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, January 15, 2019.

ATTENDANCE

Present:
Chair George Dunlap and Commissioners
Patricia “Pat” Cotham, Trevor M. Fuller,
Susan B. Harden, Mark Jerrell, Vilma D. Leake,
Elaine Powell, 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: 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: 18-5075, 18-5099, 18-5102, 18-5104, 18-5105, 18-5106, 18-5114, 18-5116, 19-5129, 19-5131, 19-5134.

CLOSED SESSION

18-5113 CONSULT WITH ATTORNEY
18-5118 LAND ACQUISITION

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): 221-091-01, 229-021-19, 229-021-14, 229-021-05, 229-021-13, 229-021-87, 229-021-03, 229-021-22 (+/- 37 acres) and Tax Parcel 229-056-99 (+/- 37 acres).

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to go into Closed Session for the following purpose: Land Acquisition.

The Board went into Closed Session at 5:03 p.m. and came back into Open Session at 5:50 p.m.
STAFF BRIEFINGS

Chair Dunlap asked to be excused from participating in the Staff Briefing matter that would be addressed by the County Attorney to avoid a conflict of interest.

Motion was made by Commissioner Powell, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to excuse Chair Dunlap from participating in the Staff Briefing matter that would be addressed by the County Attorney to avoid a conflict of interest.

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

Vice Chair Powell chaired the meeting until noted in the minutes.

19-5138 POLICY REVIEW

County Attorney Wade addressed the County’s Ethics policy, specifically, the section regarding the acceptance of gifts and attendance at events. SECTION 1: Standards of Conduct (f) Gifts:

“No County Official shall directly or indirectly solicit any gift, or accept or receive any gift, including a gift made to the County by a third party or entity, having a value of two hundred dollars ($200.00) or more, or gifts from any one person or entity with an aggregate value of $200 or more in any 12-month period, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence, or could reasonably be expected to influence, a County Official in the performance of his or her official duties, or was intended as a reward for any official action on his or her part. Legitimate political contributions shall not be considered as gifts under the provisions of this paragraph.” ....

“This subsection is not intended to prevent the gift and receipt of honorariums for participating in meetings or meals furnished at banquets. Further, this section is not intended to prevent participation by a County Commissioner or County Manager in community events or functions that are of the nature where, by virtue of the office or position held, attendance benefits the county, then attendance will not be considered a violation of this policy unless the value of the event or function exceeds the threshold amount of $200.00 or attendance could be viewed as a reward or influence, for action taken, or to be taken, by the County in some manner, in which case the county official should either pay any amount in excess of the threshold of $200.00 or not attend the event or function.” ....

County Attorney Wade noted the upcoming NBA All-Star game to be held in Charlotte/Mecklenburg County in February.

County Attorney Wade said he spoke with an attorney for the NBA regarding their desire to invite the Chair of the Board of County Commissioners, the Mayor of Charlotte and a state official, the Governor, to an event and to also sit in an Executive suite at the game as the official representative for each entity. He said the value of the suite seat was $1,200, which exceeded the County’s gift threshold amount. County Attorney Wade said in order for the Chair to accept the NBA’s invite, the Board would need to allow an exception to the County’s Ethics policy.

County Attorney Wade said tickets received and events that other Commissioners were invited to were in compliance with the County’s Ethics Policy.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell Rodriguez-
McDowell, and Scarborough voting yes, to make an exception to the County’s Ethics Policy with respect to the acceptance of gifts, to allow Chair Dunlap to accept the invite from the NBA to sit in an Executive suite at the upcoming NBA All-Star game to be held in Charlotte/Mecklenburg County in February; the value of which exceeds the County’s gift threshold limit as stated in the Ethics Policy.

Prior to the above vote, there was discussion regarding the County’s gift threshold of $200.00.

Commissioner Jerrell asked what could be done to amend the policy to avoid having to make such exceptions on an ad hoc basis.

County Manager Diorio said the matter could be taken to the Board’s Audit Review Committee for discussion and a recommendation back to the full Board for consideration. She shared some history as to how this section of the policy came about.

Commissioners Fuller and Leake also expressed a desire to amend the policy.

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

*Chair Dunlap returned to the meeting and assumed chairmanship.*

**-FORMAL SESSION-**

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

**CHAIR UPDATES**

Chair Dunlap noted the matters below for information purposes.

1) **Staff Follow-up with Public Speakers:** Staff followed-up with all members of the public that came to speak at Board meetings, since the sitting of the current Board. This process will continue.

