP Project is to work with HIV prevention partners of the Communicable Disease Branch, community-based organizations, local health departments and health care providers in order to provide PrEP services for eligible persons at high risk for HIV with a focus on men who have sex with men (MSM) particularly young African
American MSM. The North Carolina Division of Public Health (DPH) has awarded the Health Department $100,000 in funding to support this project to improve access to PrEP for eligible persons at high risk for HIV.

Commissioners Leake and Fuller removed this item from Consent for more public awareness and clarity. Public Health Director Gibbie Harris addressed this item.

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

### 18-4946 DUKE ENERGY LIGHTING SERVICE CONTRACT – CORDELLA PARK INDOOR SHELTER

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve a 10-year contract with Duke Energy at $83.70 per month to provide path lighting along the sidewalk associated with the newly constructed indoor shelter at Cordelia Park.

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

### 18-4965 ALCOHOLIC BEVERAGE CONTROL (ABC) BOARD CEO SALARY APPROVAL

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the salary for the Alcoholic Beverage Control Board CEO, Jason Hughes, as requested and approved by the ABC board, in the amount of $185,203.00 effective July 1, 2018.

**Note:** State Statute requires the approval by the board of county commissioners as the appointing authority for the Mecklenburg County ABC Board. Article 7. Local ABC Boards. § 18B-700. Appointment and organization of local ABC boards. Subsection: (g1) Compensation of General Managers of Local Boards. The salary authorized for the general manager, as defined in G.S. 18B-101, of a local board shall not exceed the salary authorized by the General Assembly for the clerk of superior court of the county in which the appointing authority was originally incorporated unless such compensation is otherwise approved by the appointing authority. The local board shall provide the appointing authority’s written confirmation of such approval to the Commission. Any change in compensation approved by the appointing authority shall be reported to the Commission in writing within 30 days of the effective date of the change. The general manager of a local board may receive any other benefits to which all employees of the local board are entitled. The salary authorized for other employees of a local board may not exceed that of the general manager.

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

### ADJOURNMENT

Motion was made by Commissioner Dunlap, seconded by Commissioner Pucket and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:38 p.m.
October 16, 2018

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, October 16, 2018.

ATTENDANCE

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

Absent: Commissioner Trevor M. Fuller

- INFORMAL SESSION -

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

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) to be removed from Consent and voted upon separately. The items identified were Items 18-4932, 18-4960, 18-4971, 18-4972, 18-4973, 18-4980, 18-4984, and 18-4989.

STAFF BRIEFINGS - NONE

CLOSED SESSION

18-4976  CONSULT WITH ATTORNEY
18-4988  LAND ACQUISITION

Prior to going into Closed Session County Attorney Wade announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcel(s): Tax Parcel 221-091-01; 221-032-20; 221-091-02; 221-101-68; 221-103-93; 009-051-11; 009-051-10; 009-051-12; 009-051-13; 009-051-14; 009-051-15; 009-041-06;009-051-16; 009-051-09; 123-062-17; 123-062-05; 123-062-06; and 123-062-17.

Motion was made by Commissioner Dunlap, seconded by Commissioner James and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, James, Leake, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose(s): Consult with Attorney and Land Acquisition.
The Board went into Closed Session at 5:13 p.m. and came back into Open Session at 6:25 p.m.

Commissioner Puckett was present when the Board came back into Open Session. He entered the meeting during Closed Session.

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to move the following items from Consent to Awards/Recognition: 18-4949 Proclamation-ASC 60th Anniversary-National Arts and Humanities Month October 2018, 18-4971 Proclamation-Red Ribbon Week 2018, and 18-4972 Joint Proclamation-Domestic Violence Awareness Month October 2018.

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

18-4949 PROCLAMATION – ASC 60TH ANNIVERSARY – NATIONAL ARTS AND HUMANITIES MONTH OCTOBER 2018 (CHAIR SCARBOROUGH)

Motion was made by Commissioner Ridenhour, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt a proclamation declaring October 2018 as National Arts and Humanities Month in Mecklenburg County.

The proclamation was read by Commissioners Cotham and Ridenhour and received by Robert Bush and Felicia McDowell with the Arts and Science Council. A handout was provided regarding Arts and Science Council (ASC) activities.

A copy of the handout is on file with the Clerk to the Board.
October 16, 2018

18-4971  PROCLAMATION – RED RIBBON WEEK 2018

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt a Proclamation declaring October 23 - 31, 2018 as Red Ribbon Week in Mecklenburg County.

Note: The Red Ribbon Campaign was established by Congress in 1988 to encourage a drug-free lifestyle and involvement in drug prevention and reduction efforts.

The proclamation was read by Commissioner Puckett.
Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt a Joint Proclamation declaring October 2018 as Domestic Violence Awareness Month in Mecklenburg County and the City of Charlotte.

Note: Domestic violence is a serious crime that affects people of all races, ages, gender, and income levels. Domestic Violence Awareness Month is an opportunity for citizens to learn about preventing domestic violence.

The proclamation was read by Commissioner Puckett and received by Neil Bloomfield, Chair of Domestic Violence Advisory Board.

PROCLAMATION
City of Charlotte/Mecklenburg County

WHEREAS, domestic violence is a serious crime that affects people of all races, ages, gender, and income levels; and

WHEREAS, domestic violence is widespread and affects over four million Americans each year; and
WHEREAS, one in four women and one in seven men will be victims of severe physical violence by an intimate partner in their lifetime; and

WHEREAS, children that grow up in violent homes are believed to be abused and neglected at a rate higher than the national average; and

WHEREAS, domestic violence costs the nation billions of dollars annually in medical expenses, police, court costs, shelters, foster care, sick leave, absenteeism, and non-productivity; and

WHEREAS, only a coordinated effort can hope to slow this epidemic in our community and bring relief to its victims; and

WHEREAS, a domestic violence awareness month would provide an excellent opportunity for citizens to learn about preventing domestic violence, to show support for the numerous organizations and individuals who provide critical advocacy, services, and assistance to victims, and to help raise awareness of these services in an effort to extend a life line to survivors:

NOW, THEREFORE, WE, Vi Alexander Lyles, Mayor of Charlotte, and Ella B. Scarborough, Chair of the Mecklenburg Board of County Commissioners, do hereby proclaim October 2018 as "DOMESTIC VIOLENCE AWARENESS 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.

PUBLIC APPEARANCE

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

Rev. Ricky Woods addressed the need for affordable housing. He informed the Board of an effort by Myers Park United Methodist Church, First Baptist Church West and OneMeck Affordable Housing Group to host a community book read. The book that the community was being asked to read was “The Color of the Law A Forgotten History of How Our Government Segregated America” by Richard Rothstein. He invited the Board to participate. He said the hope was that the community book read would lead to greater discussion and possibly policy changes within governmental bodies that would do more to create and preserve affordable housing. It was noted also, that Mr. Rothstein would be in Charlotte in January to meet with community leaders and that more information regarding this would be provided at a later date.

Rev. Ricky Woods said he was also supportive of those that would be speaking regarding the preservation of the Historic Excelsior Club.

Mattie Marshall, President of Historic Washington Heights and Nichelle Bonaparte addressed the preservation of the Historic Excelsior Club and asked the Board to take action to do so.

Ms. Marshall said according to the October 8, 2018 draft minutes of the Historic Landmarks Commission regarding the Historic Excelsior Club, the Board of County Commissioners did not approve the Option to purchase the Historic Excelsior Club that had been negotiated by the Historic Landmarks Commission with the owner of the Historic Excelsior Club.
October 16, 2018

The Board was asked to reconsider the Option and to purchase it. It was asked that the Board respond back to the speakers within the next 10 days.

Note: Beatrice Thompson signed up to speak on the Historic Excelsior Club but did not appear.

Diane Meyer signed up to speak but canceled her appearance.

**APPOINTMENTS**

**18-4956 NOMINATIONS/APPOINTMENTS**

ADULT CARE HOME ADVISORY COMMITTEE

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Charlene Barr to the Adult Care Home Advisory Committee for a three-year term expiring October 31, 2021.

JUVENILE CRIME PREVENTION COUNCIL

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Brenda Prince to the Juvenile Crime Prevention Council as the Faith Community representative to fill an unexpired term expiring May 30, 2021.

Note: She replaced Darryl Johnson.

**18-4997 WASTE MANAGEMENT ADVISORY BOARD**

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to appoint Charles (Andrew) Stienecker to the Waste Management Advisory Board as recommended by the Matthews Board of Commissioners, per action taken on September 24, 2018, for a three-year term expiring October 31, 2021, effective November 1, 2018.

Note: He replaced Ollie Frazier.

**PUBLIC HEARINGS**

**18-4968 TEFRA HEARING – ALLIANCE PREPARATORY SCHOOLS, INC.**

Note: As more fully explained in the Resolution, Alliance Preparatory Schools, Inc., a North Carolina nonprofit corporation (the “Borrower”) 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 (Southwest Charlotte STEM Academy) Series 2018 (the “Bonds”), in an aggregate principal amount not to exceed $23,500,00, and loan the proceeds thereof to 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 located at 5203 Shopton Road, Charlotte,
North Carolina 28278 in the County of Mecklenburg, including but not limited to the acquisition of approximately 13.58 acres of unimproved land and the construction thereon of an approximately 64,900 square foot, two-story educational facility with approximately 49 classrooms, a gymnasium, a band room, administration areas, and offices, designed to accommodate approximately 950 students in grades K-8 and to be operated as a public charter school known as Southwest Charlotte STEM Academy (the “Project”);

(b) funding a debt service reserve fund for the Bonds
(c) funding capitalized interest on all or a portion of the Bonds; and
(d) paying all or a portion of the costs of issuance of the Bonds.

Alliance Preparatory Schools, Inc., is using the Wisconsin Public Finance Authority as the issuer of the Bonds because of a 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. In order to comply with federal tax law, and the code and approval requirements, Alliance Preparatory Schools, Inc. has requested that the Mecklenburg County Board of Commissioners hold a public hearing and approve the Resolution. This approval will not make the County responsible in any way for the Bonds or the Project financed with bond proceeds. Hosting the public hearing and approving the issuance of the Bonds are merely ministerial acts that will enable the Borrower to comply with federal tax law requirements in order that interest on the Bonds be exempt from federal income tax.

Motion was made by Commissioner Jim Puckett, seconded by Commissioner Bill James and unanimously carried with Commissioners Clarke, Cauth, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to open the public hearing to receive comments on the proposed financing by Alliance Preparatory Schools, Inc.

At 6:55 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 Education Revenue Bonds (Steele Creek STEM Academy) Series 2018 (the "Bonds"), in an aggregate principal amount not to exceed $23,500,000, the proceeds of which will be loaned to Alliance Preparatory Schools, Inc., a North Carolina nonprofit corporation, or a North Carolina limited liability company of which Alliance Preparatory Schools, Inc., is the sole member (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 located at 5203 Shopton Road, Charlotte, North Carolina 28278, in the County of Mecklenburg, including but not limited to the acquisition of approximately 13.58 acres of unimproved land and the construction thereon of an approximately 64,900 square foot, two-story educational facility with approximately 49 classrooms, a gymnasium, a band room, administration areas, and offices, designed to accommodate approximately 950 students in grades K-8 and to be operated as a public charter school known as Steele Creek STEM Academy (the "Project");

(b) funding a debt service reserve fund for the Bonds;
(c) funding capitalized interest on all or a portion of the Bonds; and
(d) paying all or a portion of the costs of issuance of the Bonds.

The Project is located at 5203 Shopton Road, Charlotte, North Carolina 28278, in the County of Mecklenburg. The Project will be owned or leased and operated by the Borrower.

On October 2, 2018, 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 Bonds, the initial owner or lessee and operator of the facilities and the location of the facilities,
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 Jim Puckett moved that the public hearing be closed. The motion was seconded by Commissioner Bill James and was unanimously adopted.

Commissioner Puckett 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 EDUCATION REVENUE BONDS (STEELE CREEK STEM ACADEMY) SERIES 2018 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $23,500,000

WHEREAS, Alliance Preparatory Schools, Inc., a North Carolina nonprofit corporation, 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 (Steele Creek STEM Academy) Series 2018 (the “Bonds”), in an aggregate principal amount not to exceed $23,500,000, and loan the proceeds thereof to Alliance Preparatory Schools, Inc., or a North Carolina limited liability company of which Alliance Preparatory Schools, Inc., is the sole member (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 located at 5203 Shopton Road, Charlotte, North Carolina 28278, in the County of Mecklenburg, including but not limited to the acquisition of approximately 13.58 acres of unimproved land and the construction thereon of an approximately 64,900 square foot, two-story educational facility with approximately 49 classrooms, a gymnasium, a band room, administration areas, and offices, designed to accommodate approximately 950 students in grades K-8 and to be operated as a public charter school known as Steele Creek STEM Academy (the “Project”);

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

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

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

WHEREAS, the proceeds of the Bonds will be used by the Borrower to acquire the land on which the Project is to be constructed, which will then be operated by the Borrower;

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, 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 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 Bonds and the financing or refinancing of the Project and now desires to approve the Authority's issuance of the 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 Bonds in an aggregate principal amount not to exceed $23,500,000 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 Bonds or for any costs incurred by the Borrower with respect to the Bonds or the Project.

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

On motion of Commissioner Jim Puckett, seconded by Commissioner Bill James, the foregoing resolution entitled "RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS EDUCATION REVENUE BONDS (STEELE CREEK STEM ACADEMY) SERIES 2018 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $23,500,000" was duly adopted by the following vote:

AYES: Commissioners Dumont Clarke, Patricia "Pat" Cotham, George Dunlap, Bill James, Vilma D. Leake, Jim Puckett, Matthew Ridenhour, and Ella B. Scarborough

NAYS: None

Extracts/Resolution recorded in full in Ordinance/Minute Book 47-A, Document #315.

18-4977 AMENDMENTS TO THE MECKLENBURG COUNTY FLOODPLAIN REGULATIONS

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing to receive comments on the proposed revisions to the Mecklenburg County Floodplain Regulations.

Note: FEMA has completed revisions to the Flood Insurance Rate Maps (FIRMs) for a portion of Mecklenburg County. The FIRMs show property most susceptible to flooding, are used by staff to regulate development, and are used by FEMA and homeowners for flood insurance purposes. The revised FIRMs become effective on November 16, 2018. This date is mandated by FEMA and
October 16, 2018

all jurisdictions impacted by the new maps (Mecklenburg, Charlotte, Cornelius, Huntersville, Davidson, and Mint Hill) must amend their floodplain ordinance to include this date prior to November 16, 2018.

This action is required in order for Mecklenburg County to remain a participating community in the National Flood Insurance Program (NFIP). Participation in NFIP makes federally-backed flood insurance available to property owners within Mecklenburg County.

The State of North Carolina issued a new Model Floodplain Ordinance Template in 2017 for use by communities that included several required changes and some recommended changes. County staff evaluated the changes and (at the recommendation of the Storm Water Advisory Committee, SWAC) formed a stakeholders group to review the updated ordinance proposed by staff. Staff updated the Floodplain Ordinance (using the City of Charlotte ordinance as an example) and on June 29, 2018, the Stakeholders unanimously endorsed the proposed changes to the ordinance. On July 19, 2018, SWAC unanimously endorsed the updated ordinance and on July 20, 2018, the State floodplain agency (North Carolina Department of Public Safety, NCDPS) reviewed the updated floodplain ordinance and deemed it compliant with the NFIP requirements. County staff also proposed some changes to bring the County’s ordinance up-to-date with Floodplain Ordinances for the City and Towns. The County Attorney has reviewed and approved the proposed Mecklenburg County Floodplain Regulations.

The Mecklenburg County Floodplain Regulations apply to only approximately one square mile of land within unincorporated Mecklenburg County that lies outside of the planning jurisdictions (and associated floodplain regulations) of the City of Charlotte and the six towns. Floodplains make up less than 50 acres of the land regulated by the Mecklenburg County Floodplain Regulations.

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing and adopt the proposed revisions to the Mecklenburg County Floodplain Regulations.

Regulations recorded in full in Ordinance/Minute Book 47-A, Document #316.

ADVISORY COMMITTEE REPORTS

18-4925 WOMEN’S ADVISORY BOARD MID-YEAR UPDATE ON 2018 ACTIVITIES

The Board received a mid-year update on activities of the Women’s Advisory Board given by Zhivi Williams, Advisory Board Chair and Melissa Lefko, Vice Chair.

The following was noted as areas of focus for the committee:
• Homelessness and Women
• Women’s and Children’s Access to Healthcare
• Gender Based Income Disparity
• Workplace Harassment.

Also, that as of 2018, turnover of board members continued to be a struggle; however, the advisory board was committed to using the high attrition rate as an opportunity to better diversify membership when vacancies are filled.

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

Commissioners expressed thanks to the Women’s Advisory Board for their work.
Commissioner Leake asked that they continue to bring their areas of focus to the attention of all local elected bodies and that they report regularly on these issues.

Commissioner Clarke addressed the importance of the work that’s done and needs to be done by the Women’s Advisory Board, especially, in light of the current federal administration’s view of women. He encouraged the advisory board to “step up” its efforts.

18-4998 REZONING PETITION 2018-001C – PETITION NORTHWOOD RAVIN DEVELOPMENT

The Board received a recommendation from the Planning Commission on rezoning request - Petition #2018-001(C) for a change in zoning for approximately 12 acres located on the west side of Lancaster Highway south of Southcrest Lane from R-3 to UR-2 (CD) with five-year vested rights, Petitioner: Northwood Ravin Development. The recommendation was for approval.

Commissioner James addressed the petition. He noted the following:

• The proposed rezoning plan appears to be in compliance with the east side of Hwy. 521 but not within the old plan for the west side of Hwy. 521.
• He’s not sure if that matters at this point but said there would be a small increase in traffic in an area that’s already “burdened” with traffic problems.
• The zoning was less of an issue, than the cut through neighborhood traffic, which was not this zoning request issue, but an issue nonetheless.
• At some point either the City of Charlotte needed to include this area in its Extra Territorial Jurisdiction (ETJ) or either the County would have to get more involved regarding what to do with property in this area.
• The requested zoning change made sense, but, he understood the concerns about traffic and schools.

Commissioner Dunlap asked County Manager Diorio if the County had the authority to develop a plan for this unincorporated area. The response was yes, if there wasn’t one already.

Commissioner Dunlap said it made sense to have a plan for this area since rezoning requests were continuing to come before the Board. He said the plan should be consistent with either the City of Charlotte’s or the Town of Pineville, which were the adjacent areas, since neither of those entities had a desire to take this area in.

County Manager Diorio said staff would look into this request and report back to the Board.

Commissioner Puckett encouraged the Town of Pineville to reconsider taking this area in.

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt the Zoning Committee’s Statement of Consistency as it appeared in the agenda and noted below, as the Board of Commissioners own; and to adopt a resolution approving Petition #2018-001(C) for a change in zoning for approximately 12 acres located on the west side of Lancaster Highway south of Southcrest Lane from R-3 to UR-2 (CD) with five-year vested rights, Petitioner: Northwood Ravin Development.
The Zoning Committee voted 6-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be inconsistent with the adjacent single family detached residential uses; however, the proposed density is consistent with other attached residential projects in the area based on the information from the staff analysis and the public hearing and because:

- The site is in an area of unincorporated Mecklenburg County outside of the sphere of influence and ETJ of Pineville and the City of Charlotte. Therefore, no adopted plans specifically addressing future land use for the area exist; and
- The petition proposes a multi-family, attached development; and
- The proposed density of 9.16 dwelling units per acre is consistent with other nearby townhome developments along Lancaster Highway.

Therefore, we find this petition to be reasonable and in the public interest based on information from the staff analysis and the public hearing and because:

- The proposal will introduce additional housing options to the area; and
- The layout of the development includes alley loaded units facing the public streets, a linear landscaped amenity area between Lancaster Highway and the units fronting the highway, and a private amenity area, which results in a walkable development with outdoor amenities; and
- The development provides a 40-foot setback measured from the existing back-of-curb along Southcrest Lane that is consistent with single family detached homes along the street; and

The proposed building scale and 40 foot maximum height for the units along Southcrest Lane blends with the detached single family homes along the street; and
- The development commits to buffers adjacent to single family homes that are consistent with the requirement for traditional multifamily development; and
- The proposal commits to a number of architectural standards related to building materials, blank walls, raised entrances, and recessed garage doors that ensure building design compatible with surrounding single family homes.

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

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #317.

MANAGER'S REPORT

18-4996 CHARLOTTE-MECKLENBURG SCHOOLS SECURITY PLAN

County Manager Diorio called on Charlotte-Mecklenburg Schools Superintendent Clayton Wilcox to address Charlotte-Mecklenburg Schools Security Plan.

He noted efforts being made and that had been made as it related to security measures, such as, but not limited to, door upgrades, magnetic locking systems that were key card access, surveillance systems, etc. He said they changed their security protocols across the district and partnered with law enforcement agencies to conduct active shooters survival training; worked with several school administrative teams to review all their security plan operations manuals; retrofitted camera systems in thirteen schools; and upgraded the servers that operate the camera systems.

Note: As part of the FY2019 budget process, the Board of Education (BOE) requested $9.2M to fund security upgrades for CMS. The $9.2M request will support a multi-phase security plan. In response to the funding request, the Board of County Commissioners (BOCC) set aside $4,600,000 in restricted contingency. The criteria for releasing the funds is contingent on the BOCC receiving a security plan from CMS. The following is a list of projects submitted to County staff from CMS to support Phase 1 of the security plan:

- additional electronic locks/controlled access - $1,800,000;
- video surveillance - $1,750,000;
- visitor management systems (60) - $600,000;
- panic card alarms (10,000) - $250,000; and
- enhanced video surveillance (20 High Schools) - $100,000.

The total amount of security upgrades in Phase 1 is $4,500,000. As information, CMS provided a list of projects for Phase 2 of the upgrades that also total $4,500,000, bringing the grand total of the security plan to $9,000,000. The upgrades listed in Phase 2 includes enhanced video surveillance, classroom camera systems, panic card alarms, and reconstruction. The Manager advised the BOCC that CMS can fund the balance of the security plan (Phase 2) with the annual deferred maintenance appropriation ($18M) provided to CMS from the County.

Comments

Commissioner James asked about the type of video surveillance cameras and systems being used, which was addressed.

Commissioner James said he would like to know the kind of cameras, the cost per camera, and the type of systems being used. He said they should all be digital.

Commissioner Dunlap asked was there a plan to reuse the analog cameras that were being replaced, with the understanding they aren’t as clear as the new cameras being purchased. Dr. Wilcox said depending on the quality of the camera, they may be placed at some of the elementary schools. He said the digital cameras would be placed in the high schools and middle schools first. Camera upgrades would occur at the elementary schools in phase two.

Commissioner Dunlap asked the process used to determine which schools would receive cameras first, which was addressed.

Commissioner Dunlap asked about the use of panic cards and the monitoring of them, which was addressed.

Commissioner Ridenhour asked if there would be a need to increase the size of the CMS’ Information Technology department, because of these initiatives. Dr. Wilcox said they were always looking at their back-room technologies. He said they were not only supporting an increase internally but were also looking at this as a cloud base technology, monitored by an outside agency, because they could do this much cheaper than CMS could.

Commissioner Ridenhour asked about coordination between CMS Police and CMPD, which was addressed.

Commissioner Leake thanked Dr. Wilcox for the work that was being done. She said it was up to CMS to determine what needed to be done and purchased when it came to school security. She said the County’s responsibility was to help provide the funds.

Commissioner Leake said she would hold the Superintendent accountable for the safety of children in the schools.

Commissioner Puckett asked about prioritization of the roll out into schools, which was addressed.

Commissioner Cotham asked about the use of consultants. Dr. Wilcox said it wasn’t that he didn’t think the use of a consultant wasn’t valuable, but with limited dollars and the fact that they knew cameras needed to be replaced, it was more cost effective to use the funds available in this manner first. He said as they continue to address the issue of security, a consultant could be brought in at a later date.
Commissioner Cotham asked Dr. Wilcox to comment on balancing transparency with keeping children safe. *Dr. Wilcox said he felt it was always best err on the side of openness and transparency but, that you must keep a few cards “close to your vest.” He said you must continue to practice the drills, so if that “terrible day comes,” you would be able to respond as quickly and as efficiently as possible.*

Dr. Wilcox said at “the end of the day” if somebody wanted to defeat a security system and they’re armed with an assault weapon, it could be very difficult to stop them, even with measures in place. He said school safety and security was the one issue that kept him awake at night the most.

Commissioner Cotham asked about school resource officers, which was addressed.

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

Motion was made by Commissioner Dunlap, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to release $4,600,000 from restricted contingency to support Charlotte-Mecklenburg Schools (CMS) security plan.

**18-4982 EXTENSIONS FOR FILING ELECTRONIC LISTINGS OF PERSONAL PROPERTY**

*Note: Personal property is required to be listed for taxation between January 1 and January 31 of each year. By Resolutions approved on December 21, 2004, the Board authorized the Assessor to grant requested extensions for written listings until April 15th and for electronic listings until May 15th. Having 2 deadlines for listing personal property has created confusion. Accordingly, the Assessor requests that the deadline for all listings be April 15th.*

Motion was made by Commissioner Dunlap, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a resolution reducing the extension period for electronic listings of personal property from May 15th to April 15th to conform with extensions for non-electronic listings, titled: Amended And Restated Resolution Providing For Electronic Listing And Extending The Time For Filing Electronic Listings Of Business Personal Property For Property Tax Purposes.

**AMENDED AND RESTATED RESOLUTION PROVIDING FOR ELECTRONIC LISTING AND EXTENDING THE TIME FOR FILING ELECTRONIC LISTINGS OF BUSINESS PERSONAL PROPERTY FOR PROPERTY TAX PURPOSES**

*WHEREAS,* North Carolina General Statute §105-304 authorizes Counties to permit electronic listing of business personal property; and

*WHEREAS,* North Carolina General Statute §105-307 permits the Board of County Commissioners to extend the deadline for filing electronic listings of business personal property under G.S. §105-304 to June 1; and

*WHEREAS,* by Resolution dated December 21, 2004, this Board authorized the extension of the deadline for filing electronic listings of business personal property to May 15; and

*WHEREAS,* North Carolina General Statute §105-311(b) authorizes electronic signature of business personal property listings which are submitted electronically,

**NOW, THEREFORE, BE IT RESOLVED** as follows:
Section 1. Mecklenburg County Board of Commissioners hereby authorizes business personal property listing to be submitted and signed electronically and extends the deadline for receiving electronic business personal property listings to and until April 15 of any tax year.

Section 2. The following procedures will apply to electronic tax filings. Electronic listings must be submitted online, facsimiles will not be accepted as electronic listings. In order to file electronically, the taxpayer must use the electronic listing application and the Account Identification Number (Account ID) and a Personal Identification Number (PIN) provided by the Mecklenburg County Assessor’s Office. To request an extension to file business personal property listings after January 31, the taxpayer must file an online request for extension of time during the month of January and must provide both the Account ID and the PIN which appears on his listing form. Electronic filings must be received by the Mecklenburg County Assessor no later than April 15 in order to avoid late list penalties. The Account ID and the PIN provided on electronically submitted listings forms will constitute the taxpayer’s electronic signature.

Section 3. This resolution shall be recorded in the minutes of the Mecklenburg County Board of Commissioners and notice of the procedure and extension of time for electronic filing of business personal property listings shall be published as required by G.S. §105-296(c). Section 4. This resolution is effective for all tax years after its adoption and at such time as the Assessor has the ability to implement a system for electronic listing.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #318.

18-4995 BROADCAST OF MEETINGS ON FACEBOOK (COMMISSIONER RIDENHOUR)

The Board received staff’s response regarding livestreaming/broadcasting all meetings of the Board on Facebook. It was given by Danny Diehl, Director of Public Information and staff member Nicole Nolen.

The report addressed: What’s Currently Being Done; Live Streaming Results; Strategic Approach to Social Media; City of Charlotte Facebook Streaming; and an Alternative as noted below.

Use Twitter instead of Facebook
- Six times the number of potential viewers (60k v. 9k)
- Continuous live feed is the heart of Twitter
- Commissioners, media and others already use it to follow decisions and respond
- Allows us to continue building Facebook presence, which is growing as a preferred County news resource

Conclusion
- Video stream is better than ever and can be used on any channel
- Live meetings on Facebook have the potential to dilute content and hinder growth and engagement
- Twitter is designed for live content and offers the best chance for success

It was stated that if the Board decides to stream meetings on social media, staff’s recommendation would be to stream regular meetings only; and staff would report back on how it’s doing maybe in ninety days.

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

Comments
Commissioner Ridenhour thanked staff for the report and said he supported piloting this for ninety days with a follow up report from staff.

Commissioner Ridenhour commented on the benefits of streaming live on Facebook.

Commissioner Dunlap asked what was wrong with having the meeting available at all times. Director Diehl explained that currently it was available at all times and elaborated. He also addressed the pros and cons of placing it on Facebook live.

After further discussion, it was the consensus of the Board that this not become a policy but to allow staff to move forward with livestreaming/broadcasting of Regular meetings of the Board on Facebook as a pilot and that staff report back at the end of ninety days.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

18-4985 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information monthly department management monthly reports for October 2018.

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.

18-4999 FEATURE DEPARTMENT/AGENCY PRESENTATION: OFFICE OF ECONOMIC DEVELOPMENT

The Board received a presentation from the Office of Economic Development about the overview of the primary initiatives currently underway, given by Peter Zeiler, Office of Economic Development Director.

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

STAFF REPORTS & REQUESTS

18-4701 PRESENTATION ON FOUNDATION FOR THE CAROLINAS’ A WAY HOME PROGRAM

The Board received a briefing on the progress of the A Way Home Program. Judy Seldin Cohen, Board Chair of the AWH Housing Endowment, gave the briefing. She was assisted by Carol Morris.

Note: The A Way Home Program is a $20 million housing endowment, funded in part by the Foundation for the Carolinas and the City of Charlotte, to assist families earning less than 50% of the Area Median Income to move from homelessness to sustainable housing. It began providing funds for rental subsidies to eligible families in 2014. Mecklenburg County government partnered with the A Way Home Program by providing funds for case managers to provide supportive services to families receiving the subsidy. A Way Home has tracked the progress of participant families since the program’s inception and wanted to present its most recent findings to the Board.
October 16, 2018

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

Comments

Chair Scarborough asked about their work with the City of Charlotte, which was addressed.

Commissioner Leake asked about the City’s participation, as well as, the County’s, which was addressed.

Commissioner Leake asked about the number of staff involved, their salaries, and the size of the board of directors. It was noted that the board of directors was a seven-member volunteer board that served without compensation. The board consists of the funders of the program.

Commissioner Leake asked were there any Blacks serving on their board of directors, the response initially was no, but that was later changed to one (1), Pamela Wideman with the City of Charlotte. It was noted that Stacy Lowry, Director of Community Support Services and a member of her staff, Karen Pelletier weren’t on the board but participated in the meetings.

Commissioner Leake addressed the need for diversity and inclusion on their board of directors.

Ms. Cohen thanked Commissioner Leake for raising this issue and said she would share her concerns.

Commissioner Ridenhour said he’d like to see an analysis of their success stories and what caused that success.

Commissioner Dunlap requested information on the County’s investment in housing. County Manager Diorio said she would resend the information that had been provided to the Board previously on this topic.

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

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

CONSENT ITEMS

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

18-4954 BUDGET AMENDMENT – SHERIFF’S OFFICE (REVENUE INCREASE)

Recognize, receive and appropriate $300.00 from the 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 from their “Back the Blue” community event to support local law enforcement agencies. MCSO is concluding its third year of participation in the Presidential Volunteer Service Awards program that recognizes MCSO employees for their volunteer hours within the Charlotte community. These funds will be used to purchase awards for MCSO employees that meet the criteria established by the Program. The average price for the awards package is less than $15.
Authorize the County Manager to negotiate and execute a four (4) year lease extension with CE Office, LLC for office space to house staff with the Department of Social Services (Youth and Family Services), Child Support Enforcement, and Community Corrections.

Approve Minutes of Regular meeting held September 18 and closed session held October 2, 2018.

1. Accept the Offer of Sale of Real Estate from Jeremy J. & Sarah R. Bessette, owners of property located at 5635 Wedgewood Drive, Charlotte, NC (tax parcel 171-084-07), for $405,000;
2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to use 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.). The requested action will consist of acquiring the property and demolishing the existing building using Storm Water Services capital funds for the purchase.

WHEREAS, Mecklenburg County desires to voluntarily 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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<tr>
<th>TAX PARCEL ID</th>
<th>STREET ADDRESS</th>
<th>CITY</th>
</tr>
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<tbody>
<tr>
<td>14920336</td>
<td>1300 DREXEL</td>
<td>CHARLOTTE</td>
</tr>
<tr>
<td>14920337</td>
<td>1301 DREXEL</td>
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<tr>
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<td>17112119</td>
<td>1316 SENECA</td>
<td>CHARLOTTE</td>
</tr>
<tr>
<td>17108402</td>
<td>5601 WEDGEWOOD</td>
<td>CHARLOTTE</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 Storm Water Services, 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 #319.
Approve refunds in the amount of $7,632.28 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.

Approve refunds in the amount of $2,837.86 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 $26.77.

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

Authorize the County Manager to negotiate a fee and execute contracts with Barton Malow Company/Edifice, Inc. for Pre-Construction and Construction Management At-Risk services for the American Legion Memorial Stadium, and in the event negotiations with this firm are unsuccessful, approve negotiations with the second ranked firm of Rodgers Builders, Inc./R.J. Leeper Construction.

Note: The American Legion Memorial Stadium project includes the reconstruction of the American Legion Memorial Stadium.

Authorize the County Manager to negotiate fees and execute contracts with Terracon for Eastway Regional Recreation Center, S&ME for Northern Regional Recreation Center, and ECS for the American Legion Memorial Stadium; and if negotiations with any of these firms are unsuccessful, authorize the County Manager to negotiate fees and execute contracts with the alternate firms as noted below.

Eastway Regional Recreation Center, Terracon, Alternate Kleinfelder
Northern Regional Recreation Center, SM&E, Alternate ESP
American Legion Memorial Stadium, ECS, Alternate SM&E

Approve submission of a $180,000 grant application ($60,000 per year for three years) for continuation of the WIC Regional Lactation Training Center program from the NC Department of Health and Human Services, Division of Public Health, Women’s and Children’s Health Section.

THIS CONCLUDED ITEMS APPROVED BY CONSENT
October 16, 2018

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

18-4932 BUDGET AMENDMENT – CHILD SUPPORT ENFORCEMENT DEPARTMENT (REINVESTMENT REVENUE)

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and carried 6-0 with Commissioners Clarke, Cotham, Leake, Puckett, Ridenhour and Scarborough voting yes, to

1) Amend Section XX of the FY19 Budget Ordinance to strike the phrase "... ‘for contracting services’..." and replace with "staff and related expenses"; and

2) Approve creation of eight child support positions, six Case Coordinators and two Social Services Supervisors; and

3) Recognize, receive and appropriate an additional $232,600 in Federal Child Support Reinvestment funds for legal support services staff to include, an Attorney, a Legal Assistant and an Administrative Support Assistant II; and

4) Approve creation of three legal positions, Attorney, Legal Assistant and Administrative Support Assistant II; and

5) Recognize, receive and appropriate an additional $250,000 in Federal Child Support Reinvestment funds to contract for additional Child Support enforcement support.

Note: Child Support Enforcement (CSE) receives reinvestment incentive funds to be used to carry out Child Support program activities as authorized by the Federal Office of Child Support Enforcement and in accordance with regulations contained in OCSE-AT-01-04. Title IV of the Social Security Act Section 458(f) mandates that all Reinvestment incentive funds earned by Child Support programs be reinvested into the child support program. There are funds available in the Child Support Reinvestment Special Revenue Fund, of which $433,279 have been appropriated for the cost of Court Team staffing in Section XX of the FY19 Budget Ordinance. This action will appropriate an additional $232,600 from the Special Revenue Fund for legal support services staff and an additional $250,000 for contracts to support Child Support enforcement activities, including support for process servers, multimedia, location tool, software licenses and support, equipment, and temporary staff. This action will also amend the Budget to allow the County to hire staff to support the Child Support Court Team, rather than contracting for those services. The total appropriation for this action is $482,600 and will increase the total appropriated to the Special Revenue fund to $915,879 in FY19.

Commissioner Leake removed this item from Consent for more public awareness. County Manager Diiorio addressed this item. Commissioner Leake asked to be kept informed of when the positions were filled. She asked that it be noted in the minutes that these would be County employees and not contracted employees.

18-4960 APPOINTMENT OF REVIEW OFFICER

Motion was made by Commissioner Leake seconded by Commissioner Puckett and carried 6-0 with Commissioners Clarke, Cotham, 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. 47-30.0" to designate Ryan Lipp as a Review Officer and to delete Dillon Lackey.

Commissioner Leake removed this item from Consent for more public awareness.
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. Ryan Lipp is hereby designated as 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. Dillon Lackey shall be deleted from the Resolution adopted on January 20, 2016.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #320.

18-4973 CONSERVATION DECLARATIONS ON COUNTY PROPERTY

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and carried 6-0 with Commissioners Clarke, Cotham, Leake, Ridenhour and Scarborough voting yes, to authorize the County Manager to execute conservation declarations on the following County properties located along the Little Sugar Creek Stream Restoration and Greenway Project:

(a) Tax Parcel 207-06-203
(b) Tax Parcel 207-07-105
(c) Tax Parcel 207-12-163
(d) Tax Parcel 207-12-164
(e) Tax Parcel 207-22-198

Note: Mecklenburg County’s Storm Water Services and Asset & Facility Management are currently constructing the Little Sugar Creek Stream Restoration and Greenway project from Archdale Drive to I-485. Construction is scheduled for completion in spring 2019. The stream restoration project was funded with Storm Water Services fees and a NC Clean Water Management Trust Fund (CWMTF) grant. The Board Action for the CWMTF grant submittal was approved on February 3, 2015. The NC CWMTF grant requires the restoration area to be permanently protected with a conservation declaration. The permanently protected areas vary from approximately 30 ft. to 50 ft. from the top of the stream’s bank for each parcel. The total easement area will be approximately 18 acres along Little Sugar Creek and only includes the areas of the project that were improved using NC CWMTF’s grant funds.

Commissioner Leake removed this item from Consent for more public awareness. County Manager Diorio addressed this item.

Commissioner Dunlap returned to the dais.
Motion was made by Commissioner Leake, seconded by Commissioner Puckett and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve a revised 3-year Duke Energy Lighting Service Contract at $26.19 per month for LED lighting at the James Dennis Rash Third Ward Neighborhood Park.

Note: On June 19, 2018, the BOCC approved a 3-year contract, Item 18-4761, for LED lights at 911 W. 4th Street Extension. The original contract was $45.69 per month and will now be $26.19 per month, a reduction of $702.00 over the term of the contract. Duke Energy is the only light provider for this area. A service contract with Duke Energy is more cost efficient than installing and maintaining private poles and lights.

Commissioner Leake removed this item from Consent for more public awareness. County Manager Diorio addressed this item.

18-4984 INTERLOCAL AGREEMENT FOR FLEET MAINTENANCE OPERATIONS

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a resolution titled: Resolution Authorizing Execution of Amended and Restated Interlocal Agreement For Consolidation Of Fleet Maintenance Operations Between Mecklenburg County and the City of Charlotte and authorize the County Manager to execute the 2018 Amended Interlocal Agreement.

Note: The City of Charlotte (City) and Mecklenburg County (County) previously entered into an Interlocal Agreement for Consolidation of Fleet Maintenance Operations effective July 1, 2008 (the “2008 Fleet Interlocal Agreement”). The City and the County wish to enter into an Amended and Restated Interlocal Agreement for Consolidation of Fleet Maintenance Operations (the “2018 Fleet Interlocal Agreement”) by which the City will perform fleet maintenance operations for the County in the manner described in the 2018 Fleet Interlocal Agreement. The County and City have negotiated amendments to the 2008 Fleet Interlocal Agreement to include the following details:

- Term: From the effective date of October 1, 2018, agreement shall continue in effect through June 30, 2020 unless sooner terminated. Beginning on July 1, 2020 this Agreement shall be automatically renewed for a one-year term on July 1st of each year, unless either party gives the other a written notice of non-renewal at least fourteen (14) months prior to the upcoming July 1st renewal date.
- The City will be responsible for the maintenance and repair of County vehicles, including the stocking and issuing of necessary parts and supplies, and any related administrative services such as policies and procedures, equipment specifications and preparation, budgeting, vehicle inspections and vehicle disposal.
- The County operates a fleet of approximately 1,380 units, with the majority of the fleet being cars and light-trucks. In addition, the fleet includes some construction equipment, large trucks and landscape equipment.
- The County agrees to lease to the City for $1 per year for the duration of this agreement the current Mecklenburg County fleet maintenance facility located at 900 West 12th Street.
- Rates and fees for specific services and staff time will be agreed to on an annual basis.
- The City will invoice the County monthly for actual costs incurred for the provision of services in the previous month.