2) **Board Support Hiring:** Staff continues to work on filling the two vacancies in Board Support. In the interim, a temporary staff person was hired to work with Board members as needed. Her name is Lisa Bropleh.

3) **Meetings with Other Elected Officials:**
   - The Chair, Vice Chair, and County Manager met with the Mayors and Town Managers of Huntersville, Cornelius, Davidson and Pineville. Commissioner Rodriguez-McDowell attended the meeting with the Town of Pineville. The meetings went well, and everyone agreed to meet on a more regular basis.
   - Meetings with the Towns of Matthews and Mint Hill have been scheduled for later this month.
   - The Chair, Vice Chair, and County Manager met with City of Charlotte Mayor Vi Lyles, Mayor Pro-Tem Julie Eiselt and City Manager Marcus Jones. Various topics were discussed and there was a commitment to work collaboratively and to meet on a regular basis.
The Chair, Vice Chair, and County Manager met with School Board Chair Mary McCray, Vice-Chair Elyse Dashew and School Superintendent Dr. Clayton Wilcox. A joint meeting of both boards was scheduled for February 21st at 3:00 PM. The County Manager and Superintendent will work on the agenda.

4) **Community Budget Survey**: The response to the community budget survey has been very positive. As of 1/14, 610 online surveys had been completed. In addition, three locations ran out of paper surveys and additional copies were provided. The online survey was also translated into Spanish.

5) **Agenda Review Meetings**: Since the election of new board members, staff has held agenda review meetings with new members to go over the agenda items. There was interest in this process continuing and it would be open to all Board members. Board members must sign-up in advance, so staff can determine the number of sessions that need to be held. The County Manager would follow-up with more details.

6) **Election of Sheriff**: Going forward, staff will ensure in advance of each Sheriff election, that the Board of County Commissioners votes on a new filing fee for the office. This would avoid the issue that occurred this past year regarding the incoming Sheriff’s salary. The issue was resolved, and the Board looked forward to working closely with Sheriff McFadden.

7) **Revaluation**: Charlotte City Council plans to send a resolution to have the BOCC consider revaluation every 4 years.

8) **Advisory Board Appointment Recommendations**: Staff has been asked to make recommendations when they believe a candidate best suite the need of a committee.

**AWARDS/RECOGNITION – NONE**

**PUBLIC APPEARANCE**

**18-5111 PUBLIC APPEARANCE**

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

*Tera Long* asked the Board to continue to support the Health Department and create a separate Board of Health to oversee the Health Department.

*Erinn Rochelle* asked the Board to fund things that would help people in need.

*Murray Whisnant* addressed the redevelopment of Second Ward and specifically, Marshall Park. He said the redevelopment of Second Ward presented an opportunity to remake both Martin Luther King Boulevard and Marshall Park into “memorable expressions, or Charlotte's "new thing".

Mr. Whisnant provided the Board with a handout regarding his interest in Marshall Park being preserved.

*A copy of Mr. Whisnant's handout is on file with the Clerk to the Board.*
Hannah Marie Warfle a Social Worker at the Salvation Army Center of Hope addressed the housing needs of the homeless. She asked the Board to consider using surplus land for housing opportunities.

Michael O’Sullivan with OneMeck Affordable Housing addressed the need for affordable housing. He said developers should be required to set aside 20% of the housing units to be built for persons earning 30% or less of the area median income.

Julie Porter with Friends of the Housing Partnership addressed the need for affordable housing and for the Board’s involvement.

Mable Hemphill addressed displaced homemakers in Mecklenburg County. She said the Board would receive a report in the near future regarding displaced homemakers and a request for feedback.

Rick Pennebaker addressed greenways and asked the Board to complete the greenway system.

Bill and Marlene Pierson and David Pearson spoke in opposition to the Sheriff’s ending of the contract with ICE.

James Lee III addressed the need for affordable housing and the Grier Heights Community. He said he would be coming before the Board on a regular basis speaking on behalf of those that can’t or won’t speak for themselves regarding their needs.

Maureen Gilewski on behalf of CharlotteEAST’s Transportation Advocacy group spoke in support of greenways and public transportation. She shared a handout regarding their interest.

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

Jennifer Miller signed up to speak but did not appear.

APPOINTMENTS

18-5100 APPOINTMENTS

BOARD OF EQUALIZATION AND REVIEW

Commissioner Harden, 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, Leake and Rodriguez-McDowell.