Commissioner Leake removed this item from Consent for more public awareness. County Manager Diorio addressed this item. Commissioner Leake requested salary information on City employees working in the Fleet Maintenance division.
WHEREAS, North Carolina General Statute §160A-461 and North Carolina General Statute §153A-445 authorize units of local government to enter into agreements with each other in order to execute an undertaking by one unit of local government on behalf of another unit of local government; and

WHEREAS, the City of Charlotte (“City”) and Mecklenburg County (“County”) previously entered into an “Interlocal Agreement for Consolidation of Fleet Maintenance Operations effective July 1, 2008 (the “2008 Fleet Interlocal”); and WHEREAS, the County issued a Request for Proposal (“RFP”) for Fleet Maintenance and Related Services dated December 30, 2015; and

WHEREAS, the City submitted a proposal in response to the RFP; and WHEREAS, the City and the County wish to enter into the attached Amended and Restated Interlocal Agreement for Consolidation of Fleet Maintenance Operations (the “Interlocal Agreement”) by which the City will perform fleet maintenance operations for the County in the manner described in the Interlocal Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Mecklenburg County Board of Commissioners hereby: 1. Approves and ratifies the attached Amended and Restated Interlocal Agreement; and 2. Authorizes the County Manager to execute the Agreement in substantially the form presented to the Mecklenburg County Board of Commissioners with technical corrections and minor modifications as the County Manager may deem necessary consistent with the spirit and intent of the transactions; and 3. Authorizes the County Manager to take all actions contemplated by the Amended and Restated Interlocal Agreement, including such amendments as are permitted therein; and 4. Directs that this resolution be reflected in the minutes of the Mecklenburg County Board of Commissioners meeting.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #321.

18-4989 BUDGET AMENDMENT – MECKLENBURG COUNTY CODE ENFORCEMENT DIVISION

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize and appropriate transfer of $1,791,374 from the Code Enforcement General Fund Balance Reserve to the Technology Reserve Fund to finance a new Plan Review System - Accela: Phase I Services.

Note: Accela is the replacement solution for LUESA’s current Electronic Plan Management System (EPM). EPM is a workflow tool that allows architects, engineers and designers the ability to oversee their projects through plan review and permitting from their offices. This application has features that allow you to submit commercial applications online and provides real-time tracking of the project as it progresses from Intake, Scheduling, Pre-paid fees, Gate, Plan/Plat review to Permits. The new system should have all the functional equivalent features plus any additional features as indicated in the requirements/specifications below. The fund balance appropriation requested will be used to finance Service Year 1 subscriptions: software licenses, implementation services, training services and travel cost.

Commissioner Leake removed this item from Consent for more public awareness. County Manager Diorio addressed this item.
Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize and appropriate fee revenue for Register of Deeds Automation Enhancement/Preservation Special Revenue Fund in the amount of $800,000 for automation and enhancements.

Note: This fund was established pursuant to NCGS §161-11.3, effective January 2, 2002, to provide new automation and/or preservation of the historical record collection at the Register of Deeds' Office by setting aside 10% of all fees collected by the Register of Deeds and Vital Records offices. By this action, the Board will recognize revenue for this fund and will allow the County to appropriate money from the fund for the annual software and maintenance fees for the land records software and database at the Register of Deeds' Office, and also to be used to provide for preservation and enhancements of the Register of Deeds' Historical Record Collection.

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

ADJOURNMENT

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:37 p.m.

______________________________ ____________________________
Janice S. Paige, Clerk Ella B. Scarborough, Chair
MINUTES OF CLOSED SESSION OF
MECKLENBURG COUNTY BOARD OF COMMISSIONERS

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, 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 7, 2018. These Closed Session minutes are part of the minutes of that meeting and should be read in that context.

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 County Attorney Tyrone C. Wade Clerk to the Board Janice S. Paige

Absent: Commissioner Bill James

Also Present: Chief of Staff/Assistant County Manager Derrick Ramos, Assistant County Managers Mark Foster, Leslie Johnson, and Anthony Trotman, Deputy County Attorney Ed Yeager, Finance Director Sarah Lyberg, and Economic Development Director Peter Zeiler
Economic Development Director Peter Zeiler addressed a proposed Business Investment Grant to Project Bee (Honeywell).

Commissioners Fuller and Dunlap entered the meeting during the presentation.

The following was noted:

Honeywell is a global technology company that provides products, software and control systems across a wide range of industries:
  - Aerospace
  - Commercial buildings
  - Healthcare facilities & operations
  - Commercial building energy solutions
  - Manufacturing processes
  - Petrochemicals and refining
  - Optoelectrical productivity devises
  - Commercial and passenger vehicle connectivity

- Headquartered in Morris Plains, NJ
- $40.534 billion in revenue in 2017
- #77 on the Fortune 100 list
- Honeywell is searching for a new global headquarters location
- Investment of up to $300,000,000

Real estate investment – Up to $84.25 million
- Up to $54.7 million in real property
- $21.05 million in business personal property
- $8.5 million for a new hangar at Charlotte Douglas Airport

Aircraft fleet - $215,000,000
- Four aircraft to be relocated to Charlotte Douglas International Airport and added to business personal property tax rolls
- $83 million initial value in 2019 growing to $215 million by 2025

750 employees
- 450 HQ positions
- Mix of relocations, new hires and growth
- 300 existing positions consolidated from SC

$348,200 average annual salary
Honeywell is considering locations in four other states: Florida, Georgia, South Carolina and Texas.

Proposed Terms

- 15-year grant
- 90% of net new ad valorem taxes
- Maximum grant value: $28,882,017

The City of Charlotte gave its indication of intent to approve a matching BIP grant of $17,139,557 at a closed session on October 22, 2018.

North Carolina is offering: JDIG – *$32,500,000

If Mecklenburg County is selected, final action approving the grant would be in Open Session at a future meeting.

Comments

Commissioner Leake asked about the proposed location within the County, employee training, and the impact of this on the community, which was addressed.

Director Zeiler emphasized the number and variety of jobs, as well as spin offs that would occur as a result of this investment.

Commissioner Clarke asked about the average salary, which was addressed. He also expressed his support of the request.

Commissioner Puckett talked about the assumptions being made over the 15-year period, which he said were linear and no adjustment for what would happen if the economy went “bad.”

Commissioner Leake left Closed Session and was away until noted in the minutes.

Director Zeiler responded to Commissioner Puckett’s comments.

Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and carried 6-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, Ridenhour, and Scarborough voting yes and Commissioner Puckett voting no, to approve the Board’s intent to approve a 15-year, 90% Business Investment Grant to Project Bee (Honeywell) for a total estimated amount of $28,882,017.

Commissioner Leake returned to the meeting.

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, November 7, 2018.

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 County Attorney Tyrone C. Wade Clerk to the Board Janice S. Paige

Absent: Commissioner Bill James

-INFORMAL SESSION-

Commissioners 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) to be removed from Consent and voted upon separately. The items identified were Items 18-5001, 18-5005, 18-5011, 18-5019 and 18-5024.

STAFF BRIEFINGS - NONE

CLOSED SESSION

18-5006 PERSONNEL MATTER
18-5018 CONSULT WITH ATTORNEY
18-5026 BUSINESS LOCATION AND EXPANSION

Prior to going into Closed Session, County Attorney Wade announced there were no Consult with Attorney matters to be discussed in Closed Session.

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and carried 6-0 with Commissioners Clarke, Cotham, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose(s): Personnel Matter and Business Location and Expansion.

The Board went into Closed Session at 5:10 p.m. and came back into Open Session at 6:20 p.m.

Commissioners Dunlap and Fuller 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 Clarke 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

18-5015 PUBLIC APPEARANCE

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

Stephen Galfas and Pastor Clement Morris addressed their church's desire to use the Tyvola Senior Center on Sundays at 10:30 a.m. for worship and on Thursdays at 7:00 p.m. They've been informed that on Sunday it's not permissible to divide the large Conference Room into sections, as done through the week. Since the Church doesn't need the entire space on Sundays, the Board was asked to consider changing the rules to allow them to only rent the amount of space needed.

APPOINTMENTS

18-5025 APPOINTMENTS – BOARD OF EQUALIZATION AND REVIEW

Commissioner Leake, Chair of the Board’s Ad Hoc Committee for appointments to the Board of Equalization and Review, presented the Committee’s recommendation. The other committee members were Commissioners Cotham and Fuller. The Committee recommended the appointment of Vincent Bordini, Pamela Hemphill, George Munn, and John Petoskey. It was noted that Commissioner Cotham was unable to attend the committee’s meeting.

A copy of the Committee’s recommendation is on file with the Clerk to the Board.

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to appoint Vincent Bordini, Pamela Hemphill, George Munn, and John Petoskey to the Board of Equalization and Review for three-year terms expiring April 16, 2021.

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS

18-5012 PARK AND RECREATION COMMISSION ANNUAL REPORT

The Board received the annual report of the Park and Recreation Commission presented by Heidi Pruess, Chair, Rick Winiker, Vice Chair, and Peter Engels, Executive Secretary.

A copy of the report is on file with the Clerk to the Board.
November 7, 2018

Comments

**Commissioner Dunlap** asked whether the Park and Recreation Commission kept up with the amount of land banking that was being done, as well as, the amount of funds available for that purpose. *It was stated that this was one of the things they planned to focus on going forward.*

Commissioner Dunlap said hearing from the Park and Recreation Commission on that issue was something he would expect that they would do.

Commissioner Dunlap asked about the status of a skate park, per the request of youth that appeared before the Board last year.

Commissioner Dunlap said this was another matter that he would expect the Park and Recreation Commission to consider and provide a recommendation to the Board, as to whether a skate park was needed and if so, where should it be located, and who should it serve.

*It was noted by the Park and Recreation Commission that they planned to look at whether the current Park Master Plan needed to be revised to reflect the current needs or priorities of the community.*

Commissioner Dunlap asked how many years the County was into the 10-Year Park Master Plan. *The response was that it was beyond the 10 years.*

Commissioner Leake said she recalled when persons appeared before the Board regarding the need for a skate park. She said she wasn’t sure what the follow-up was per that request. She asked that the Clerk check the records to see when that occurred and to share that information with the Park and Recreation Commission, so that they could reach out to those persons.

Commissioner Leake said she would like to receive a recommendation from the Park and Recreation Commission with respect to that request, as well for a skate park.

Commissioner Fuller asked about plans for the 200-mile greenway system, which was addressed. *It was noted to date there was approximately 50 miles on the books. Further, that through the 2008 bond projects many of them weren’t scheduled to begin until around 2022 or 2023, some of which would be challenging sections and may take three to five years to complete. It was stated that beyond that timeframe, there really was not a plan, even though there was a general area noted in the Park Master Plan. Thus, it was felt by the Park and Recreation Commission that the County needed to be more aggressive with respect to land acquisition, not just for greenways but other services as well.*

Commissioner Fuller said he would like to see something that looked forward indicating the vision for the two hundred miles of greenway, where the County was to date and how could that gap be bridged or addressed to get the County to the vision, the cost etc.

**Commissioner Ridenhour** thanked the Commission for their report. He expressed his support of expanding the greenway system, which he viewed as little “transportation corridors.”

**Commissioner Clarke** thanked the Commission for their report. He noted in his remarks that often it was difficult to acquire property for greenway purposes, even when it was in the floodplain. He said the County’s power of eminent domain was usually avoided, if at all possible, but that it sometimes had to be used. He said future Boards may have to consider having that “delicate” balance between using eminent domain versus negotiating “endlessly” with landowners.
Commissioner Puckett commented on the need to update the Park Master Plan. He said going forward greenways should be incorporated into the overall plan and not looked upon as something separate. Also, that the County should be more aggressive with seeking donations from developers for greenways. He suggested Park and Recreation work with Land Use and Environmental Services Agency (LUESA) to see how green space requirements and set-asides could be incorporated in the process, including for town requirements.

Commissioner Cotham thanked the Commission and said she looked forward to seeking their advisement more going forward.

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

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

MANAGER’S REPORT

18-5007 COUNTY MANAGER’S WORK AND PERFORMANCE PLAN FY19

County Manager Diorio said because of time constraints during Closed Session, she would address her proposed FY19 Work and Performance Plan at the next meeting.

Note: Annually, the County Manager prepares and presents to the Board for approval, the Manager’s work plan for the ensuing year. The County Manager’s work plan outlines the Manager’s Strategic Agenda Goals for the year, including the rationale, timeline, updates/project milestones and outcome/measure for those goals. The work plan also addresses the County Manager’s Individual Development Plan and Leadership Competencies. After approval, the work plan will be put online for the public, furthering transparency.

18-5038 7TH AND TRYON REDEVELOPMENT UPDATE

The Board received an update on the activities around the redevelopment of the two blocks centered on the intersection of 7th and North Tryon Streets.

Dennis LaCaria, Senior Assistant to the County Manager gave the update.

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

Comments

Commissioner Leake said she was not opposed to what was being planned for 7th and Tryon Streets but wanted to know what was being planned for the West side of the community.

Senior Assistant to the County Manager LaCaria noted a recent meeting that was held at the Stratford Richardson YMCA regarding possible redevelopment efforts along the West Blvd corridor.

Commissioner Leake said she was also interested in plans for the Beatties Ford Road and LaSalle Street area. She noted also that she spoke with the Board of Education regarding the Lift building and how it had not been maintained.

Commissioner Leake addressed the need for development along the Beatties Ford Road corridor and noted concerns expressed to her by residents in the area.
Commissioner Fuller asked about affordable housing. He said bold actions needed to be taken. Senior Assistant to the County Manager LaCaria said nothing concrete was available to share at this time.

County Manager Diorio noted that the County's partners in this effort were “thinking very bold” and that affordable housing was the guiding principle for this project and on the mind of everyone involved.

Commissioner Clarke expressed concern for building the density that’s envisioned for 7th Street around the existing right-of-way. He addressed the importance of making sure the City of Charlotte involved its transportation department in the discussions.

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

18-5012 PARK AND RECREATION COMMISSION ANNUAL REPORT

Chair Scarborough acknowledged the omission of someone that signed up to speak regarding the Park and Recreation Commission Annual Report, Maureen Gilewski.

Ms. Gilewski spoke on behalf of Charlotte East, a voluntary board, that advocates for residents and businesses in East Charlotte to develop and strengthen its economic and social capital.

She addressed their support of public transportation and greenways. Ms. Gilewski said the East side of Charlotte lacked alternative means of transportation.

She addressed the Cross Charlotte Trail and said Charlotte East’s view, was that the Trail won’t be complete until it extends to the east and west, as well as, north and south, crossing through Center City. She said they refer to the east/west connection as Cross Charlotte Phase 2.

Ms. Gilewski said Charlotte East was requesting that the County approve the needed funds to extend the Campbell Creek greenway to Albemarle Road.

Chair Scarborough thanked Ms. Gilewski for appearing.

18-5006 PERSONNEL MATTER

Commissioner Cotham, Chair of the Board’s Performance Review Committee addressed the County Manager’s Performance Review and noted the Committee’s recommendation to the full Board. The other members of the Committee were Commissioners Puckett, James, and Chair Scarborough. It was noted that Commissioner Leake was present at the Committee’s meeting but was not a voting member.

The following was noted:
- The Performance Review Committee recognized the County Manager’s Exemplary Performance.
- The Performance Review Committee wanted to give the County Manager a raise that was in proportion to what County employees would receive, which would be around a five percent increase.
- The County Manager asked for a cash bonus, but the Performance Review Committee decided it did not want to recommend that at this time; but would consider it in the future. However, in Closed Session, when this was shared with the full Board, it was decided to approve a cash bonus.
- The total compensation, which includes a cash bonus of $16,319.00, is $400,619.
Motion was made by Commissioner Cotham, seconded by Commissioner Dunlap and carried 6-1 with Commissioners Clarke, Dunlap, Fuller, Leake, Ridenhour, and Scarborough voting yes and Commissioner Cotham voting no, to approve the final recommendation of the Board, to approve the County Manager’s total compensation at $400,619.00.

Note: The County Manager’s compensation is effective as of July 1, 2018.

Note: Commissioner Cotham clarified that her vote was nay, because she was not supportive of the cash bonus.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS

18-5028 MECKLENBURG COUNTY BOARD OF COMMISSIONERS’ 2019 LEGISLATIVE AGENDA

Starla Tanner, Legislative Liaison, presented the proposed Mecklenburg County 2019 Legislative Agenda.

Note: The proposed Mecklenburg County 2019 Legislative Agenda was considered and recommended for approval at the October 9, 2018 meeting of the Intergovernmental Relations Committee.

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

The proposed legislative agenda consisted of the following:

- Support Full State Funding of Raise the Age Legislation Implementation
- Seek Funding to Increase Access to Magistrates in North Mecklenburg
- Seek Funding Parity for State Teacher Support Programs in County Funded PreK Programs
- Advocate to Add the Hepatitis A Vaccine to the Pharmacy Formulary
- Support Increasing the Age Required to Purchase Tobacco Products from 18 to 21
- Support Accurate Eviction Judgement Recording

Legislative Session Monitoring
- Health and Human Services
- Economic Development
- Transportation
- Public Safety
- General Government

It was noted that if adopted and subsequently achieved, policy impacts would include the following resources to fully implement the 2017 Juvenile Justice Reinvestment Act, funding for additional magistrates to enable safer and more adequate service in the northern portion of the county, funding parity for state teacher support programs in county funded PreK programs, addition of Hepatitis A vaccine to the pharmacy formulary to aid outbreak efforts, support for increasing the age required to purchase tobacco products from 18 to 21 to help tackle youth nicotine addiction and support for accurate eviction judgement recording.

A copy of the report is on file with the Clerk to the Board.
November 7, 2018

Commissioner Dunlap asked was there anything on the County’s proposed legislative agenda that might benefit from having the support of the North Carolina Association of County Commissioners (NCACC).

Legislative Liaison Tanner noted the support requested for the County’s Homestead Exemption request.

Commissioner Fuller explained how the NCACC Legislative Goals process worked.

Commissioner Clarke commented on the recently approved amendment to the NC Constitution regarding victim’s rights. He said per concerns expressed to him, there may be enabling legislation which may incur an expensive burden on local governments. He said specifically upon the District Attorney’s Office which might hamper their ability to prosecute crime, which was their primary responsibility.

Commissioner Clarke said a close watch was needed with respect to this amendment. He said he would not want this to become another large county expense.

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Scarborough voting yes, to adopt the Board’s Legislative Agenda for the 2019 Long Session of the North Carolina General Assembly as presented.

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

CONSENT ITEMS

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake and Scarborough voting yes, to approve the following item(s):

18-5000 REVISIONS TO THE MECKLENBURG COUNTY AIR POLLUTION CONTROL ORDINANCE (MCAPCO)

(1) Approve opening a public review and comment period beginning November 7, 2018 for the proposed revisions to the Mecklenburg County Air Pollution Control Ordinance (MCAPCO); and

(2) Schedule a public hearing on December 18, 2018 at 6:30 PM to receive public comment and to adopt the proposed revisions to MCAPCO.

18-5002 ARCHITECT SELECTION - CMGC RENOVATIONS PROJECT

Authorize the County Manager to negotiate fees and execute a contract with Gensler for Architectural/Engineering Services for the CMGC Renovations Project, and in the event negotiations with this firm are unsuccessful, approve negotiations with the alternate firm of Fryday & Doyne.

Note: This project includes interior renovations to various areas on levels 2, 4, and 11 of the Charlotte-Mecklenburg Government Center (CMGC) to accommodate the relocations of various County departments. The project includes relocating Public Information from the

1819
November 7, 2018

Valerie C. Woodard Center to the CMGC 4th floor, the relocation of Economic Development, renovating for new conference rooms on the 2nd floor where Economic Development vacates, and renovating the 11th floor.

18-5003  STORM WATER FUND BALANCE APPROPRIATION

Appropriate $32,376.30 from Storm Water Fund Balance to Storm Water Capital Improvement Program fund for the Briar Creek Stream Restoration Project.

18-5008  LAND AND EASEMENT DONATION - MALLARD CREEK GREENWAY

1. Terminate the existing greenway easement on Tax Parcel 047-131-07 (±0.243 acres) with Summit Avenue URP, LLC.;

2. Accept donation of a permanent greenway easement (±0.345 acres), temporary construction access easement (±0.237 acres) and temporary greenway construction easement (±0.142 acres) on Tax Parcel 047-131-07 from Bainbridge-GCA Mallard Creek Owner, LLC for the future development of Mallard Creek Greenway;

3. Accept the donation of a portion of Tax Parcel 047-131-07 (±3.768 acres) for the future development of Mallard Creek Greenway;

4. Authorize the County Manager to enter into a Development Agreement with Bainbridge-GCA Mallard Creek Owner, LLC.; and

5. Recognize, receive and appropriate to the County-funded Projects Capital Improvement Fund $193,000 from Bainbridge-GCA Mallard Creek Owner, LLC, for Mallard Creek Greenway.

18-5009  LAND DONATION - CLEMS BRANCH GREENWAY

Authorize the County Manager to negotiate and execute all documents necessary for the donation of a portion of Tax Parcel 223-091-65 (±9.00 acres) from Meritage Homes of the Carolinas, Inc. for Clems Branch Greenway.

18-5010  EASEMENT CONVEYANCE - EVERGREEN SPARROW HIGHLAND CREEK, LLC

1) Authorize the County Manager to convey a temporary construction easement (±0.062 acres) to Evergreen Sparrow Highland Creek, LLC on Tax Parcel 021-122-01 for required improvements to Eastfield Road for a purchase price of $1,000; and

2) Recognize $8,000 in revenue to the General Fund, including the $1,000 payment for a temporary construction easement, and $7,000 for additional right of way.

18-5017  MINUTES

Approve Minutes of Regular meeting held October 16, 2018 and October 2, 2018.

18-5021  TAX REFUNDS
Approve refunds in the amount of $24.86 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. There is no accrued interest.

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

18-5022 STORM WATER PROGRAM - FY19 HAZARD MITIGATION FLOODPLAIN ACQUISITION

1. Accept the Offer of Sale of Real Estate from Jon Tarleton & Kristin Dodd-Tarleton, owners of property located at 1200 Mockingbird Lane, Charlotte, NC (Tax Parcel 171-091-58), for $420,000;

2. Accept the Offer of Sale of Real Estate from Elaine Aichenbaum Aldridge & Ricky D. Aldridge, owners of property located at 1026 Montford Drive, Charlotte, NC (Tax Parcel 171-022-40), for $350,000; and

3. Authorize the Charlotte-Mecklenburg Police and Fire Departments to use 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.). Selection of the referenced parcels was through application of the Flood Risk Assessment and Risk Reduction Plan (Plan), adopted by the Board on May 1, 2012. It is a locally developed approach that uses a risk-based method of identifying future flood mitigation projects. The requested actions will consist of acquiring the properties and demolishing the existing buildings using Storm Water Services capital funds for the purchase.

18-5027 GREENWAY ACQUISITION AND STORM DRAINAGE & TEMPORARY CONSTRUCTION EASEMENTS

Authorize the County Manager to negotiate and execute all documents necessary for the acquisition of a Permanent Greenway and Storm Drainage Easement (+/- 821 SF) and a Temporary Construction Easement (+/-1,988 SF) on Tax Parcel 221-101-68 and a Temporary Construction Easement (+/-11,558) on Tax Parcel 221-103-93 from Carolina Crossing Homeowners Association for a purchase price of $15,000.

Note: On October 16, 2018 in Closed Session, the Board approved the above action, which should have also been approved in Open Session on October 16, 2018.

This Concluded Items Approved by Consent


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
recognize, receive and appropriate $137,461 from the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG).

Note: The Mecklenburg County Sheriff’s Office has been receiving the U.S. Department of Justice Edward Byrne Memorial Justice Assistance (JAG) grants since 2012. This federal grant will fund several public safety initiatives and/or programs. Estimates for the following initiatives are listed below:

- $57,900 to replace 3 IDEMIA LiveScan Stations
- $21,000 to replace 3 MorphoBIS Review Workstations
- $52,581 to replace 3 Live Scan Stations
- $2,650 for 2 Tenprint Card Printers
- $1,331 for estimated shipping and handling

This equipment will be used for criminal fingerprint services in Arrest Processing for connectivity directly to the North Carolina Department of Public Safety (NC-DPS) AFIS Database. It provides the ability to submit fingerprints electronically to the State Bureau of Investigations. Existing equipment currently in use will not support new technology going into effect July 1, 2019 at the North Carolina Department of Public Safety.

- $1,999 for one additional Bee III Radar unit to be installed in a patrol vehicle in the Field Operations Division.

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

18-5005 RESOLUTION DECLARING INTENT TO EXCHANGE PROPERTY - WILMORE CENTENNIAL PARK AT SOUTHEND

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 adopt:

(1) Adopt resolutions of intent to exchange County owned Tax Parcel 123-062-17 (+/- 4,356 SF) for the northern portion of Tax Parcels 123-062-05 and 123-062-06 (+/- 4,500 SF) and an access easement on the southern portion of the same parcels with Common Square, LLC or its assignee;

(2) Authorize the County Manager to execute a rezoning petition to be filed with the City of Charlotte for the County owned Tax Parcel 123-062-17 (+/- 4,356 SF) that is proposed to be conveyed to Common Square, LLC or its assignee; and

(3) Authorize the County Manager to negotiate the terms of and execute all documents necessary for the future grant of a temporary construction easement to Common Square, LLC, or its assignee, at Wilmore Centennial Park at Southend.

Note: On October 16, 2018 in Closed Session, the Board approved a Resolution Declaring Intent to Exchange Tax Parcel 123-062-17 at Wilmore Centennial Park at Southend for Portions of Tax Parcels 123-062-05 and 123-062-06, including an Access Easement Across Other Portions of Tax Parcels 123-062-05 and 123-062-06, which should have also been approved in Open Session on October 16, 2018. The Notice of Intent to Exchange was published in the Charlotte Observer on October 19, 2018, however, there was an error with one of the parcel numbers. As such, the Board is being asked to approve a revised resolution that states the Board will take final action on November 20, 2018, rather than November 7, 2018.

Commissioner Leake removed this item from Consent for more public awareness.
November 7, 2018

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
DECLARING INTENT TO EXCHANGE TAX PARCEL 123-062-17 AT WILMORE CENTENNIAL PARK AT SOUTHEND FOR PORTIONS OF TAX PARCELS 123-062-05 AND 123-062-06, INCLUDING AN ACCESS EASEMENT ACROSS OTHER PORTIONS OF TAX PARCELS 123-062-05 AND 123-062-06

WHEREAS, Mecklenburg County owns Tax Parcel 123-062-17 (hereinafter referred to as “County Exchange Parcel”) which is located on N. Tryon St at the site of Wilmore Centennial Park at Southend in Charlotte and Common Square, LLC owns Tax Parcels 123-062-05 and 123-062-06 which fronts onto West Boulevard on the same block as the County owned park; and

WHEREAS, Common Square desires to develop a mixed-use community on property bounded by N. Tryon St., West Blvd., Hawkins Street, and an alley fronting onto the park and to do so will need to acquire the County Exchange Parcel, which is +/- 4,356 SF, to implement its desired plans; and

WHEREAS, the County desires to achieve pedestrian and vehicular connectivity to the park site from West Blvd, and Common Square proposes to convey +/- 4,500 SF of the northern portions of Tax Parcels 123-062-05 and 123-062-06 and an access easement across the southern portions of the same parcels (hereinafter referred to as “Common Square Exchange Property”) to accomplish County’s goal; and

WHEREAS, the County Exchange Parcel has been valued at $350,000 and the Common Square Exchange Property has been valued at $525,000 and the County and Common Square have agreed to exchange the County Exchange Parcel for the Common Square Exchange Property based on a no out-of-pocket cash from the County transaction; 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 Common Square, 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 Common Square Property and to follow the statutory procedure to authorize the exchange; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners proposes to authorize the exchange of the County Exchange Parcel for the Common Square Property at its next regular meeting; authorizes the County Manager to negotiate a contract for the exchange; and 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 announcing the Board’s intent to authorize the exchange on November 7, 2018 at the Board’s next regular business meeting.

APPROVED the 16th day of October, 2018

Approved as to Form:

[Signature]
County Attorney

[Signature]
Clerk to the Board

RBC/WE:192825:3/1/2017

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
DECLARING INTENT TO EXCHANGE TAX PARCEL 123-062-17 AT WILMORE CENTENNIAL PARK AT SOUTHEND FOR PORTIONS OF TAX PARCELS 123-062-05 AND 123-062-06, INCLUDING AN ACCESS EASEMENT ACROSS OTHER PORTIONS OF TAX PARCELS 123-062-05 AND 123-062-06

WHEREAS, Mecklenburg County owns Tax Parcel 123-062-17 (hereinafter referred to as “County Exchange Parcel”) which is located on N. Tryon St at the site of Wilmore Centennial Park at Southend in Charlotte and Common Square, LLC owns Tax Parcels 123-062-05 and 123-062-06 which fronts onto West Boulevard on the same block as the County owned park; and

WHEREAS, Common Square desires to develop a mixed-use community on property bounded by N. Tryon St., West Blvd., Hawkins Street, and an alley fronting onto the park and to do so will need to acquire the County Exchange Parcel, which is +/- 4,356 SF, to implement its desired plans; and
WHEREAS, the County desires to achieve pedestrian and vehicular connectivity to the park site from West Blvd. and Common Square proposes to convey +/- 4,500 SF of the northern portions of Tax Parcels 123-062-05 and 123-062-06 and an access easement across the southern portions of the same parcels (hereinafter referred to as “Common Square Exchange Property”) to accomplish County’s goal; and

WHEREAS, the County Exchange Parcel has been valued at $350,000 and the Common Square Exchange Property has been valued at $525,000 and the County and Common Square have agreed to exchange the County Exchange Parcel for the Common Square Exchange Property based on no out-of-pocket cash from the County transaction; 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 Common Square, 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 Common Square Property and to follow the statutory procedure to authorize the exchange; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners proposes to authorize the exchange of the County Exchange Parcel for the Common Square Property at its next regular meeting; authorizes the County Manager to negotiate a contract for the exchange; and 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 announcing the Board’s intent to authorize the exchange on November 20, 2018 at the Board’s next regular business meeting.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #323.

18-5011 PROCLAMATION - NATIONAL ADOPTION AWARENESS MONTH

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 6-0 with Commissioners Clarke, Cottham, Dunlap, Fuller, Leake, and Scarborough voting yes, to adopt a proclamation designating November 2018 as “National Adoption Awareness Month” in Mecklenburg County.

Commissioner Leake removed this item from Consent for more public awareness.
November 7, 2018

18-5019 CLOSING A PORTION OF RIGHT-OF-WAY FOR FORMER STATESVILLE ROAD (US HIGHWAY 21)

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:

1. Set a public hearing for December 18, 2018 to hear all interested parties who appear with respect to the closing of a portion of right-of-way for former Statesville Road (US Highway 21); and

2. Adopt a resolution declaring intent to close a portion of former Statesville Road (US Highway 21) right-of-way.

Note: The property owner has petitioned to close a 3.16-acre portion of right-of-way for former Statesville Road (US Highway 21). The portion of said right-of-way is located between two wooded parcels owned by the petitioner. Reportedly, the parcels will be combined and
developed for industrial use. NCDOT informed the petitioner on September 24, 2018 that the portion of right-of-way petitioned to be closed was not State maintained. To close a right-of-way in the unincorporated part of the County, General Statute 153A-241 requires a public hearing and approval of the order for closing by the Board of County Commissioners. Once closed, the 3.16-acre portion of former right-of-way will become vested in the adjacent parcels owned by the petitioner.

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

MECKLENBURG COUNTY BOARD OF COMMISSIONERS

RESOLUTION DECLARING INTENT TO CLOSE A PORTION OF FORMER STATESVILLE ROAD (US HIGHWAY 21) RIGHT-OF-WAY

WHEREAS, North Carolina General Statute 153A-241 specifies that a county may permanently close 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, a petitioner has requested that a 3.16-acre portion of right-of-way for former Statesville Road (US Highway 21) as shown on the Exhibit A map attached hereto be closed; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has determined that in its opinion the closing of the portion of said right-of-way petitioned for closing would not deprive any individual owning land in the vicinity of said right-of-way of reasonable ingress and egress to their property, and would not be contrary to the public interest; 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 close the 3.16-acre portion of right-of-way for former Statesville Road (US Highway 21) as shown on the attached Exhibit A map, and as required by G.S. 153A-241 does hereby set a public hearing on the question of whether to close said right-of-way for December 18, 2018 at 6:30 PM in the Meeting Chamber on the first floor of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina 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 LUESA to send or have sent by registered or certified mail a copy of this resolution and Exhibit A map and Notice of Intent to each owner as shown on the County tax records of all properties adjoining the said right-of-way of former Statesville Road who did not join in the request to have said portion of the right-of-way closed; and to have a notice of the closing and the public hearing posted in at least two places at said right-of-way.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #324.

LIBRARY BOARD OF TRUSTEES TERMS

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 receive as information and direct the Clerk to the Board to change the term expiration date for all members of the Library Board of Trustees to end June 30, six months after their current expiration date in accordance with action taken by the Library Board of Trustees to change terms from a calendar year to its fiscal year.

Note: On November 13, 2017, the Library Board of Trustees voted to modify terms of trustees service from a calendar year to its fiscal year - June 30. To facilitate this change, terms for each trustee was extended by six months to June 30 of the year following his or her previously established term expiration date.
November 7, 2018

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

ADJOURNMENT

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:56 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, November 20, 2018.

**ATTENDANCE**

Present: Chair Ella B. Scarborough and Commissioners Dumont Clarke, George Dunlap, Trevor M. Fuller, Vilma D. Leake, Jim Puckett, and Matthew Ridenhour

County Manager Dena R. Diorio

County Attorney Tyrone C. Wade

Clerk to the Board Janice S. Paige

Absent: Commissioners Bill James and Patricia “Pat” Cotham

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**-INFORMAL SESSION-**

Commissioners 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) to be removed from Consent and voted upon separately. The items identified were Items: 18-5020, 18-5023, 18-5033, 18-5037, 18-5040 and 18-5052.

**STAFF BRIEFINGS - NONE**

**CLOSED SESSION**

**18-5034 CONSULT WITH ATTORNEY**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 5-0 with Commissioners Clarke, Dunlap, Fuller, Leake, and Scarborough voting yes, to go into Closed Session for the following purpose(s): Consult with Attorney.

The Board went into Closed Session at 5:25 p.m. and came back into Open Session at 5:35 p.m.

Commissioner Ridenhour was present when the Board came back into Open Session. He entered the meeting during Closed Session.

It was the consensus of the Board to move Item 18-5023 Proclamation Declaring November 2018 as Homeless Awareness Month 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 introductions, the Pledge of Allegiance to the Flag and invocation by Commissioner Clarke; after which, the matters below were addressed.

AWARDS/RECOGNITION

18-5043 BOARD OF COMMISSIONERS PLAQUE PRESENTATIONS

Chair Scarborough recognized County Manager Diorio for presentation of plaques to outgoing members of the Board.

County Manager Diorio presented plaques to outgoing members of the Board in recognition of their service to the community as a member of the Board of County Commissioners. Those members were: Commissioners Dumont Clarke, District 4, Bill James, District 6, Jim Puckett, District 1, and Matthew Ridenhour, District 5.

Commissioner Clarke served as the Board’s District 4 representative for 18 years and for two of his terms, served as Vice-Chair of the Board.

Commissioner Bill James served as the Board’s District 6 representative for 22 years.

Commissioner Jim Puckett served as the Board’s District 1 representative, twice, with this recognition being in honor of his second tour of service of four (4) years and serving as Vice-Chair during this, his last term.

Commissioner Matthew Ridenhour served as the Board’s District 5 representative for six (6) years and one (1) month, having been initially appointed to fill the vacant seat of the late Commissioner Neil Cooksey.

Following the presentation, each outgoing Commissioner, except Commissioner James, who was absent, made remarks. Remarks were then made by Commissioners returning to the Board to the outgoing members.

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

18-5023 PROCLAMATION DECLARING NOVEMBER 2018 AS HOMELESS AWARENESS MONTH

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and carried 6-0 with Commissioners Clarke, Dunlap, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt a joint proclamation declaring November 2018 as Homeless Awareness Month in Charlotte and Mecklenburg County.

The proclamation was read by Commissioners Leake and received by Liz Clasen Kelly with the Men’s Shelter.
The following person appeared to speak during the Public Appearance portion of the agenda:

Lloyd Scher, a former County Commissioner, thanked Board members for their service. He asked the Board to consider appointing a joint study committee comprised of current and former elected officials to address the issue of four-year staggered terms for county commissioners in Mecklenburg county, and to look at committee appointments and pay for commissioners.

Note: Sonya Roberts and Paul Brown signed up to speak but did not appear.

Commissioner Fuller returned to the dais.

APPOINTMENTS

18-5004 NOMINATIONS/APPOINTMENTS

BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Aaron Moody to the Building Development Commission (BDC) as a Charlotte Chamber of Commerce representative, as well as designate him Chairman of the Building Development Commission to fill an unexpired term expiring July 31, 2019.
November 20, 2018

Note: The BDC bylaws state the Chairperson is appointed by the Board and shall be the Charlotte Chamber of Commerce representative. He replaced Jonathan Bahr who resigned.

WOMEN’S ADVISORY BOARD

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Michelle Ferlauto and Kimberly Nelson to the Women’s Advisory Board for three-year terms expiring November 30, 2021.

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

18-5042 ABOVE AND BEYOND @ WORK WINNER

The Board recognized distinguished employee Courtney Morton from Community Support Services as the latest Above and Beyond @ Work winner.

She thanked the County Manager and the Board for recognizing her.

Note: The Above & Beyond @ Work Award was created by County Manager Diorio to recognize outstanding employees.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

CONSENT ITEMS

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

18-5029 STORM WATER PROGRAM – FY19 HAZARD MITIGATION FLOODPLAIN ACQUISITION

1. Accept the Offer of Sale of Real Estate and Lease Agreement from Brett & Erin Peiffer, owners of property located at 3501 Johnny Cake Lane, Charlotte, NC (tax parcel 209-112-07), for $554,000; and

2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to use the structures for training exercises.
Note: These acquisitions are being done through the County’s Hazard 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.).

18-5030 LANDSCAPE ARCHITECT/ARCHITECT SELECTION – INDEPENDENCE PARK RENOVATION

Authorize the County Manager to negotiate fees and execute a contract with Agency Landscape and Planning for design services for the Independence Park Renovation, and in the event negotiations with this firm are unsuccessful, approve negotiations with the alternate firm of Surface 678.

18-5036 MINUTES

Approve Minutes of Regular meeting held November 7, 2018.

18-5041 AMENDMENT TO DECLARATION OF EASEMENTS – STEWART CREEK GREENWAY PROPERTY

Authorize the County Manager to negotiate and execute the First Amendment to the Declaration of Easements and all other documents necessary among the County, Wesley Village, LLC; BR Wesley Village II, LLC; and BR Wesley Village, LLC to effectuate the removal of County owned Tax Parcel 071-041-15 from the original Declaration of Easements.

Note: In 2009, the County acquired Tax Parcel 071-041-15 (+/- 1.008 acres) for greenway trail along Stewart Creek. The property the County acquired was subject to a Declaration of Easements Agreement placed on it along with other adjacent parcels that were proposed for apartments and supporting infrastructure development. The parcels consisted of six tracts of land that were collectively known as Wesley Village and located on the north side of the 1700 to 1799 block of Freedom Drive, between Thrift Road to the west and Stewart Creek to the east.

The Declaration of Easements grouped the six parcels into two groups referred to as either the “Apartment Site” or the “Retained Property”. The property the County acquired was included with the Apartment Site. The Declaration makes the owners of the Apartment Site responsible for the cost of maintaining certain infrastructure improvements such as utilities, road improvements, and detention pond maintenance with a portion of that cost being reimbursed by the owner of one of the parcels included in the Retained Property.