The committee voted unanimously to recommend the appointment of Steven Dobbs and Gregory Roberts for three-year terms expiring April 16, 2022.

The other nominees were: Russell Allen, Eric Anderson, and Jeff Scott. Eric Anderson and Russell Allen were unable to accept the interview invite because of prior engagements.

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

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

Steven Dobbs Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough
Gregory Roberts Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough

Voting Ceased

Jeffrey Scott

Chair Dunlap announced the appointments of Steven Dobbs and Gregory Roberts to the Board of Equalization and Review for three-year terms expiring April 16, 2022.

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

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

- Brooke Adams, Commissioner Harden
- Delma Kendrick, Commissioner Leake
- Marque Macon, None
- Manisha Parekh, Commissioners Cotham, Dunlap, Fuller, Jerrell, Rodriguez-McDowell, and Powell
- Micha Simmons, None

Chair Dunlap announced the appointment of Manisha Parekh to the Charlotte-Mecklenburg Community Relations Committee to fill an unexpired term expiring September 30, 2020. She replaced Domar Bailey.

INFORMATION SERVICES & TECHNOLOGY COMMITTEE

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 appoint Walid Omar Hamid, Kevin Hayes and Hope McKinney to the Information Services & Technology Committee to fill unexpired terms, which will be assigned by the Clerk.

Note: Walid Omar Hamid and Kevin Hayes were assigned to fill unexpired terms expiring February 28, 2019 and Hope McKinney to fill an unexpired term expiring February 28, 2021. They replaced Frank Benson, Nicole Calhoun, and David Hill.

PARK AND RECREATION COMMISSION

The vote was taken on the following nominees for appointment to the Park and Recreation Commission:

- Jason Daniel Cook, Commissioners Cotham, Dunlap, and Harden
- Mark Loflin, Commissioners Fuller, Jerrell, Leake, Powell, and Rodriguez-McDowell

Chair Dunlap announced the appointment of Mark Loflin to the Park and Recreation Commission to fill unexpired term expiring June 30, 2020.

Note: He replaced John Leonard.
SMALL BUSINESS AND ENTREPRENEURSHIP ADVISORY BOARD

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 appoint Kenneth Fields, Brian James, Matthew King, Latecia Manuel, Raj Parikh, and Florence Wilkins to the Small Business and Entrepreneurship Advisory Board to terms which will be assigned by the Clerk.

Note: Kenneth Fields, Brian James, Matthew King, and Latecia Manuel were assigned three-year terms expiring June 30, 2021 and Raj Parikh and Florence Wilkins to fill unexpired terms expiring June 30, 2019.

Note: They replaced Theresa Braswell, Nikita Devereaux, Betty Leake, Susan McDonough, Austin Morphies, and Sasha Tomaszycki.

WOMEN’S ADVISORY BOARD

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

**Round One**

<table>
<thead>
<tr>
<th>Name</th>
<th>Commissioner</th>
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<tbody>
<tr>
<td>Taisha Abreu</td>
<td>None</td>
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<tr>
<td>Maura Chavez</td>
<td>Fuller</td>
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<tr>
<td>Jamilah Espinosa</td>
<td>Dunlap, Fuller, Harden, Jerrell, Rodriguez-McDowell and Powell</td>
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<tr>
<td>Yolonda Holmes</td>
<td>Cotham, Dunlap, Powell, and Scarborough</td>
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<tr>
<td>Delma Kendrick</td>
<td>Cotham</td>
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<tr>
<td>Alexis Kondratyk</td>
<td>Rodriguez-McDowell and Powell</td>
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<tr>
<td>Kristen Moyer</td>
<td>Jerrell and Harden</td>
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**Round Two**

Yolonda Holmes: Commissioners Dunlap, Fuller, Harden, Leake, Powell, and Scarborough

Voting Ceased

Delma Kendrick
Alexis Kondratyk
Kristen Moyer

Chair Dunlap announced the appointments of Jamilah Espinosa and Yolonda Holmes to the Women’s Advisory Board to fill unexpired terms expiring November 30, 2019.

Note: They replaced Lahari Jones and Barbara Thomas.

18-5124 NOMINATIONS/APPOINTMENTS

CITIZEN’S CAPITAL BUDGET ADVISORY COMMITTEE

Motion was made by Commissioner Fuller, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-
McDowell, Powell and Scarborough voting yes, to appoint Susan Flowers and Craig Vesling to the Citizen’s Capital Budget Advisory Committee to fill unexpired terms expiring July 31, 2019.

*Note: They replaced Ashley Farley and Rachel Martin.*

**NURSING HOME COMMUNITY ADVISORY COMMITTEE**

Motion was made by Commissioner Jerrell, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to nominate and appoint Debbie Bradley to the Nursing Home Community Advisory Committee for a one-year term expiring January 30, 2020.

**19-5132 TOWN OF HUNTERSVILLE PLANNING BOARD**

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 appoint Scott Hensley as the Extraterritorial Jurisdiction (ETJ) member of the Town of Huntersville Planning Board as recommended by the Town of Huntersville Board of Commissioners, per action taken on December 17, 2018, with a term effective immediately through June 30, 2021.

*Note: He replaced JoAnne Miller.*

**PUBLIC HEARINGS**

**18-5122 BUDGET PUBLIC HEARING – FISCAL YEAR 2020**

The Board received citizen input as part of the Fiscal Year 2020 Budget Development Process. The topics addressed were:

1. Park and Recreation Funding/Greenways
2. Education
3. Meck Pre-K
4. Affordable Housing
5. Health Department Funding
6. Gun Violence Prevention
7. Environment/Climate Change

**Park and Recreation Funding/Greenways**

The following persons spoke in support of continued and increased funding for Park and Recreation, including funding for greenways:

Heidi Pruess, Chair of the Park and Recreation Commission, Vice Chair Rick Winiker, Commission member Peter Engels and Ms. Stover, a senior citizen user of Park and Recreation facilities, Dick Winters, Doug Burnette, Brett Tempest, Nancy Nicholson, Ruth Grissom, Ernie McLaney, Margaret Sexton, James Lee, Adam Getchell, Ryan Wakefield, Tobe Holmes, and Kip Kiser.

*Note: Ed Barnhart and Andrew Bio registered to speak but were not present.*
The following persons spoke in support of continued and increased funding for Education, including teacher pay, and strategic resourcing: Justin Parmenter, Kevin Poirier, Amanda Thompson, Courtney Stallman, Arthur Griffin, and Allen Nelson.

Note: Melissa Easley and Erlene Lyde registered to speak but were not present.

**Meck Pre-K**
The following persons spoke in support of continued and increased funding for Meck Pre-K: Sonya McCrea, Latoya Scott, Cheryl Milam, Kimberly Follis, Yaritza Miranda, Martine Jordan, Kevin Campbell, Edie Rangel, George Beckwith, Yuly Rodriguez, Nancy Hughes.

Note: Joanna Schimizzi registered to speak but were not present.

**Affordable Housing**
The following persons addressed the need for the County’s involvement in providing Affordable Housing: Peter Kelly, Mary Kelly, and John Divine.

**Health Department Funding**
The following person spoke in support of continued funding for the Health Department: Rachel Brummert.

**Gun Violence Prevention**
The following person addressed Moms Demand Action for Gun Sense in America and asked the Board to support its initiatives: Shannon Klug. She was joined at the podium by Stefanie Groot and others.

**Environment/Climate Change**
The following person addressed the environment and climate change: Samuel Spencer.

Note: Chair Dunlap left the dais and was not present when the following speakers spoke: Shannon Klug, Adam Getchell, John Devine, and James Lee. Vice Chair Powell chaired the meeting during his absence.

Chair Dunlap thanked those that spoke for coming and providing input to the Board.

**ADVISORY COMMITTEE REPORTS – NONE**

**MANAGER’S REPORT**

18-5120 MECKLENBURG COUNTY PUBLIC HEALTH TRANSFORMATION PLAN UPDATE

The Board received an update from Health Director, Gibbie Harris on the Mecklenburg County Public Health Transformation Plan.

Note: In August 2017, the Board of County Commissioners’ Audit Review Committee received the Public Health Implementation Plan that begins the process of improving service delivery in multiple ways. Director Harris updated the Board on the work completed to date and the work scheduled to occur over the next year. The topics covered were:

- Organizational Development & Change Management
- Clinical Care Delivery Model
- Electronic Medical Records (EMR) Optimization
- Cerner EtrebyPharmacy Management System
A copy of a report is on file with the Clerk to the Board.

Comments

Commissioners thanked Director Harris for the update and complimented she and her staff on the progress that was being made. She was asked to keep the Board informed and to let the Board know if additional staff was needed.