The apartments planned for Wesley Village were only partially completed. One of the tracts planned for apartments are now under contract to a new buyer. That buyer and the County are requesting to be removed from the Declaration of easements and all owners have agreed to this request. Removing the County from the Declaration will eliminate the possibility of the County being required to share in the cost of maintaining easement improvements.

18-5047 TAX REFUNDS

1. Approve refunds in the amount of $52,314.85 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
2. Approve refunds in the amount of $8,429.12 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 $89.54.

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

18-5020 LAND EXCHANGE – WILMORE CENTENNIAL PARK AT SOUTHEND

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

1) Adopt a resolution authorizing the exchange of County owned Tax Parcel 123-062-17 (+/- 4,356 SF) for the northern portion of Tax Parcels 123-062-05 and 123-062-06 (+/- 4,500 SF) and an access easement on the southern portion of the same parcels with Common Square, LLC or its assignee; and

2) Authorize the County Manager to negotiate and execute a land exchange agreement with Common Square, LLC for the exchange of the above referenced properties.

Note: At its October 16th meeting, the Board adopted a resolution declaring its intent to exchange County owned Tax Parcel 123-062-17 (+/- 4,356 SF) for the northern portion of Tax Parcel 123-062-05 and 123-062-06 (+/- 4,500 SF) and an access easement across the southern portion of those same parcels with Common Square, LLC. Following the November 7th meeting, where a revised resolution was adopted, staff published a notice of this intent in the Charlotte Observer on November 8, 2018 as required by N.C.G.S. 160A-271. To move forward with the exchange, the Board is required to authorize the exchange.

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

MECKLENBURG COUNTY BOARD OF COMMISSIONERS

RESOLUTION

AUTHORIZING EXCHANGE TAX PARCEL 123-062-17 AT WILMORE CENTENNIAL PARK AT SOUTHEND FOR PORTIONS OF TAX PARCELS 123-062-05 AND 123-062-06, INCLUDING AN ACCESS EASEMENT ACROSS OTHER PORTIONS OF TAX PARCELS 123-062-05 AND 123-062-06

WHEREAS, Mecklenburg County owns Tax Parcel 123-062-17 (hereinafter referred to as “County Exchange Parcel”) which is located on N. Tryon St at the site of Wilmore Centennial Park at Southend in Charlotte and Common Square, LLC owns or is under contract on Tax Parcels 123-062-05 and 123-062-06 which fronts onto West Boulevard on the same block as the County owned park; and

WHEREAS, Common Square desires to develop a mixed-use community on property bounded by N. Tryon St., West Blvd., Hawkins Street, and an alley fronting onto the park and to do so will need to acquire the County Exchange Parcel, which is +/- 4,356 SF, to implement its desired plans; and

WHEREAS, the County desires to achieve pedestrian and vehicular connectivity to the park site from West Blvd. and Common Square proposes to convey +/- 4,500 SF of the northern portions of Tax Parcels 123-062-05 and 123-062-06.
November 20, 2018

Parcels 123-062-05 and 123-062-06 and an access easement across the southern portions of the same parcels (hereinafter referred to as “Common Square Exchange Property”) to accomplish County’s goal; and

WHEREAS, the County Exchange Parcel has been valued at $350,000 and the Common Square Exchange Property has been valued at $525,000 and the County and Common Square have agreed to exchange the County Exchange Parcel for the Common Square Exchange Property based on a no out-of-pocket cash from the County transaction; 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 Common Square, 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 full and fair consideration for its property; and

WHEREAS, pursuant to G.S. 160A-271, the Board proposed to authorize the exchange of the County Exchange Parcel for the Common Square Property and followed 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 Common Square Exchange Property and authorized publication of a notice of such intent, which notice was published in the Charlotte Observer on November 8, 2018 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 Common Square Property and authorizes the County Manager to negotiate and execute an exchange agreement, the deed, and any other documents necessary to effectuate the exchange.

Resolution recorded in full in Ordinance/Minutes Book 47-A, Document #325.

18-5033 BUDGET AMENDMENT – HEALTH DEPARTMENT REVENUE INCREASE

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

1. Recognize, receive and appropriate an increase in revenue in the amount of $29,500 from the Charlotte-Mecklenburg Board of Education; and

Note: Federal regulations require school districts to provide a free and appropriate education to all students. Students with disabilities require extra support and school districts must spend local funds to provide their services. School districts are able to recover a portion of these expenses for Medicaid-eligible students with current Individualized Education Programs (IEPs) by billing Medicaid. To bill Medicaid, Charlotte-Mecklenburg Schools (CMS) must meet the physician authorization of services requirement for North Carolina Local Education Agency (LEA) students with IEPs. The funding from CMS will go to the Health Department and be used to pay for a licensed medical professional to provide monthly medical authorization necessary for CMS’ Medicaid cost recovery for Medicaid-eligible students.

2. Recognize, receive, and appropriate an increase in revenue in the amount of $70,778 from NC Division of Public Health - Injury and Violence Prevention Branch.

Note: The Department has been awarded an allocation for Emergency Overdose: Local Mitigation to the Opioid Crisis. This award is federal funding, which is allocated to local governments through the state Division of Public Health. The purpose of the funding is to implement strategies to prevent fatal and non-fatal opioid overdoses, increase access and
November 20, 2018

linkages to care services for the most vulnerable populations, and build local capacity to respond to the opioid epidemic.

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

18-5037  BUDGET AMENDMENT – DSS (REVENUE INCREASE/DECREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to recognize, receive and appropriate a net increase in revenue in the amount of $1,038,314 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. The net increase of federal and state allocations was $1,038,314.

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

18-5040  CONSTRUCTION CONTRACT – TOBY CREEK GREENWAY PHASE IIB

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes, to award a construction contract to Eagle Wood Inc. in the amount of $1,217,009.00, pending receipt of written concurrence by NCDOT.

Note: This contract is for the construction of Toby Creek Greenway Phase IIB located at 800 Rocky River Road.

Commissioner Cotham removed this item from Consent for more public awareness, but in her absence, it was removed by Commissioner Puckett on her behalf.

18-5052  AUTHORIZE SURPLUS DESIGNATION AND SALE PURCHASE GLOCK HANDGUN – SHERIFF’S OFFICE

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

1. Approve the designation of Sheriff Irwin Carmichael’s Glock handgun - Serial Number UPR843 - as surplus; and

2. Adopt a resolution authorizing the sale of the weapon to the Mecklenburg County Sheriff’s Office Executive Team.

Note: This action will allow the Mecklenburg County Sheriff’s Office Executive Team to purchase the outgoing Sheriff’s Glock handgun, for presentation to Sheriff Irwin Carmichael in recognition of his 32 years of service to the Mecklenburg County Sheriff’s Office and Mecklenburg County. North Carolina law, G.S. 20-187.2 provides for the award of badges and service weapons of officers killed in the line of duty or upon retirement. Historically, this has been a customary practice for retiring or deceased law enforcement officers. Sheriff Carmichael is not retiring; however, the executive team is requesting Board of County Commissioner approval to award him his service weapon.
November 20, 2018

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

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION ON SALE OF EQUIPMENT
TO MECKLENBURG COUNTY SHERIFF’S OFFICE EXECUTIVE TEAM

WHEREAS, Sheriff Irwin Carmichael has served the Mecklenburg County Sheriff’s Office and Mecklenburg County for 32 years; and

WHEREAS, the Mecklenburg County Sheriff’s Office Executive Team is requesting to purchase the outgoing Sheriff’s Glock handgun, for presentation to Sheriff Irwin Carmichael in recognition of his 32 years of service; and

WHEREAS, G.S. 20-187.2 provides for the award of badges and service weapons of officers killed in the line of duty or upon retirement. Historically this has been a customary practice for retiring or deceased law enforcement officers; and

WHEREAS, Although Sheriff Carmichael is not retiring, the Executive Team is requesting Board of County Commissioner approval to award him his service weapon; now, therefore, be it

RESOLVED, that the Mecklenburg County Board of Commissioners does hereby approve the sale of the outgoing Sheriff’s Glock handgun, Serial #UPR843 and authorizes the County Manager, or her designee, to take all necessary actions for the sale of such equipment to the Mecklenburg County Sheriff’s Office Executive Team.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #326.

ADJOURNMENT

Motion was made by Commissioner Puckett, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, 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 7:23 p.m.

Janice S. Paige, Clerk

Ella B. Scarborough, Chair
MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS

DECEMBER 3, 2018

The Board of Commissioners of Mecklenburg County, North Carolina, met in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, located at 600 East Fourth Street, Charlotte, N.C. at 6:00 p.m. on Monday, December 3, 2018.

ATTENDANCE

Present: Chair George Dunlap and Commissioners Patricia “Pat” Cotham, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Susan Rodriguez-McDowell, Elaine Powell, and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Tyrone C. Wade
Clerk to the Board Janice S. Paige

Absent: None

CALL TO ORDER - SWEARING-IN CEREMONY

County Manager Dena R. Diorio called the Swearing-In Ceremony for the 2018-2020 Mecklenburg County Board of Commissioners to order.

County Manager Diorio presided until the election of a temporary chairman.

INVOCATION

Chaplain Joe Howard, Senior Chaplain Mecklenburg County Sheriff’s Office, gave the invocation.

PRESENTATION OF COLORS

The Mecklenburg County Sheriff’s Office Color Guard conducted the presentation of colors, which was followed by the Pledge of Allegiance to the Flag and a musical selection before and after the Pledge of Allegiance by the Charlotte Children’s Choir.

OATHS OF OFFICE, BOARD OF COUNTY COMMISSIONERS

The Oaths of Office were administered by the Honorable Regan A. Miller, Chief District Court Judge, 26th Judicial District of NC, to the following persons who were elected to the Mecklenburg County Board of Commissioners in the general election held November 6, 2018 for a two-year term expiring Monday, December 7, 2020:

Patricia “Pat” Cotham, At-Large
Trevor M. Fuller, At-Large
Ella B. Scarborough, At-Large
Elaine Powell, District 1
Vilma D. Leake, District 2
George Dunlap, District 3
Mark D. Jerrell, District 4
Susan B. Harden, District 5
Susan Rodriguez-McDowell, District 6

Oaths are on file with the Clerk to the Board.

County Manager Diorio congratulated Board members on their election to office.
Board members took their seats around the dais.

**ELECTION OF TEMPORARY CHAIRMAN**

County Manager Diorio called for nominations for the election of a Temporary Chairman, until such time that a permanent chairman was elected.

Motion was made by Commissioner Leake seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell, and Scarborough voting yes, to nominate/elect Commissioner Trevor M. Fuller as Temporary Chairman of the Mecklenburg County Board of Commissioners.

Note: No other nominations were made for the position of Temporary Chairman.

County Manager Diorio turned the gavel over to Commissioner Trevor M. Fuller.

**ELECTION OF CHAIRMAN**

Temporary Chairman Trevor M. Fuller called for nominations for the election of Chairman of the Mecklenburg County Board of Commissioners for a one-year term expiring December 3, 2019.

Commissioner Harden nominated Commissioner George Dunlap for the position of Chairman and addressed her nomination.

Motion was made by Commissioner Leake seconded by Commissioner Scarborough and carried 8-1 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell, and Scarborough voting yes and Commissioner Cotham voting no, to close nominations for the position of chairman.

Motion was made by Commissioner Leake seconded by Commissioner Powell and carried 8-1 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell, and Scarborough voting yes and Commissioner Cotham voting no, to elect Commissioner George Dunlap as Chairman of the Mecklenburg County Board of Commissioners for a one-year term expiring December 3, 2019.

Temporary Chairman Trevor M. Fuller announced the election of Commissioner George Dunlap as Chairman of the Mecklenburg County Board of Commissioners for a one-year term expiring December 3, 2019.

Commissioner Fuller turned the gavel over to Chairman George Dunlap.

**ELECTION OF VICE-CHAIRMAN**

Chairman George Dunlap called for nominations for the election of Vice-Chairman of the Mecklenburg County Board of Commissioners for a one-year term expiring December 3, 2019.

Commissioner Leake nominated Commissioner Trevor M. Fuller for the position of Vice-Chairman.

Commissioner Fuller thanked Commissioner Leake for the nomination but declined to accept it. Commissioner Fuller said having served in a leadership role previously on the Board, the position of Chairman, he felt it was better to give others an opportunity to serve.

Commissioner Rodriguez-McDowell nominated Commissioner Elaine Powell for the position of Vice-Chairman and addressed her nomination.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell, and Scarborough voting yes and Commissioner Cotham voting no, to nominate/elect Commissioner Trevor M. Fuller as Vice-Chairman of the Mecklenburg County Board of Commissioners.
carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell, and Scarborough voting yes, to close nominations under the said name and to elect Commissioner Elaine Powell as Vice-Chairman of the Mecklenburg County Board of Commissioners for a one-year term expiring, December 3, 2019.

REMARKS
Commissioners made remarks in the following order:

Susan Rodriguez-McDowell, District 6
Trevor M. Fuller, At-Large
Ella B. Scarborough, At-Large
Patricia “Pat” Cotham, At-Large
Susan B. Harden, District 5
Mark D. Jerrell, District 4
Vilma D. Leake, District 2
Elaine Powell, District 1
George Dunlap, District 3

ADJOURNMENT
Chairman Dunlap declared the meeting adjourned.

Note: A reception followed in the Lobby of the Charlotte-Mecklenburg Government Center.

______________________________ ____________________________
Janice S. Paige, Clerk George Dunlap, Chair
DECEMBER 4, 2018

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, December 4, 2018.

ATTENDANCE

Present: Chair George Dunlap and Commissioners Patricia “Pat” Cotham, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Susan Rodriguez-McDowell, Elaine Powell, and Ella B. Scarborough County Manager Dena R. Diorio County Attorney Tyrone C. Wade Clerk to the Board Janice S. Paige

Absent: None

- INFORMAL SESSION -

The meeting was called to order by Chair Dunlap, 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 identified were Items: 18-5031 and 18-5057.

STAFF BRIEFINGS

18-5032 ACCEPTANCE OF MECKLENBURG COUNTY SHERIFF’S BOND

County Attorney Wade addressed the receipt of Sheriff Elect Garry L. McFadden’s bond. It was noted that it was recently brought to the County’s attention that under the statutes a sheriff elect’s oath should only be administered after the bond has been received and accepted by the board of county commissioners. Thus, Sheriff Elect McFadden will take his oath of office later in the afternoon following the Board’s approval of his bond.

Note: § 162-8. Bond required. The sheriff shall furnish a bond payable to the State of North Carolina for the due execution and return of process, the payment of fees and moneys collected, and the faithful execution of his office as sheriff, which shall be conditioned as follows: The condition of the above obligation is such that, whereas the above bounden ______ is elected and appointed sheriff of ______ County; if therefore, he shall well and truly execute and due return make of all process and precepts to him directed, and pay and satisfy all fees and sums of money by him received or levied by virtue of any process into the proper office into which the same, by the tenor thereof, ought to be paid, or to the person to whom the same shall be due, his executors, administrators, attorneys, or agents; and in all other things well and truly and faithfully execute the said office of sheriff during his continuance therein, then above obligation to be void; otherwise to remain in full force and effect. The amount of the bond shall be determined by the board of county commissioners but shall
not exceed twenty-five thousand dollars ($25,000).
§ 162-9. County commissioners to take and approve bonds. The board of county commissioners in every county shall take and approve the official bond of the sheriffs, which they shall cause to be registered and the original deposited with the clerk of superior court for safekeeping. The bond shall be taken on the first Monday of December next after the election. The Bond for Mecklenburg County Sheriff Elect Garry L. McFadden was received by the Clerk to the Board on Friday, November 30, 2018.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to acknowledge receipt of $25,000 bond on Friday, November 30, 2018 for Mecklenburg County Sheriff Elect Garry L. McFadden and approve said bond as required by G.S. 162-9 for Mecklenburg County Sheriff Elect Garry L. McFadden.

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

CLOSED SESSION

18-5055 CONSULT WITH ATTORNEY
18-5058 LAND ACQUISITION
18-5062 BUSINESS LOCATION AND EXPANSION

Prior to going into Closed Session, County Attorney Wade announced there were no Consult with Attorney matters to be discussed in Closed Session.

County Attorney Wade announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcel(s): 071-143-42.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell 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 5:24 p.m. and came back into Open Session at 6:11 p.m.

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

-FORMAL SESSION-

Chair Dunlap 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.

ITEM ADDED TO THE AGENDA – CHAIR UPDATES

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to approve adding an item to the agenda for the receipt of updates from the Chair and to bring forward the land acquisition item from Closed Session.
18-5058 LAND ACQUISITION

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of a permanent Greenway Easement (+/- 1.6951 acres) and a permanent Storm Drainage Easement (+/- 1.5381 acres) on Tax Parcel 071-143-42 from Karen C. Shaw for a purchase price of $193,650 for a Greenway Trail and Stream Enhancements on Stewart Creek Tributary II.

CHAIR UPDATES

Chair Dunlap noted the matters below for information purposes in response to Board member inquiries and for the public’s awareness.

Public Appearance Follow-up
In response to concern regarding whether follow-up was being done with persons appearing before the Board during Public Appearance, going forward the Clerk will record the contact information for all speakers and provide that information to the appropriate staff for follow-up with the speaker.

Chair Dunlap said hopefully this would deter Board members from engaging in dialogue with speakers during the meeting. He said staff would be held accountable for following up with speakers.

Board Support Staff Update
The two vacancies were being reposted, since the first round of interviews did not result in any new hires.

Chair and Vice Chair Discussions
When request for meetings with the Chair are requested from external entities and other elected officials, for the purpose of addressing matters involving the full Board, both the Chair and Vice Chair will be in attendance.

Media Relations
A meeting was being scheduled by the County Manager for the Chair and Vice Chair to meet with the Charlotte Observer Editorial Board.

County Representation
This is the first time the Chair and Vice Chair of the Board have been District representatives. The Chair and Vice Chair will still have the responsibility of representing their District; however, the responsibility of representing the County was a “shared responsibility of all Commissioners.”

The Chair and Vice Chair will try to accommodate all requests received for representation by the County. If the Chair and Vice Chair are not available, they would look to see where the request was coming from district wise and ask that district representative to attend on behalf of the County. If it’s not associated with a district, then Commissioners will be asked on a rotating basis regarding their availability.

Agenda Review
The Chair and Vice Chair will review the agenda with the County Manager at least four days in advance of the Regular meeting.
Performance Review Committee

In light of it being six (6) months into the County Manager’s Work Plan that she’ll present later in the meeting, appointments have been made to the Board’s Performance Review Committee by the Chair.

The members of the Performance Review Committee as appointed by Chair Dunlap are Vice Chair Powell, who will serve as Chair of the Committee, Commissioners Rodriguez-McDowell, Fuller, and Leake.

Chair Dunlap apologized for moving forward with the appointments to the Performance Review Committee but said it was done in the essence of time. He said for the other Board committees, he would reach out to Commissioners to see which committees they were interested in serving on.

Annual Retreat

The Board will go to the Grandover Resort in Greensboro for its annual retreat in January. This would be the first time the Board has been out of town for its retreat in quite some time. It’s felt this would be good to do to avoid local distractions and it would give the new Board an opportunity to bond.

The Retreat would be streamed live to keep the community informed. There would be an opportunity for team building, however, that portion of the meeting would not be televis ed.

Meetings with Town Officials

The County Manager will schedule periodic meetings the Board’s leadership, including the County Manager, and the elected leadership of the Towns and their Town Manager. The District representative was welcome to attend.

Speaking Engagements

The Chair will reach out to all Board members when it comes to attending speaking engagements on behalf of the County. He wants to give everyone an opportunity to represent the County if available to do so.

Recognition of Commissioner Scarborough

Commissioner Scarborough will be recognized at the December 18, 2018 meeting and presented a ceremonial gavel for her past service as Chair of the Board.

Ad Hoc Interview Committees

Appointments to Ad Hoc Interview Committees will be done on a rotating basis.

Affordable Housing

A Budget/Public Policy Workshop will be scheduled to discuss the topic of affordable housing and the County’s role in that effort, to include what’s currently being done by County.

Comments

Commissioner Scarborough asked if the County would be working in coordination with the City of Charlotte with respect to affordable housing, since that’s been a City of Charlotte responsibility or would the County work on its own.

Chair Dunlap said it was the primary responsibility of the City of Charlotte, but that there was a strong desire by a majority of the Board that the County in “concert” with the City of Charlotte help address this issue.