Commissioner Fuller asked was there a mechanism in place to measure the results, which was addressed. Director Harris said a specific plan for measuring results was forthcoming.

COUNTY COMMISSIONERS REPORTS & REQUESTS

19-5128 BOARD COMMITTEES AFFIRMATION (CHAIR DUNLAP)

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:

A) Re-affirm the following Board committees for calendar year 2019:

1) ECONOMIC DEVELOPMENT COMMITTEE

Note: Responsible for making recommendations that contribute to business and job growth in Mecklenburg County.

Members: Commissioners Trevor M. Fuller (Chair), Susan B. Harden, Mark Jerrell, and Susan Rodriguez-McDowell

2) HEALTH AND HUMAN SERVICES COMMITTEE

Note: Responsible for making recommendations to improve the health and well-being of Mecklenburg County residents with emphasis on children, seniors and families.

Members: Commissioners Vilma D. Leake (Chair), Susan Rodriguez-McDowell, Mark Jerrell, and Elaine Powell

3) INTERGOVERNMENTAL RELATIONS COMMITTEE

Note: Responsible for helping coordinate the intergovernmental relations between and among Mecklenburg County and all the governing bodies operating within the County at the federal, state and local levels.

Members: Commissioners Mark Jerrell (Chair), Pat Cotham, Susan B. Harden, and Susan Rodriguez-McDowell
4) PERFORMANCE REVIEW COMMITTEE

Note: Responsible for reviewing the performance of the County Manager.

Members: Commissioners Elaine Powell (Chair), Trevor M. Fuller, Vilma D. Leake, and Susan Rodriguez-McDowell

B) Establish the following new Board committee: Environmental Stewardship Committee

Note: Responsible for making recommendations that sustain and enhance the environment in a manner that conserves and protects our air, water, land and biological resources.

Members: Commissioners Elaine Powell (Chair), Mark Jerrell, Susan Rodriguez-McDowell, and Elia B. Scarborough

C) Receive as information, the Board Liaison Assignments as assigned by Chair Dunlap

Note: Chair Dunlap said he would be seeking an alternate to serve on the Charlotte Regional Transportation Planning Organization in addition to his serving. He asked Commissioner Harden to consider serving as the alternate. Commissioner Harden said she would.

Chair Dunlap noted the appointment of Commissioners Cotham and Leake to the Charlotte Area Fund Board of Directors. Note: Commissioners have the option of serving themselves or appointing a citizen representative.

A list of the Board Liaison Assignments is on file with the Clerk to the Board.

19-5139 AUDIT REVIEW COMMITTEE APPOINTMENTS (CHAIR DUNLAP)

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 reaffirm the establishment of the Audit Review Committee and appoint Commissioners Pat Cotham (Committee Chair), Trevor M. Fuller, Susan B. Harden, and Ella B. Scarborough as members and County Manager Dena R. Diorio and Assistant County Manager Mark Foster staff ex-officio representatives, for two-year terms expiring December 31, 2020.

Note: The resolution that established the Audit Review Committee states the Committee will be comprised of five voting members and two non-voting members appointed by the 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. The County Manager and a staff member designated by the County Manager will serve as the two non-voting ex officio members. The current outside appointee is Alexander Vuchnich.

Commissioner Fuller left the dais and was absent for the remainder of the meeting.
CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and carried 8-0 with Commissioners Gotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the following item(s):

18-5101 STORM WATER PROGRAM – FY19 HAZARD MITIGATION FLOODPLAIN ACQUISITION

1. Accept the Offer of Sale of Real Estate from Lorelie Moorefield, owner of property located at 5809 Wedgewood Drive, Charlotte, NC (tax parcel 171-091-11), for $340,000; and
2. Accept the Offer of Sale of Real Estate from Jonathan Tripp, owner of property located at 1015 Mockingbird Lane, Charlotte, NC (tax parcel 171-082-16), for $412,000; and
3. 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.).

18-5108 BUDGET AMENDMENT – COUNTY MANAGER’S OFFICE (REVENUE INCREASE)

Recognize, receive, and appropriate donations totaling $8,500 from various sponsors for an early childhood event.