Commissioner Cotham questioned the Board’s annual retreat being held out of town. She said her preference was that it remain local and expressed why. She said she didn’t recall the Board
discussing the location. Commissioner Cotham asked what the cost would be. Chair Dunlap said that information was not available at this time.

Chair Dunlap said he received feedback from several Commissioners regarding what they'd like to have take place at the retreat and elaborated on why it would be beneficial to the Board to go out of town.

Commissioner Jerrell asked Commissioner Dunlap to provide him with a list of the updates shared in summary form. Chair Dunlap said he would.

Commissioner Cotham asked that the summary of the Chair’s updates be shared with all Commissioners. Chair Dunlap said he would.

Commissioner Cotham asked Chair Dunlap what would be his means of communication with the Board. She said she asked because she did not recall being contacted regarding the Board’s annual retreat.

Chair Dunlap said he phoned and texted Commissioner Cotham but did not receive a response.

This concluded the Chair’s updates. The above was not inclusive of every comment but was a summary.

AWARDS/RECOGNITION

18-5061 ORDER OF THE HORNET INDUCTIONS

Chair Dunlap acknowledged the presence of former Commissioners Dumont Clarke and Matthew Ridenhour and the absence of former Commissioner Bill James, each of whom would be inducted into the Order of the Hornet. Chair Dunlap noted that former Commissioner Jim Puckett was inducted into the Order of the Hornet after his departure from office the first time he served as a County Commissioner.

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 former Commissioners Dumont Clarke, Bill James, and Matthew Ridenhour reflect the honor, strength, and fierce American patriotism that so stung Lord Cornwallis, they were recommended for membership in the Order of the Hornet.

Former Commissioner Dumont Clarke served as the Board’s District 4 representative for 18 years (December 4, 2000 – December 3, 2018) and for two of his terms, served as Vice-Chair of the Board.

Former Commissioner Bill James served as the Board’s District 6 representative for 22 years (December 2, 1996 – December 3, 2018).

Former Commissioner Matthew Ridenhour served as the Board’s District 5 representative for six (6) years and one (1) month, (November 20, 2012 – December 3, 2018) having been initially appointed to fill the vacant seat of the late Commissioner Neil Cooksey.
DECEMBER 4, 2018

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough, voting yes, to induct Dumont Clarke into the Mecklenburg County Order of the Hornet, the highest honor bestowed by the Board.

Former Commissioner Clarke thanked the Board for bestowing this honor upon him.

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough, voting yes, to induct Matthew Ridenhour into the Mecklenburg County Order of the Hornet, the highest honor bestowed by the Board.

Former Commissioner Ridenhour thanked the Board for bestowing this honor upon him.

Chair Dunlap acknowledged Former Commissioner Bill James' absence and said he, like the others, was deserving of this recognition. He noted Commissioner James' 22 years of service to the community as a County Commissioner.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough, voting yes, to induct Bill James into the Mecklenburg County Order of the Hornet, the highest honor bestowed by the Board.

PUBLIC APPEARANCE

18-5053 PUBLIC APPEARANCE

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

Mary Kelly addressed a community Book Read titled The Color of Law. It was noted that through sponsorships over 1200 books were purchased and distributed throughout the community free of charge through the library system. She said the first community meeting was on Monday, December 3, 2018 and was very well attended. The next event is January 8, 2019 at CN Jenkins Presbyterian Church at 7:00 p.m. and on January 28, 2019, Richard Rothstein, author of The Color of Law will be in town at the third event at First Baptist Church West at 7:00 p.m.

Ms. Kelly invited Board members to attend the upcoming events. She said the purpose of the events was to educate, engage, and build advocates across the community to take action to support affordable housing. Ms. Kelly provided each Commissioner with a copy of the book for their reading pleasure. She said copies were also provided to Charlotte City Council and the Board of Education. Ms. Kelly said for more information persons could go to their website www.coloroflawclt.com.

Minister Corine Mack, president of the Charlotte Chapter of the NAACP addressed the following topics:

1) People in the community that were “hurting” and in need of assistance, particularly those that were Black, Brown, and Poor;
2) The need for Board transparency;
3) Health Department Concerns - She noted a prior appearance before the Board asking that an independent investigation be conducted of the Health Department regarding concerns that had not been resolved. She asked the current Board to follow through on that request.
DECEMBER 4, 2018

4) Affordable Housing - She said it was not just a City of Charlotte issue but that the County had a responsibility as well. She noted the need for housing and land trust funds.

5) Charlotte-Mecklenburg Schools (CMS) – She addressed funding and the lack of accountability. She said more oversight was needed of CMS with respect to how allocated funds were being spent.

6) Legislative Concerns – She encouraged the County to partner with the NAACP to lobby legislators to do things differently going forward, as well as, partner to build relationships with legislators that had not been “kind to us.”

Stephen Saucier, President of the Carolina’s Aviation Museum, addressed an upcoming event on January 15, 2019. He said it would be the 10th anniversary of Flight 1549, the Miracle on the Hudson. The event will take place at the Charlotte Convention Center with nearly 700 attendees, including the passengers and their families, the crew, first responders, elected officials and others connected to this national story.

Peter Kelly on behalf of Community Advocates for Housing addressed the need for coordination amongst all entities addressing this issue in order to achieve the best outcomes for the community. He encouraged the Board to create an ad hoc committee on affordable housing; that the committee get up to speed with what the City of Charlotte had done thus far.

Cherry Reeves addressed her need for housing. She informed the Board that she was asked to leave the Salvation Army shelter and that it was suggested she go to behavioral health. She also addressed her Supplemental Security Income (SSI) payment. She questioned her removal from the shelter.

Chair Dunlap informed Ms. Reeves that someone from staff would follow up with her to see how the County could assist her.

APPOINTMENTS – NONE

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

County Manager Diorio informed the Board that staff would be reaching out to Board members to obtain their topics of interest for the Board’s Retreat in January.

18-5049 COUNTY MANAGER’S WORK AND PERFORMANCE PLAN FY19

County Manager Diorio addressed her proposed FY19 Work and Performance Plan.

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

Comments

Commissioner Powell asked about the status of the independent body of health professionals that former Commissioner Jim Puckett recommended and referenced by Public Appearance speaker Corine Mack.
County Manager Diorio said the ad hoc committee was formed by the prior Chair of the Board, however, the committee never met and some of the members of the committee were no longer on the Board.

County Manager Diorio said if that was something the current Board wanted to do, a new committee would have to be formed.

County Manager Diorio said that issue, however, was not a part of her work plan.

Chair Dunlap noted also that the Board did not approve the request, however, the ad hoc committee was allowed to move forward to see if there were other things that had not been explored.

Chair Dunlap said the issue could be discussed again. He said newly elected Commissioners needed to understand why the County’s Human Services component was structured the way that it was. He asked the County Manager to schedule the topic of the County’s Consolidated Human Services Agency on an upcoming Budget/Public Policy meeting agenda. Chair Dunlap said following the receipt of that information, the Board could then decide if the Ad Hoc committee should be reconstituted.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to approve the County Manager’s FY19 Work and Performance Plan.

18-5066 GETTING TO ZERO MECKLENBURG, COMMUNITY PLAN TO PREVENT HIV/PREP PILOT UPDATE

The Board received a presentation and update on the Getting to Zero Mecklenburg, Community Plan to Prevent HIV/PrEP Pilot. Gibbie Harris, Health Director, gave the report.

Note: Getting to Zero Mecklenburg, a Community Plan to reduce HIV infection in Mecklenburg County, was adopted by the Board of County Commissioners in May 2018. The PrEP Pilot is a keystone of that plan.

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

Comments

Commissioner Leake thanked Director Harris for the report.

Commissioner Leake said HIV/AIDs was an epidemic and that she felt the County was not doing enough to educate the community regarding this issue, especially in the areas of the community where it’s needed the most.

Commissioner Leake said she’d like a copy of Director Harris’ full report.

Commissioner Leake said this issue was dear to her heart, having lost her son because of the AIDS virus. She challenged the community to do more to eradicate this problem. She said more was needed on the national level as well.
Commissioner Leake said she wanted to be made aware of what was going to be done differently going forward to reach those in the community in need of knowing this information for prevention and treatment purposes.

Commissioner Fuller echoed Commissioner Leake’s sentiment that HIV/AIDS was an epidemic and not being addressed in Mecklenburg County with a sense of “urgency.”

Commissioner Fuller acknowledged that some progress had been made but said at the rate the County was going, it would be years before any real difference was seen. He suggested expanding the PrEP Program and providing it to anyone in need of it.

Commissioner Fuller said he didn’t know what the “hesitancy” was or the “obstacles” but more needed to be done. He said metrics were needed that were “aggressive” and would allow the County to know if progress was being made.

Commissioner Fuller said as the Board of the Health, it was the Board’s responsibility to do something about this epidemic.

Director Harris said she would be happy to provide the Board with a more in-depth report that would address all of the things being done by the Health Department to address this issue. She said the focus of the report provided at this meeting was on the PrEP Pilot Program.

Commissioner Fuller said what he wanted to see was a “plan” for getting to “zero” in Mecklenburg County. A plan with timelines.

Commissioner Scarborough asked about engaging the faith community. Director Harris said there had been some engagement and that staff was planning to do more, including putting together educational materials that would be provided to the faith community.

Commissioner Jerrell echoed Commissioner Fuller’s sentiment regarding the lack of “urgency” when it came to addressing this issue.

Commissioner Jerrell asked about the average life expectancy of someone living with HIV with and without treatment. Director Harris said without treatment they would probably live to reach their thirties or early forties, but with consistent treatment probably seventy.

Commissioner Jerrell said information regarding this was not getting out in the community. He asked for clarity on the number of sites, when the PrEP Pilot program began, and about other counties that had implemented the program, which was addressed.

Commissioner Jerrell asked what took so long for Mecklenburg County to implement the PrEP Pilot and what lessons had been learned since implementing the program.

Director Harris addressed marketing efforts and noted targeted areas. She said she could not address why it took so long for Mecklenburg County to implement the program, because she was not aware of what took place prior to beginning her tenure.

Director Harris said one of the things experienced in implementing the program was the contracting requirements, which was challenging for some of the smaller clinics. Director Harris said staff was working with the Finance Department to address some of those issues.

Director Harris said another issue had to do with persons being able to be treated for STDs at those clinics. She said they were working on revising contracts to allow the treatment to occur there, rather than referring the person back to the Health Department.
Commissioner Jerrell asked was there a repository for the collection of data from other counties. Director Harris said there was an initiative on the State level that was started about a year ago to work on expanding the availability of PrEP around the state. She said there weren’t a lot of counties in the state involved in this program but that the State was working on gathering that data.

Director Harris said Mecklenburg County did not have data from other counties. She said they’ve asked that data be shared, however, counties weren’t required to do so.

Commissioner Jerrell suggested staff leverage social media more to cast a “wider net” for getting information out to the broader community, and not just the targeted areas. He said it was possible that there were persons outside the targeted areas who may be infected but not be aware of it.

Commissioner Cotham echoed Commissioner Jerrell’s sentiment regarding the need to utilize social media more. She said people throughout the community needed to be aware of this information and not just those in targeted areas. Commissioner Cotham said she knew persons that could benefit from this information that did not live in the targeted areas.

Commissioner Cotham suggested trying to get a “star” athlete from one of the professional sports team to partner with the County to bring awareness of this issue. She said having their picture on a poster or billboard would probably draw more attention. Commissioner Cotham asked staff to think “bigger.”

Commissioner Leake asked Director Harris who was the lead staff person on the issue of HIV/AIDS at the Health Department. Director Harris said Dr. Cardra Burns, Assistant Health Director over Preventative Health, except for the clinical programs.

Commissioner Leake asked about a young man she recently met that worked for the Health Department. Director Harris said the young man was Matt Jenkins who was over some of the Health Department’s outreach efforts. She said he was instrumental in getting the PrEP Pilot Program implemented.

Commissioner Leake requested a report on how Mr. Jenkins was reaching out to the community, in what communities, the impact it was having, and the size of his staff.

Commissioner Leake also requested the total number of people overall in the Health Department addressing this epidemic. Director Harris said it was probably around forty people, all doing various things, such as counseling, testing, etc.

Director Harris said she would put a report together providing more detail.

Chair Dunlap said based on the report this was a major problem in the African American community. He said part of the problem why persons weren’t hearing about this issue was because it was not being broadcast in areas where African Americans concentrate, for example in churches on Sunday morning.

Chair Dunlap said he believed what Commissioners that had spoken were saying was for staff to develop a program or process, so the entire African American community can hear the information that’s now only being communicated in targeted areas.

Chair Dunlap suggested staff do whatever it could to make sure the educational message was centered in the places where the concentration of African Americans was.

Chair Dunlap said the Board looked forward to receiving the next follow-up report from Director Harris on this issue.
This concluded the discussion. The above was not inclusive of every comment but was a summary.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

18-5039 FEATURE DEPARTMENT/AGENCY PRESENTATION: ASSET AND FACILITY MANAGEMENT DEPARTMENT

The Board received a presentation on the status of the Asset and Facility Management FY17-FY19 Strategic Business Plan goals given by Mark Hahn, Asset and Facility Management Director.

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

Comments

Commissioner Rodriguez-McDowell asked about aging fleet, which was addressed.

Director Hahn addressed the selection of replacement vehicles, particularly lower emission vehicles.

Commissioner Rodriguez-McDowell asked about getting a tour of the facilities addressed in the report. Director Hahn said that could be arranged.

Commissioner Leake commented on the Hal Marshall Center and the need for maintenance when it came to the landscape around the facility. She also noted an area that the County was responsible for behind Bruns Academy that needed maintenance and an area off North Tryon Street and Weddington or Wellington that had a lot of overgrowth. Commissioner Leake said she was not sure who the property belonged to but that she would go back to get the specific address.

Director Hahn said staff would follow-up on these areas.

Chair Dunlap encouraged Commissioner Rodriguez-McDowell to reach out to staff regarding any facility she’d like to tour, so that it could be arranged.

18-5045 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information monthly department management reports for November, 2018.

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.

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

18-5060 2019 BOCC MEETING SCHEDULE
Chair Dunlap presented the proposed 2019 BOCC Meeting Schedule.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to approve the 2019 Mecklenburg Board of County Commissioners Meeting Schedule.

_A copy of the schedule is on file with the Clerk to the Board._

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to approve the following item(s):

18-5054   MINUTES

Approve Minutes of Regular meeting held November 20, 2018.

18-5056   TAX REFUNDS

Approve refunds in the amount of $44,831.52 plus applicable 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. $41,199.45 of the refunds do not include interest. $3,632.07 of the refunds will have accrued interest that is estimated to be $192.72.

_A list of the taxpayer recipients is on file with the Clerk to the Board_

THIS CONCLUDED ITEMS APPROVED BY CONSENT

18-5031   HEALTH DEPARTMENT POSITIONS - RESILIENCE IN COMMUNITIES AFTER STRESS AND TRAUMA (RECAST) GRANT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to:

1. Approve the creation of 1.0 Full Time Equivalent (FTE) Project Director, 1.0 FTE Program Coordinator, 1.0 FTE Quality and Training Specialist, and 1.0 FTE Administrative Assistant; and

2. Recognize, receive, and appropriate an additional $25,000 in Federal funds from the Substance Abuse Mental Health Service Administration (SAMHSA) to support technical assistance.

Note: The Board approved the grant application and the recognition, receipt and appropriation of these funds at its meeting on May 2, 2017. Although the County was not awarded the Substance Abuse Mental Health Service Administration (SAMHSA) grant in the initial round,
Mecklenburg County was selected and notified in September 2018 as part of a subsequent round of funding. The award totals $4,981,376 over the 5-year period of October 2018 - September 2022. An additional award for year one of the grant of $25,000 has been received for technical assistance. The total 5-year award is $5,006,376. With the grant funding, Public Health will work with community partners to increase community resilience, improve behavioral health, empower residents and reduce trauma. Increased coordination of existing efforts and resources will lead to sustained community change that addresses racial and ethnic disparities. This action authorizes program positions to implement the activities authorized under the grant. These new positions are required in order to administer this funded program and all 4.0 FTEs will be 100% funded by the SAMHSA grant. Specific activities will be contracted with community partners. No matching county funds are required.

Commissioner Leake removed this item from Consent for more public awareness. Health Director Gibbie Harris addressed the grant.

18-5057 EASTWAY REGIONAL PARK & BRIARWOOD COMMUNITY PARK CONNECTION TRAIL

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of a permanent trail easement on Tax Parcel 097-223-11, totaling +/- 0.399 acres, from James P. Knuckles, LLC for a purchase price of $23,958 to create a pedestrian connection between County-owned property at Eastway Regional Park and Briarwood Community Park.

Note: At its June 19, 2018 meeting, the Board approved item 18-4760 that authorized the County Manager to negotiate and execute a permanent easement from James P. Knuckles, LLC on Tax Parcel 097-223-11 that would link Eastway Regional Park to the nearby Briarwood Community Park. Based on design information available at that time, the easement was to be 0.35 acres in size. Since approval of item 18-4760, the project’s design team has determined that the size of the easement needs to expand slightly in size to 0.399 acres. As such, the payment to the owner will need to increase accordingly. The original purchase price of the easement was $21,000. The new purchase price is $23,958 based on the appraisal that was conducted by Fortenberry Lambert, Inc.

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

ADJOURNMENT

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:47 p.m.
December 18, 2018

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, December 18, 2018.

ATTENDANCE

Present: Vice Chair Elaine Powell and Commissioners Patricia “Pat” Cotham, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Susan Rodriguez-McDowell, and Ella B. Scarborough County Manager Dena R. Diorio County Attorney Tyrone C. Wade Clerk to the Board Janice S. Paige

Absent: Chair George Dunlap

- INFORMAL SESSION -

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

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) to be removed from Consent and voted upon separately. The items identified were: 18-5059, 18-5067, 18-5070, 18-5074, 18-5094, and 18-5095.

STAFF BRIEFINGS - NONE

CLOSED SESSION

18-5076 LAND ACQUISITION
18-5077 CONSULT WITH ATTORNEY

County Attorney Wade announced there were no Consult with Attorney matters to be discussed in Closed Session.

County Attorney Wade announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcel(s): 013-024-36, 013-024-37, 013-024-38, 013-024-39, 013-024-12, and 221-511-02.

Motion was made by Commissioner Fuller, seconded by Commissioner Jerrell and carried 7-0 with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, and Powell voting yes, to go into Closed Session for the following purpose(s): Land Acquisition.
The Board went into Closed Session at 5:10 p.m. and came back into Open Session at 5:26 p.m.

Commissioner Scarborough entered the meeting.

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

- FORMAL SESSION -

Vice Chair Powell 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

18-5082 CEREMONIAL GAVEL PRESENTATION TO FORMER CHAIR ELLA B. SCARBOROUGH

Vice Chair Powell recognized County Manager Diorio, who presented Commissioner Ella B. Scarborough with a ceremonial gavel for her service as chair of the Mecklenburg Board of County Commissioners from December 5, 2016 to December 3, 2018 in keeping with the County’s tradition.

Commissioners Leake, Cotham, and Vice Chair Powell thanked Commissioner Scarborough for her service to the community as Chair of the County Commission, as well as, all of her service to the community over the years, even prior to becoming a commissioner. Commissioner Scarborough thanked the Board for recognizing her in this manner.

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to present Commissioner Ella B. Scarborough with a ceremonial gavel for her service as chair of the Mecklenburg Board of County Commissioners from December 5, 2016 to December 3, 2018.

CLOSED SESSION

18-5076 LAND ACQUISITION – MCMULLEN CONNECTOR GREENWAY

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of a permanent greenway easement (±8,635 square feet) and a temporary construction easement (±5,848 square feet) on Tax Parcel 221-511-02 from Haverty Furniture Companies, Inc. in the Town of Pineville for a purchase price of $95,375.

Note: Park and Recreation would like to acquire a permanent greenway easement and a temporary construction easement on Tax Parcel 221-511-02, which is located 11500 Carolina Place Parkway in the Town of Pineville, from Haverty Furniture Companies, Inc. for the future construction of a portion of the McMullen Connector Greenway.

PUBLIC APPEARANCE

18-5073 PUBLIC APPEARANCE
The following persons appeared to speak during the Public Appearance portion of the agenda and addressed the need for affordable housing:

Angie Forde with the Housing Justice Coalition, Sam Todd with Carolina Jews for Justice, Steven Cohen with Greenspon Center for Peace and Social Justice at Queens University, Mary Kelly, and Justin Perry with OneMeck. The following suggestions were made:

- Buyers of County-owned land be required to set aside 20% of the housing units to be built for persons earning 30% or less of the area median income
- Avoid budget cuts to mental health services and other wrap around services
- Accept requests from those wanting to meet and discuss the issue of affordable housing
- Collaborate with Charlotte City Council and Charlotte Mecklenburg Schools on the issue of affordable housing
- Create a committee to address the issue of affordable housing to determine how land is used, funding, and applying services to the areas in need.
- Discuss and read with the City of Charlotte the housing framework document
- Be proactive, don’t wait to be invited to the table
- Read The Color of Law by Richard Rothstein

Meg Fencil with Sustain Charlotte asked the Board to support transportation choices. She shared a statement of support titled #GetThereCLT that stated, “I support expanding our transit, bicycle, and pedestrian networks so that all residents can safely and conveniently reach the places they need to go.” She said over 2,100 residents had signed their statement of support. It advocates funding to plan and implement: The Charlotte WALKS Pedestrian Plan, the Envision My Ride initiative, completion of projects in the 2030 Transit Corridor System Plan, the Charlotte BIKES Bicycle Plan, Charlotte’s commitment to Vision Zero, and completion of the 205-mile County greenway system by 2035.

Ms. Fencil said the statement was shared with Charlotte City Council and the Metropolitan Transit Commission because it involved the support of all three entities.

A copy of the #GetThereCLT statement is on file with the Clerk to the Board.

Gary Marion addressed the need for property clean-up on West Craighead Road. He said the property was located between 1053 West Craighead Road and Drury Drive. He said the property was in dire need of clean-up and had been for over a year. Mr. Marion said he spoke with Chris Hunter with Park and Recreation but was informed that the needed manpower was not available at the time they spoke, which was in September 2018. Mr. Marion resides at 812 West Craighead Road. He said the condition of the property was bringing down property values in the neighborhood. He requested a response as to when the clean-up would occur.

Sheriff Garry McFadden addressed his compensation and requested a response from the County Manager. Sheriff McFadden provided the Board with copies of correspondences that he’d sent to the County Manager regarding his compensation.

Corine Mack signed up to speak but was not able to attend.

Vice Chair Powell thanked everyone for attending and bringing these matters to the attention of the Board.

APPOINTMENTS

18-5081 TOWN OF DAVIDSON PLANNING BOARD
December 18, 2018

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to appoint Nora Barger as the Extra Territorial Jurisdiction (ETJ) member of the Town of Davidson Planning Board as recommended by the Town of Davidson Board of Commissioners, per action taken on November 27, 2018, for a three-year term beginning January 1, 2019 through December 31, 2021.

Note: Nora Barger will replace Robert Miller, who resigned.

18-5096 NOMINATIONS/APPOINTMENTS

AUDIT REVIEW COMMITTEE

Motion was made by Commissioner Fuller, seconded by Commissioner Cotham and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to reappoint Alexander Vuchnich to the Audit Review Committee for a three-year term expiring December 31, 2021.

BOARD OF EQUALIZATION AND REVIEW

Commissioner Leake nominated all applicants for appointment consideration to the Board of Equalization and Review Board (BER): Russell Allen, Eric Anderson, Steven Dobbs, Gregory Roberts, and Jeff Scott.

Note: Appointments 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 appointments to the Board of Equalization and Review: Commissioners Cotham, Harden, Leake, and Rodriguez-McDowell.

Note: Appointments will occur on January 15, 2019 or February 5, 2019.

BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner Cotham, seconded by Commissioner Rodriguez-McDowell and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to nominate and appoint Elizabeth Frere to the Building Development Commission (BDC) as the American Society of Landscape Architects representative to fill an unexpired term expiring July 31, 2020.

Note: Elizabeth Frere will replace Benjamin Simpson, who resigned due to relocation.

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

The following persons were nominated for appointment consideration to the Charlotte-Mecklenburg Community Relations Committee:

Brooke Adams  by Commissioner Fuller
Delma Kendrick  by Commissioner Leake
INFORMATION SERVICE & TECHNOLOGY ADVISORY COMMITTEE

The following persons were nominated for appointment consideration to the Information Service & Technology Advisory Committee:

- Walid Omar Hamid by Commissioner Fuller
- Kevin Hayes by Commissioner Fuller
- Hope McKinney by Commissioner Jerrell

Note: Appointments will occur at the January 15, 2019 meeting.

NURSING HOME COMMUNITY ADVISORY COMMITTEE

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to reappoint Sonja Sanders to the Nursing Home Community Advisory Committee for a three-year term expiring November 30, 2021.

Commissioners Leake, Harden, and Cotham addressed the importance of this committee and encouraged interested citizens to apply.

PARK AND RECREATION COMMISSION

Commissioner Fuller nominated all applicants for the appointment consideration to the Park and Recreation Commission for the South Region 2 slot: Daniel Cook and Mark Loflin.

Note: An appointment will occur at the January 15, 2019 meeting.

SMALL BUSINESS AND ENTREPRENEURSHIP ADVISORY BOARD

Motion was made by Commissioner Jerrell, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to reappoint Sona Oliver to the Small Business and Entrepreneurship Advisory Board for a three-year term expiring June 30, 2021.

Commissioner Fuller nominated all applicants for appointment consideration to the Small Business and Entrepreneurship Advisory Board: Kenneth Fields, Brian James, Matthew King, Latecia Manuel, Raj Parikh, and Florence Wilkins.

Note: Appointments will occur at the January 15, 2019 meeting.

Comments

Commissioner Fuller expressed concern for the number of vacancies. County Manager Diorio addressed some of the challenges that had occurred with the advisory board.
Commissioner Leake said she had concerns about the committee expressed to her from persons that had resigned. She said she would share them with the County Manager.

Commissioner Leake noted the Small Business Consortium that she began a few years ago and the success of that initiative. She said participants from the Small Business Consortium plan to come before the Board to share their concerns regarding the Small Business and Entrepreneurship Advisory Board.

Commissioner Cotham addressed the qualifications as it related to “preference being given to applicants who have recently, are in the process of, or are intimately familiar with the process of starting a new small business or entrepreneurial venture.” Commissioner Cotham said sometimes it was difficult for persons falling into this category to participate because of the time commitment. She suggested adding to the list of qualifications, persons who had owned a small business at some point. Commissioner Cotham said that could possibly increase the applicant pool.

County Manager Diorio said the qualifications were set by the Board and would have to be changed by the Board.

Commissioner Cotham suggested the qualifications be reviewed by the Board’s Economic Development Committee.

Vice Chair Powell asked was a motion required to have the Economic Development Committee review the qualifications. County Attorney Wade said yes.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to review and revise the purpose and qualifications for the Small Business and Entrepreneurship Advisory Board and to refer the matter to the Board’s Economic Development Committee for that purpose and a recommendation back to the Board.

Motion was made by Commissioner Jerrell, seconded by Commissioner Scarborough to reconsider the prior motion regarding the Small Business and Entrepreneurship Advisory Board but was withdrawn after clarity was provided that those nominated would be considered using the qualifications that were in place when they applied.

WOMEN’S ADVISORY BOARD

The following persons were nominated for appointment consideration to the Women’s Advisory Board:

Taisha Abreu by Commissioner Rodriguez-McDowell
Maura Chavez by Commissioner Fuller
Jamilah Espinosa by Commissioner Rodriguez-McDowell
Yolonda Holmes by Commissioner Fuller
Delma Kendrick by Commissioner Leake
Alexis Kondratyk by Commissioner Fuller
Kristen Moyer by Commissioner Jerrell

Note: Appointments will occur at the January 15, 2019 meeting.

PUBLIC HEARINGS
Motion was made by Commissioner Cotham, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to open the public hearing to receive comments on revisions to the Mecklenburg County Air Pollution Control Ordinance.

Note: Mecklenburg County Air Quality recommends adoption of revisions to MCAPCO in response to changes to state rules and in accordance with state certification requirements and United States Environmental Protection Agency (US EPA) grant requirements. The proposed revisions were provided to the County Attorney, the North Carolina Division of Air Quality, and US EPA for their review. The revisions were approved by the Mecklenburg County Air Quality Commission on August 27, 2018.

June Blotnick with Clean Air Carolinas spoke in support of the proposed ordinance revisions. She addressed things that had been done by Clean Air Carolinas to support having good air quality. She also encouraged the Board to establish a Board committee focusing on the environment.

Peter McGrath, chair of the Air Quality Commission spoke in support of the proposed ordinance revisions and elaborated on the specifics of the revisions.

Commissioner Leake addressed pollution from industries on the West side Charlotte/Mecklenburg County. She specifically mentioned old cars along South Tryon Street across from Southside Homes, a low-income neighborhood. Commissioner Leake said it was not a healthy breathing environment for those residents.

Commissioner Leake said she asked the City of Charlotte to investigate to see if the owners of those properties where the cars were stocked piled were within the law to have that many cars parked there. She also noted the community of Brookhill and the living conditions of that community. Commissioner Leake said clean air should be a focus community-wide and not in certain areas only.

Mr. McGrath said the issues raised by Commissioner Leake were of upmost importance to the Air Quality Commission and the Air Quality Division. He elaborated briefly on the work of the Air Quality Division.

Vice Chair Powell thanked both speakers for appearing.

Motion was made by Commissioner Fuller, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to close the public hearing on proposed revisions to the Air Pollution Control Ordinance and adopt revisions to the Mecklenburg County Air Pollution Control Ordinance as recommended.
enforcement of an air pollution control program for the protection of the environment and protection of the public health is hereby amended.

This Ordinance, as amended, shall apply throughout Mecklenburg County, North Carolina, including but not limited to all cities, towns, hamlets and villages, whether incorporated or unincorporated.

SECTION 1: Adoption of County Provisions, Regulations and Procedures of the Air Pollution Control Ordinance

The following regulations and procedures as set forth in the Appendix are hereby adopted, thus becoming a part of MCAPCO as fully as if set out verbatim herein, and any of said regulations previously adopted are replaced thereby:

1.5102 “Definitions of Terms”
1.5105 “Delegation of Authority”
1.5111 “General Recordkeeping, Reporting and Monitoring Requirements”
1.5211 “Applicability”
1.5212 “Applications”
1.5213 “Action on Application; Issuance of Permit”
1.5215 “Application Processing Schedule”
1.5231 “Air Quality Fees”
1.5232 “Issuance, Revocation, and Enforcement of Permits”
2.0101 “Definitions”

Copies of the amended portions of the above regulations are in the attached Appendix. The Appendix shows changes with dashed lines through words which have been deleted and with lines under words which have been added.

SECTION 2: Adoption of Certain State Air Pollution Control Regulations By Reference

The following rules and section of rules of the North Carolina Air Quality Rules, 15A NCAC Chapter 2 - Subchapters 2D and 2Q as amended through July 1, 2018, are hereby adopted by reference (pursuant to North Carolina General Statute 143-215.112(c)(1)(d)) thus becoming a part of MCAPCO as fully as if set out verbatim herein and any of said regulations previously incorporated by reference are replaced thereby.

The following changes are from 15A NCAC 2D (Group 1 rules):

.0201 “Classification of Air Pollution Sources” (MCAPCO 2.0201)
.0202 “Registration of Air Pollution Sources” (MCAPCO 2.0202)
.0302 “Episode Criteria” (MCAPCO 2.0302)
.0303 “Emission Reduction Plans” (MCAPCO 2.0303)
.0304 “Preplanned Abatement Program” (MCAPCO 2.0304)
.0401 “Purpose” (MCAPCO 2.0401)
.0402 “Sulfur Oxides” (MCAPCO 2.0402)
.0404 “Carbon Monoxide” (MCAPCO 2.0404)
.0405 “Ozone” (MCAPCO 2.0405)
.0407 “Nitrogen Dioxide” (MCAPCO 2.0407)
.0408 “Lead” (MCAPCO 2.0408)
.0409 “PM10 Particulate Matter” (MCAPCO 2.0409)
.0410 “PM2.5 Particulate Matter” (MCAPCO 2.0410)
.2001 “Purpose, Scope and Applicability” (MCAPCO 2.2001)

The following changes are from 15A NCAC 2Q (Group 2 rules):

.0106 “Incorporation By Reference” (MCAPCO 1.5112)
.0107 “Confidential Information” (MCAPCO 1.5217)
.0109 “Compliance Schedule for Previously Exempted Activities” (MCAPCO 1.5218)
.0110 “Retention of Permit at Permitted Facilities” (MCAPCO 1.5219)
.0111 “Applicability Determinations” (MCAPCO 1.5220)
.0112 “Applications Requiring Professional Engineer Seal” (MCAPCO 1.5233)
SECTION 3: Codification

In order to further the administration of and compliance with this Ordinance, the Director is hereby authorized and directed to reorganize and codify this Ordinance, as amended, in a logical form and sequence in a single document. In so doing, the Director, at his discretion, shall have the authority:

a. to set out in full any provisions of the State Air Quality Rules adopted and incorporated herein by reference (including to appropriately "localize" terms in such State Rules to make them applicable at the County level); and/or

b. to merely cite any applicable State Air Quality Rules by reference, provided the general topic covered by any State Rule so cited by reference is reasonably identified by a heading in the codified version of this Ordinance and a complete copy of such State Air Quality Rules is attached to and made a part of such codified version.

As part of such re-codification, the Director shall make such revisions as are necessary to correct typographical and syntactical errors contained in the Articles amended hereby. Provided, in reorganizing and codifying this Ordinance, as amended, pursuant to this section, the Director shall not have the authority to make any substantive changes to this Ordinance, as amended. In the event of any ambiguity in the codified Ordinance or any conflict between the provisions of this Ordinance, as amended, and the provisions of any such codification, the provisions of this amendment as herein enacted shall control.

A copy of the MCAPCO, incorporating the portions amended hereby, as codified, will be kept on file in the Office of the Clerk of the Superior Court of Mecklenburg County, the Office of Mecklenburg County Air Quality, and the Office of the Clerk to the Mecklenburg County Board of Commissioners.

SECTION 4: Effective Date

This amendment and all Regulations referenced herein shall be effective December 18, 2018, except as otherwise provided therein.
18-5068  CLOSING OF A PORTION OF RIGHT-OF-WAY FOR FORMER STATESVILLE ROAD

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to open the public hearing to hear comments with respect to the closing of a portion of right-of-way for former Statesville Road.

Note: On November 7, 2018, the Board of County Commissioners set this public hearing to hear comments with respect to the closing of a portion of right-of-way for former Statesville Road. The property owner has petitioned to close a 3.16-acre portion of right-of-way for former Statesville Road (US Highway 21). The portion of said right-of-way is located between two undeveloped parcels owned by the petitioner. Due to the realignment of Statesville Road near its intersection with I-485, said right-of-way is no longer in public use and not maintained by NCDOT. Reportedly, the parcels will be combined and developed for industrial use.

Mecklenburg County Land Use and Environmental Services Agency has determined that in its opinion the closing of the portion of said right-of-way of former Statesville Road would not deprive any individual owning land in the vicinity of said right-of-way of reasonable ingress and egress to their property and would not be contrary to the public interest. Charlotte-Mecklenburg Planning and the Mecklenburg County Fire Marshal’s Office reviewed the petition and had no objection to the closing of the portion of said right-of-way of former Statesville Road.

No one appeared to speak.

Motion was made by Commissioner Leake, seconded by Commissioner Cotham and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to close the public hearing with respect to the closing of a portion of right-of-way for former Statesville Road.

Motion was made by Commissioner Fuller, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to approve the Order of Closing for the portion of former Statesville Road right-of-way.
WHEREAS, on November 7, 2018, the Mecklenburg Board of County Commissioners declared its intent to close the 3.16-acre portion of right-of-way for former Statesville Road which is shown on the attached Exhibit A map, and did set a public hearing on the question of whether to abandon and close said portion of the right-of-way of former Statesville Road for 6:30 pm on the 18th day of December, 2018 in the Meeting Chamber, first floor of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, and did instruct the Clerk to the Board to publish a notice of the intent of the Board of County Commissioners to close said portion of the right-of-way, and did instruct the Mecklenburg County Land Use and Environmental Services Agency to send or have sent copies of the resolution declaring the intent to abandon or close said portion of the right-of-way to the owners of the adjoining properties who did not join in the request to have said portion of the right-of-way abandoned and closed, and to have a notice of public hearing posted in at least two places along said road; and

WHEREAS, N.C.G.S. 153A-241 states the effect of a road closing on adjoining landowners and on public utilities as follows: “Upon the closing of a public road or an easement pursuant to this section, all right, title, and interest in the right-of-way is vested in those persons owning lots or parcels of land adjacent to the road or easement, and the title of each adjoining landowner, for the width of his abutting land, extends to the center line of the public road or easement. However, the right, title or interest vested in an adjoining landowner by this paragraph remains subject to any public utility use or facility located on, over, or under the road or easement immediately before its closing, until the landowner or any successor thereto pays to the utility involved the reasonable cost of removing and relocating the facility”; and

WHEREAS, at said public hearing held on December 18, 2018, the Mecklenburg Board of County Commissioners gave an opportunity to all interested persons to speak on whether the closing of the 3.16-acre portion of right-of-way for former Statesville Road which is shown on the attached Exhibit A map would be detrimental to the public interest or deprive any individual owning land in the vicinity of said right-of-way of reasonable ingress and egress to their property; and

NOW, THEREFORE BE IT RESOLVED, that the Mecklenburg Board of County Commissioners has determined and is satisfied that the closing of the portion of said right-of-way of former Statesville Road as shown on the attached map hereto is not contrary to public interest, and that no individual owning property in the vicinity of said right-of-way would thereby be deprived of reasonable ingress and egress to their property when said right-of-way is abandoned; and be it

FURTHER RESOLVED, that the Mecklenburg Board of County Commissioners does hereby adopt this Order of Closing of the portion of said right-of-way of former Statesville Road; pursuant to the North Carolina General Statute 153A-241, effective once this Order of Closing has been approved; and be it

FURTHER RESOLVED, that the Clerk to the Board of County Commissioners is directed to file a certified copy of this Order for Closing of said right-of-way in the office of the Register of Deeds of Mecklenburg County. The recordation of this Order for Closing shall provide conclusive evidence of the closing of the 3.16-acre portion of right-of-way for former Statesville Road which as shown on the attached map hereto.

Order recorded in full in Ordinance/Minute Book 47-A, Document #328.

18-5079 BUSINESS INVESTMENT PROGRAM GRANT - HONEYWELL INTERNATIONAL, INC.

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to open the public hearing to receive comments on a proposed Business Investment Program grant to Honeywell International Inc.

Peter Zeiler, Director of Economic Development presented this matter to the Board.

Note: Honeywell is a global technology company that provides products, software and control systems across a wide range of industries:
 o Aerospace
 o Commercial buildings
 o Healthcare facilities & operations
Honeywell is currently headquartered in Morris Plains, NJ and had revenues of $40.534 billion in revenue in 2017, placing them at #77 on the Fortune 100 list. Honeywell is in the process of spinning off non-core business lines and expanding into new markets, resulting in changing cost structures and space needs. As a result, Honeywell is seeking to occupy a new global headquarters location along with a potential consolidation of their Safety and Productivity Solutions (SPS) group in Fort Mill, SC. Honeywell’s proposed project exceeds all BIP large impact criteria and as a Fortune 100 Headquarters location, BIP guidelines call for a negotiated offer.

The Business Investment Grant terms were negotiated with the company in partnership with the City of Charlotte. The proposed County Business Investment Grant is a 15-year, 90% grant with an estimated total amount of up $28,882,017.

The Board of County Commissioners indicated their intent to approve this grant in a closed session on November 7, 2018.

The Charlotte City Council approved the City's share of the grant of $17,139,557 at their November 17, 2018 regular business meeting.

The State of North Carolina approved a Job Development Investment Grant of $56,600,000 at a December 3, 2018 Economic Investment Committee meeting.

Brian Ruddick, Vice President and General Counsel of Safety and Productivity Solutions with Honeywell International, Inc. thanked the Board for its consideration. He said Honeywell looked forward to coming to the community.

Commissioners Fuller expressed support of a grant to Honeywell and addressed the benefits to the community by doing so.

Commissioner Cotham expressed support and encouraged Honeywell to be involved in the community and to partner with non-profits in the community that provide assistance to the disadvantaged.

Commissioner Leake requested information on several matters, some of which was provided and some to be provided at a later date. For example, how many jobs were being transferred, location of the headquarters, the types of jobs, job training, and once the company comes, how many Mecklenburg County residents were hired.