Note: The Foundation for The Carolinas (FFTC) and Mecklenburg County have been asked to host a book signing for author, former Charlotte Observer editor and child advocate David Lawrence, Jr. Total costs for this event are anticipated at $8,500. Funds are being received by the County, as the designated point of contact, for payment to various vendors. Local foundation and early childhood stakeholder sponsorships have been secured to cover the full cost of $8,500. Mecklenburg County’s contribution for this event are in-kind only (staff time/facility use donation). The sponsors are: Foundation For The Carolinas, Winer Family Foundation, Leading On Opportunity Council, TIAA, Smart Start of Mecklenburg County, and CCRI.

18-5109 AD VALOREM TAX ADVERTISEMENT

Order the advertisement of delinquent 2018 real estate and personal property taxes.

Notes: The advertisement is a notification to taxpayers of outstanding tax balances due. As of December 27, 2018, $385,670,468.71 of the $987,274,525.03 net levy remains unpaid. In accordance with NCGS 105-369(a), the governing board must order the Tax Collector to advertise the tax liens. The Tax Collector is ordered not to advertise tax bills included in approved payment arrangements as governed by Senate Bill 159 ratified by the General Assembly and Governor of North Carolina. The Tax Collector will contract with the Charlotte Observer to publish the advertisement on April 7, 2019. This newspaper meets the statutory requirements for publishing the delinquent taxpayer list. The cost of the advertisement is divided among, and charged to, the tax bills included in the advertisement. The charge per bill is $3.45.
Approve Minutes of Regular meeting held December 18, 2018.

**18-5115 BUDGET AMENDMENT – DSS (REVENUE INCREASE/DECREASE)**

Recognize, receive and appropriate a net increase in revenue in the amount of $521,750 to reflect actual state and federal funding changes.

*Note: During the fiscal year, Department of Social Services receives notification of modified funding for programs within the department from NC Division of Social Services and the NC Division of Aging and Adult Services. The changes include: Family Reunification Federal funding decrease of $5,035, Low Income Energy Assistance Program Federal funding increase of $463,373, Case Worker Visit Federal funding increase of $29,243, Social Services Block Grant Federal funding increase of $33,988 and Energy Neighbor State funding increase of $181.*

**18-5119 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 Angela Ferguson and Jay Camp as Review Officers and to remove Greg Van Hoose, Curtis Anthony, and Kathi Ingrish.

**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. Angela Ferguson, Jay Camp 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. Greg Van Hoose shall be deleted from the Resolution adopted on February 3, 2012; Curtis Anthony shall be deleted from the Resolution adopted on April 1, 2014; and Kathi Ingrish shall be deleted from the Resolution adopted on September 16, 1997.

*Resolution recorded in full in Ordinance/Minute Book 48-A, Document #1.*

**18-5121 TAX REFUNDS**

1. Approve refunds in the amount of $20,617.08 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 statewide vehicle tax system.

2. Approve refunds in the amount of $63,497.77 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 $1,138.71.

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

19-5126 FEE ORDINANCE CHANGES TO LAND USE AND ENVIRONMENTAL SERVICES TO MEET THE NEW 2018 NORTH CAROLINA FIRE CODE (SECOND READING)

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 is 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

There are two other minor edits to bring the fee ordinance in line with current processes. These include changes to fire work permits located within City limits and are not issued by the Mecklenburg County Fire Marshal’s Office (see LUESA Proposed Fee Ordinance Changes, page 14). These permits are issued by the Charlotte Fire Department and therefore should not be referenced in this ordinance. The other amendment is an adjustment to tents and air supported structures, bringing them in line with Charlotte Fire Department fees.

Ordinance recorded in full in Ordinance/Minute Book 48-A, Document #2.

19-5127 GRANT APPLICATION – CHARLOTTE OBSERVER SUMMER CAMP FUND GRANT (PARK AND RECREATION)

Approve 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.

Note: The Charlotte Observer Summer Camp Fund (COSCF) awards grants to summer camps to provide scholarships to low-income children in grades K-12. Grants must be used to expand the opportunities available to low-income campers. The goals of the COSCF are to help children develop a love of the outdoors, encourage continued learning through the summer, and to expand children’s vision of what could be. The COSCF is grounded in the belief that low-income youth should have the opportunity to enjoy a summer camp experience that mirrors enrichment programs accessed by
their middle and upper income peers. This grant will allow Park and Recreation staff to provide up to twenty-nine (29) 100% scholarships to low-income children for 4 weeks of nature-based summer camp.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

18-5075 LAND ACQUISITION – STEWART CREEK GREENWAY AND STREAM ENHANCEMENT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Gotham, Dunlap, 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 (±0.2361 acres) and a permanent storm drainage easement (±0.1916 acres) on Tax Parcel 071-143-45 from Freddie Lee Mungo for the future construction of the Stewart Creek Tributary II Greenway and Stream Enhancement project for a purchase price of $3,750.