Commissioner Leake said her concern was the availability of jobs, especially those that would help persons get out of poverty. She said this was not just applicable to Honeywell but all companies that receive this type of grant.

Commissioner Jerrell asked about the secondary jobs, which was addressed. He also echoed Commissioner Leake’s comments regarding people in poverty and their need for upward mobility.

Commissioner Jerrell noted the core values of diversity and inclusion and challenged Honeywell to recognize and tap into the talent that existed in Mecklenburg County; and to partner with the public sector to address some of the issues facing the community, particularly issues for those that were the most vulnerable to help move them out of poverty.
Commissioner Harden said she looked forward to Honeywell’s arrival and how this would open up opportunities for women in the community interested in going into STEM fields.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-1 with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, and Scarborough voting yes and Commissioner Powell voting no, to close the public hearing and adopt a resolution approving a Business Investment Program grant to Honeywell International Inc. for a total estimated amount of $28,882,017 and authorize the County Manager to negotiate and execute the contract.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR HONEYWELL INTERNATIONAL INC.

WHEREAS, Honeywell International Inc. is seeking to establish a new global headquarters in Charlotte, NC; and

WHEREAS, the company evaluated sites in Florida, Georgia, South Carolina and Texas; 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 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 November 07, 2018 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 $300,000,000 and will create 750 new jobs within five years at an average annual salary of approximately $348,200. The Business Investment Program grant is a 90% grant over 15 years, with an a maximum County Grant amount of $28,882,017. 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 #329.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

Potential Election Cost as it relates to District 9 Congressional Race

County Manager Diorio asked the Director of Elections Michael Dickerson to share with the Board what the potential cost could be for the County if a new election had to be held with respect to the District 9 Congressional race.

Director Dickerson noted the following:
December 18, 2018

- To date no determination had been made by the NC Board of Elections regarding whether another election for NC Congressional District 9 would be held.
- If there’s a directive to hold another election for NC Congressional District 9, the typical cost was around $2,500 - $3,000 per precinct.
- There are 50 NC Congressional District 9 precincts in Mecklenburg County.
- The cost to hold another election for one day would be $125,000 - $150,000.
- The cost to do early voting could be around $100,000. This would be in addition to the election day cost.
- Per recently approved NC legislation, a primary would also have to be held if a new election was required.
- A second primary would be required if a candidate did not receive 30% or more of the vote.

Comments

Commissioner Harden said one of the most critical roles of local government was the assurance of “fair” elections.

Commissioner Harden said she was willing to do whatever the Board needed to in response to whatever decision was made by the NC Board of Elections.

Commissioner Leake said the matter concerning the NC Congressional District 9 race was very disturbing. She said for 12 ½ months District 12 went without representation and nothing was said about it. She questioned was it because the majority of District 12 residents were people of color, Blacks.

Commissioner Leake said whether democrat or republican, it shouldn’t matter, what mattered was “doing the right thing for the right people at the right time.”

Commissioner Leake said the Board needed to do a “resolution in support of making sure there’s an election that would bring forth the right person who has warranted it and gotten the right votes” at whatever cost it takes to do so. She said the NC Board of Elections should be held accountable.

Commissioner Fuller said it was clear to him that there was “fraud” in the NC Congressional District 9 election and elaborated. Commissioner Fuller said he was willing to spend whatever amount was necessary for a new election.

Commissioner Jerrell asked how many Mecklenburg County voters were impacted by this. Director Dickerson said there were about 150,000 registered voters in District 9.

Commissioner Jerrell said from his view this was an instance of “fraud” and elaborated. He said people had been disenfranchised because of what had happened.

Commissioner Jerrell said he hoped that at some point the Board would adopt a resolution indicating its stance when it came to “fraud” and the “disenfranchisement” of people, regardless of political parties.

Commissioner Rodriguez-McDowell said “Those who cheat should not win by default. Those who cheat should not get do overs.” She expressed confidence in the Mecklenburg County Board of Elections and Director Dickerson and his staff.

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

Public Engagement in Budget Process
County Manager Diorio said in response to feedback received from Board members regarding public engagement in the budget process, staff did some research around what’s called participatory budgeting to see what other communities were doing to engage the public.

County Manager Diorio said because of timing, options were limited, but that staff could certainly work on other opportunities for fiscal year 2020-2021. In the interim the following suggestions were offered: 1) Hold a public hearing at the January 15, 2019 meeting to receive public input, which would be before the Board’s retreat, 2) conduct an on-line community survey, and 3) seek input from advisory boards, but to keep in mind for many of them their charge was not budget related, so they may not be comfortable in providing information regarding budget priorities. Also, that there were 35 plus advisory boards and for some it may not make sense to include, so perhaps it would be best to carve out a select few.

County Manager Diorio said if the Board was interested in doing some or all of the suggestions, that staff be directed to do so, per a motion from the Board.

Comments

Commissioner Fuller questioned whether it would be better to hold a public hearing after the retreat versus before the retreat. He said if it was held after the retreat, the public would be aware of the Board’s discussion from the retreat and would have something to respond to or react to.

Commissioner Harden said her constituents expressed to her that they felt by the time the budget public hearing was normally held that the agenda was “already set.” She said she understood Commissioner Fuller’s point; however, there were those in the community who were very anxious to have the opportunity to address the Board beforehand.

Commissioner Harden said she liked the idea of having an online community survey and asked that consideration be given to having paper surveys as well for those that may not have online access and/or prefer paper. She said Commissioners could help distribute them.

County Manager Diorio said copies of the survey would be provided to Commissioners for distribution as they moved through the community and placed at library branches.

Commissioner Jerrell suggested they be placed at recreation centers also.

Commissioner Cotham suggested staff coordinate with the faith community, perhaps through Village Heartbeat and Mecklenburg Ministries, and others to provide them with copies of the survey.

Commissioner Jerrell spoke in support of holding a public hearing on January 15th, the survey tool, as well as, seeking input from advisory boards. He suggested the community survey be used continuously as a data collection tool.

Vice Chair Powell spoke in support of the suggestions for obtaining citizen input. She said, “one of the core responsibilities of elected leaders was to make sure they listened to everyone.” She said she was supportive of getting as much citizen input as possible before and after the retreat.

County Manager Diorio said she would go through the list of advisory boards and select those that she felt made sense to reach out to and would provide that list to the Board for awareness and input on any additions to the list.
Motion was made by Commissioner Jerrell, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to direct the County Manager to proceed with holding a public hearing to receive citizen input on budget priorities at the January 15, 2019 Regular meeting, to reach out to advisory boards for input, and to conduct a community online & paper survey to receive citizen input that would continue on an ongoing basis throughout the budget process.

18-5097 POLICY AMENDMENT - STANDARD OPERATING PROCEDURES FOR BOARD COMMITTEES

County Manager Diorio addressed a proposed change to the Board’s Policy and Standard Operating Procedures for Board Committees. It was explained that a change was needed in the language to address instances when the composition of the Board was all one party.

The current wording states in pertinent parts:

“In appointing members of standing committees and ad hoc committees, the Board chairman will take into consideration the expressed interest of Board members to serve on committees, the expertise of Board members in consideration of the topics addressed by the committees, as well as considerations for balanced political affiliations on the committees. In addition, in appointing members of ad hoc committees, the Board chairman will attempt to balance members’ differing views, if known, on the topic assigned to the ad hoc committee.”

The recommended change is as follows:

“In appointing Board of County Commission members to standing or ad hoc committees, the Board chairman will take into consideration the expressed interest of Board members to serve on committees, the expertise of Board members on the topics addressed by the committees, as well as considerations for balanced political affiliations when there is more than one political affiliation on the Board of County Commissioners. In addition, in appointing members to ad hoc committees, the Board chairman will attempt to balance members’ differing views, if known, on the topic assigned to the ad hoc committee.”

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to amend the current Mecklenburg Board of County Commissioners Policy and Standard Operating Procedures as recommended as it relates to appointing Board members to serve on Board committees when the Board of County Commissioners (BOCC) is composed of only one political party.

MECKLENBURG BOARD OF COUNTY COMMISSIONERS POLICY AND STANDARD OPERATING PROCEDURES FOR BOARD COMMITTEES

Committee Members and Chair:

“In appointing Board of County Commission members to standing or ad hoc committees, the Board chairman will take into consideration the expressed interest of Board members to serve on committees, the expertise of Board members on the topics addressed by the committees, as well as considerations for balanced political affiliations when there is more than one political affiliation on the Board of County Commissioners. In addition, in appointing members to ad hoc committees, the Board chairman will attempt to balance members’ differing views, if known, on the topic assigned to the ad hoc committee.”

Policy recorded in full in Ordinance/Minute Book 47-A, Document #330.
Count Manager Diorio said the other proposed amendment concerning the Board of County Commissioners’ Chairman serving as an Ex Officio, Voting Member on Board Committees would be brought back at a later date. She said additional work was needed on staff’s part to the proposed language.

Note: That portion of the policy current reads: “The Mecklenburg Board of County Commissioners’ Policy and Standard Operating Procedures for Board Committees states in pertinent parts: “Chairman as Ex Officio, Voting Member: The chairman of the Board will serve as an ex officio, voting member of each committee, with the exception of the Audit Review Committee. The chairman is not counted in determining the number required for a quorum, but will be counted in determining whether a quorum is present.”

18-5098 AMENDMENT TO AUDIT REVIEW COMMITTEE CHARTER AND RESOLUTION ESTABLISHING THE AUDIT REVIEW COMMITTEE

County Manager Diorio addressed a proposed change to the Audit Review Committee Charter and the Resolution Establishing the Audit Review Committee. It was explained that a change was needed in the language to address instances when the composition of the Board was all one party.

Currently, the Composition of Committee and Member Selection section of the Audit Review Committee Charter states:

"The Committee will comprise five voting members and two non-voting ex officio members appointed by the Board of County Commissioners according to its appointment process. The five voting members will comprise 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 non-voting ex officio members." The resolution states this as well.

The recommended change is as follows:

"The Committee will be comprised of five voting members and two non-voting ex officio members appointed by the Board of County Commissioners according to its appointment process. The five voting members will be comprised of four members from the Board of County Commissioners, and to the degree possible, two of whom shall be from different political parties, when the Board of County Commissioners’ political composition permits, 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."

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to amend the Audit Review Committee Charter and Resolution Establishing the Audit Review Committee as recommended to address instances when the Board is composed of only one political party.
December 18, 2018

Board of County Commissioners according to its appointment process. The five voting members will be comprised of four members of the Board of County Commissioners, and to the degree possible, two of whom shall be from different political parties, when the Board of County Commissioners political composition permits, 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 Committees should possess some understanding of governmental financial reporting and auditing.

MECKLENBURG COUNTY
RESOLUTION ESTABLISHING AN AUDIT REVIEW COMMITTEE

WHEREAS, Mecklenburg County is required by North Carolina statutes to have an independent audit of its financials conducted by a Certified Public Accountant; and

WHEREAS, Mecklenburg County has had established for many years an Internal Audit Department; and

WHEREAS, the Government Finance Officers Association (GFOA) has approved a recommended practice for establishing an Audit Committee; and

WHEREAS, the Mecklenburg County Board of County Commissioners has determined that it is desirable to establish an Audit Review Committee as suggested by the GFOA;

NOW, THEREFORE, BE IT RESOLVED that the Mecklenburg County Board of Commissioners establishes an Audit Review Committee (ARC) as follows:

- The primary duty of the ARC is the overseeing of the independent audit, the recommendation for selection of the independent auditor and resolution of audit findings; and
- The ARC shall be provided all final internal audit reports produced by the Internal Audit Department; and
- The ARC will be comprised of five voting members and two non-voting ex officio members appointed by the Board of County Commissioners according to its appointment process. The five voting members will be comprised of four members from the Board of County Commissioners, and to the degree possible, two of whom shall be from different political parties, when the Board of County Commissioners political composition permits, 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 non-voting ex officio members; and
- The ARC collectively should have expertise and experience in accounting, auditing in financial reporting and internal controls.

Charter and Resolution recorded in full in Ordinance/Minute Book 47-A, Document #331 and #332.

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

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

18-5091 DEPARTMENT MANAGEMENT MONTHLY REPORTS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Cotham, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to receive as information monthly department management reports for December 2018.
December 18, 2018

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 Fuller returned to the dais.

STAFF REPORTS & REQUESTS

18-5085 AUDITOR’S REPORT FOR FISCAL YEAR 2018

The Board received a report from Daniel T. Gougherty, CPA with Cherry Bekaert, LLP, the County’s external auditor on the County’s Audit Report for Fiscal Year 2018.

Note: The external audit for fiscal year 2018 was completed. Mr. Gougherty presented the results of the financial and single audits.

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

Comments

Commissioner Fuller noted for more public awareness that per the report, the County had complied in all material respects with respect to its major federal and state programs. He said the report showed how well the County handles its finances and its operations. He thanked County Manager Diorio and staff for the work that they do to ensure this.

Commissioner Leake echoed Commissioner Fuller’s comments. She also addressed the importance of conducting audits.

Commissioner Cotham also addressed the importance of audits.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to receive the report from Cherry Bekaert, LLP, regarding the County’s Audit Report for Fiscal Year 2018.

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

COUNTY COMMISSIONERS REPORTS & REQUESTS

18-5089 NCACC LEGISLATIVE GOALS CONFERENCE VOTING DELEGATE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Cotham, Fuller, Harden, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to select Chair Dunlap as the Board’s voting delegate to represent the Board at the NC Association of County Commissioners (NCACC) Legislative Goals Conference, January 10-11, 2019 to be held at the Raleigh Marriott Crabtree Valley in Wake County, 4500 Marriott Drive, Raleigh, NC.

Note: Each Board of County Commissioners must designate a commissioner or other official as a voting delegate for the NC Association of County Commissioners (NCACC) 2019 Legislative Goals Conference.
18-5092   2019 BOCC MEETING SCHEDULE REVISION

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 7-0 with Commissioners Cotham, Fuller, Harden, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to amend the 2019 Mecklenburg Board of County Commissioners Meeting Schedule to change the Tuesday, November 12, 2019 Budget/Public Policy Meeting to Wednesday, November 13, 2019 to avoid a scheduling conflict with Charlotte City Council.

Note: The 2019 BOCC Meeting Schedule was originally approved on December 4, 2018.

A copy of the 2019 BOCC Meeting Schedule is on file with the Clerk to the Board.

Commissioner Jerrell returned to the dais.

CONSENT ITEMS

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to approve the following item(s):

18-5078   MINUTES

Approve Minutes of Regular meeting held December 4, 2018, Swearing-In Ceremony held December 3, 2018, and Closed Session held November 7, 2018.

18-5080   TAX REFUNDS

1. Approve refunds in the amount of $55,702.39 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 statewide vehicle tax system.

2. Approve refunds in the amount of $32,325.13 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. There is no accrued interest in the $32,325.13 refunds.

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

18-5083   PUBLIC AUCTION FOR DISPOSAL OF SURPLUS EQUIPMENT

Adopt a resolution authorizing sale of surplus personal property by public auction on January 12, 2019 at 9:00 a.m. at 5550 Wilkinson Blvd, Charlotte, North Carolina.

Note: 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. The live auction will be conducted by Rogers Realty and Auction Company Inc.
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 January 12, 2019 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 #333.

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

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18-5059 BUDGET AMENDMENT - SHERIFF'S OFFICE - U.S. MARSHALS SERVICE (REVENUE DECREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to rescind August 8, 2018 Board Action to recognize, receive and appropriate $2,920 from the U.S. Marshals Service, and decrease the Sheriff's Office budget revenues by the same amount.

Note: On August 8, 2018, the BOCC recognized, received and appropriated 2,920 from the U.S. Marshals Service for the purchase of approved equipment, including binoculars, wall height chart and wheelchair scale for the Joint Homeless Sex Offender operation; however, because the purchases were not made by September 30, 2018 in accordance with the Project agreement, the purchases have been disallowed. The Marshals’ Office is not able to reimburse the cost because they extend into a different Federal fiscal year, beyond the Project agreement scope. Orders for equipment were cancelled upon notification from the Marshals’ Office.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this matter.

18-5067 CONSERVATION DECLARATIONS ON COUNTY PROPERTY

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to authorize the County Manager to execute conservation declarations on 19 County properties located along the McDowell Creek Stream Restoration:

18-5070  JUVENILE CRIME PREVENTION COUNCIL FUNDING ALLOCATION

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to approve additional funding allocation as recommended by the Juvenile Crime Prevention Council. FY19 funds in the amount of $147,955 in the following manner:

DASH-Strengthening Families: Additional $22,573 for total funding amount of $140,273
DASH Mentoring: Additional $39,783 for total funding amount of $150,453
SHIFT Restitution: Additional $17,488 for total funding amount of $361,545
Tresports: Additional $34,721 for total funding amount of $272,921
YDI Family Life Skills: $33,390 (New program)

Note: On June 5, 2018, the BOCC approved the FY19 DPS funding allocation for Mecklenburg County in the amount of $1,415,682. On the same date, the BOCC approved the JCPC’s recommended funding allocation plan in the amount of $1,267,727, providing funding to seven community-based programs who responded and met the requirements to the JCPC’s request for proposals for services. The JCPC was now recommending the allocation of the remaining FY19 funds.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this matter.

18-5074  GREENWAY AND NATURE PRESERVE DONATION - TORRENCE CREEK

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for the donation of the following parcels along Torrence Creek for greenway and nature preserve purposes:

1. A portion of Tax Parcel 017-062-01 (+/- 14.752 acres) from William Glenn Monteith and Don Reid Monteith

2. Tax Parcel 017-062-10 (+/- 16.949 acres) from Theodore C. Dellinger, Johnny Watt Dellinger, Brenda Snipes Dellinger, Daisy Lou Dellinger Cobb, Dana M. Dellinger, Laura Roberta Dellinger, William Joseph Dellinger, Jr., Walter Jason Dellinger, and A. Scott Dellinger.

Note: The above subject properties are being donated to the County in connection with the Stoneybrook Station subdivision that is being developed by Meritage Homes in Huntersville. The subdivision is located off Hambright Road between Statesville and Old Statesville Roads. The properties are along Torrence Creek and will eventually be developed for greenway. Parcel 017-062-01 is home to a large stand of stoneflies. Stoneflies are an indicator of water purity as the insect requires clean, well-oxygenated water to survive. The County’s ownership of the property will protect it from development; thus, ensuring continued high water quality along this segment of Torrence Creek. Acceptance of the property was supported by the County’s current Park and Recreation Master Plan and will provide additional property for greenway purposes, protect local streams and creeks, and preserve wildlife habitat and open space.
Commissioners Leake and Fuller removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this matter.

18-5094 TEMPORARY CONSTRUCTION EASEMENT - SUGAR CREEK GREENWAY

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to accept donation of a Temporary Construction Easement ("TCE") on a portion of Tax Parcel 143-133-01 from West Tyvola Workforce, LLC and West Tyvola Seniors, LLC to facilitate construction of a future greenway trail to be built as part of Sugar Creek Greenway.

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

18-5095 FEE ORDINANCE CHANGES TO LAND USE AND ENVIRONMENTAL SERVICES TO MEET THE NEW 2018 NORTH CAROLINA FIRE CODE FEE ORDINANCE CHANGES FOR FIRE CODE

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to adopt a resolution approving amendments/updates to the LUESA Fee Ordinance and the Fire Code Ordinance.

Note: On June 13, 2017, the North Carolina Department of Insurance (NCDOI) with the North Carolina Building Code Council (NCBCC) approved the new 2018 North Carolina Building Code. The changes approved by the Building Code Council now require permits to be issued for the following specific uses and functions within the 2018 North Carolina Fire Code. The proposed fees associated with these permits are also noted below. Additional revenue from these fee changes are estimated to be de minimus, given the relative infrequency of these activities.

- Motor Fuel Dispensing $ 90
- Membrane Structures, Tents and Stages (400 sf or greater) $180
- Carbon Dioxide System (Beverage Dispensing) $ 90
- Repair Garages and Motor fuel-dispensing facilities $180
- Solar photovoltaic power $180
- Smoke Control or smoke exhausted system installed $240
- Gates and barricades across fire apparatus roads $180

Note: This matter will require a second reading, since all nine commissioners were not present. It will be placed on the January 15, 2019 agenda for the second reading.

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

ADJOURNMENT

Motion was made by Commissioner Leake seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:17 p.m.