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

18-5099 CONSTRUCTION CONTRACT AWARD – MCDOWELL PARKING DECK-STRUCTURAL REPAIRS PROJECT

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and carried 8-0 with Commissioners Gotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to award a contract to Strickland Waterproofing Company, Inc. in the amount of $727,180 for the McDowell Parking Deck-Structural Repairs Project.

Note: The concrete structure of the McDowell Parking Deck is in need of repair due to spalls, cracks in the concrete spandrel panels and concrete double “T” beams, beam bearing issues, repointing of masonry walls, etc.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this matter.

18-5102 GRANT APPLICATION – OFFICE ON VIOLENCE AGAINST WOMEN IN THE U.S. DEPT OF JUSTICE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Gotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to approve submission of a grant application in the amount of up to $450,000 to the Office on Violence Against Women in the United States Department of Justice to provide transitional housing assistance to approximately 10-20 victims of domestic violence in Mecklenburg County; and if awarded, recognize, receive and appropriate the grant funds.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this matter.

18-5104 CONSTRUCTION CONTRACT AWARD – WORK RELEASE AND RESTITUTION CENTER – PARTIAL HVAC REPLACEMENT PROJECT
JANUARY 15, 2019

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to award a contract to TEAM Mechanical, LLC in the amount of $643,820 for the Work Release and Restitution Center - Partial HVAC Replacement Project.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this matter.

18-5105 GRANT APPLICATION – FEMA HAZARD MITIGATION ASSISTANCE (LUESA)

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to:

1. Authorize the County Manager to apply for FEMA Hazard Mitigation Assistance grant funding of up to $2,250,000 to be used for floodplain and stream restoration on Kings Branch; and

2. If awarded, recognize, receive and appropriate grant funds and any property owner matching funds available through completion of the project; and

3. Authorize the County Manager to execute contracts with the North Carolina Department of Public Safety, Division of Emergency Management.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this matter.

18-5106 GRANT APPLICATION – FY20 NCDOT URBAN STATE MATCH GRANT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to:

1) Affirm submission of the North Carolina Department of Transportation’s (NCDOT) Urban State Match Grant for Fiscal Year 2019-2020 submitted December 21, 2018; and

2) Recognize, receive and appropriate grant funds when awarded.

Note: The NCDOT Public Transportation Division has made available grant funding to assist counties receiving urban funding to reduce the local share. The Urban State Match Grant can be used as a match for both federal and local funded vehicle replacements. This will be a match to the 5307 Urbanized Area Formula Grant for FY20 approved and resolution completed on October 2, 2018. The 5307 match is 80% federal and 20% county. This Urban State Match grant will provide a 10% match reducing the county match to 10%. The grant was applied for to meet the submission deadline.

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

18-5114 GRANT APPLICATION – NC GOVERNOR’S CRIME COMMISSION – JUVENILE JUSTICE PLANNING COMMITTEE
Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes,

1) Approve submission of a grant application for a total of $551,281 for the term of October 1, 2019 - September 30, 2021 to the US Department of Justice, Office of Justice Programs, and the Office of Juvenile Justice and Delinquency Prevention in support of 3 DSS (YFS) positions; and

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

3) Authorize three additional positions in the Department of Social Services, Youth and Family Services Division: 3 Mental Health Licensed Clinicians (market rate: $67,507).

Note: Child protective services social workers are often exposed to secondary traumatic stress (STS) during their work. STS is compounded when the workers are faced with a child fatality on a new or open case. Presently, Youth and Family Services (YFS) has no coordinated response for the benefit of workers responding to fatalities; and because of this, YFS does not consistently utilize best practices with staff to address and manage STS. Response to the effect of fatalities in a way that reduces STS and supports staff in the days following a fatality is necessary for staff’s emotional and mental health, and ultimately reduces burnout and increases staff retention. This grant would allow for the creation of a team of clinicians who will immediately respond for the benefit of social workers who are faced with child fatalities and other critical incidents. The addition of a Fatality/Critical Incident Response Team will allow the agency to advance the agency’s Practice Model initiative and support the agency’s Organizational Health strategies. The Fatality/Critical Incident Response Team will also work with the Mecklenburg County Child Fatality Prevention and Protection Team (CFPPT) to integrate and communicate recommendations made by the Mecklenburg CFPPT, the State Child Fatality Prevention Team, and the Child Fatality Task Force.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this matter.

18-5116 GRANT AMENDMENT – FY20 NCDOT 5307 URBAN GRANT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to approve amendment of North Carolina Department of Transportation (NCDOT) 5307 Urban Grant Local Share Certification for Funding for the increase of county funds match from 10% to 20%.

Note: The NCDOT Public Transportation Division has made the County aware of a “misprint in the guidance for the FY20 5307 Capital guidance document”, which should have stated that State funds are not allowed as a match for this program, only local at 20%/Federal 80%.” This requires the County to provide the full share of matching at 20%. To qualify for the Grant, Board approval is required to update the local share certification to show a 20% match instead of a 10% match.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this matter.

18-5117 LAND DONATION – LITTLE SUGAR CREEK

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and
carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to accept donation of a portion of Tax Parcel 083-047-01 (+/- .490 acres) from WDF-4 Wood Noda Owner, LLC for Park & Recreation purposes.

Note: The property is located at the intersection of North Brevard and East 25th Street in the NoDa Neighborhood of Charlotte. The portion of the property to be donated is located entirely within the FEMA-designated floodplain and water quality buffer along Little Sugar Creek. Acquisition of this property continues the County’s efforts to acquire land holdings along Little Sugar Creek for greenway development and the preservation of the floodplain.

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

19-5129 CAPITAL RESERVE EXPENDITURE REQUEST – THE EFFORTLESS GOLD CENTER (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to approve expenditure of $90,000 from the Consolidated Golf Capital Reserve account for improvement projects to The Effortless Golf Center.

Note: These projects will be funded from the Consolidated Golf Capital Reserve account in the amount of $90,000 and include: 1) painting of light poles, 2) replacing lights and covers in the driving range field, 3) asphalt work, 4) HVAC repairs for the shop, 5) irrigation/turf work around the facility, and 6) repairs to the outside of the shop structure. The improvements will help preserve and offer a quality facility to the public.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this matter.

19-5131 DONATION OF OUTDOOR SPORT COURT FROM NANCY LIEBERMAN CHARITIES – NAOMI DRENAN RECREATION CENTER AT GRAYSON PARK

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to recognize and receive the donation and installation of an outdoor custom Sport Court at Naomi Drenan Recreation Center valued at $130,000 from Nancy Lieberman Charities.

Note: Nancy Lieberman Charities, a 501c3 children’s charity in partnership with Under Armour, is proposing to refurbish the outdoor basketball courts at Naomi Drenan Recreation Center, owned by Mecklenburg County. To date, Nancy Lieberman Charities has opened 68 Dream Courts (outdoor basketball courts) across the United States serving over 2.9 million children each year. This state-of-the-art play space gives children a safe place to play the game of basketball. The rendering of the proposed Dream Court has significance to the well-known basketball Curry family; Dell, Stephen, and Seth. The number 30 in the middle of the court represents the number 30 on each of their basketball jerseys. The signatures are of Dell, Stephen and Seth in the lanes on the court. They are proposing to open this court before NBA All-Star Weekend with the Curry Family, Nancy Lieberman Charities, Naomi Drenan Recreation Center and Mecklenburg County.

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

County Manager Diorio addressed this matter.
Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-1 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, and Scarborough voting yes, and Commissioner Powell voting no, to authorize the County Manager to negotiate and execute a sub-lease agreement with Charlotte Center City Partners (CCCP) on a +/- 1.09 acres portion of Renaissance Park (Tax Parcel 143-281-01) for construction, operation, and maintenance of a storage facility and workspace for CCCP’s recreational and entertainment events.

Note: Charlotte Center City Partners currently leases a County-owned warehouse on Remount Road in Charlotte to store Thanksgiving Day Parade floats and props and other items related to recreational/entertainment events. However, the County’s Park & Recreation Department has determined that it needs to utilize the Remount warehouse for park operations due to the opening of new park facilities and investment in capital projects. Due to this, the County and CCCP agreed that CCCP will vacate the warehouse.

At its September 18, 2018 meeting, the Board of County Commissioners approved agenda item 18-4934, to appropriate $150,000 to Charlotte Center City Partners (CCCP) to provide assistance with constructing a new facility to store items related to recreational/entertainment events. Subsequently, CCCP has procured a 60’ x 140’ portable metal storage structure. To accommodate CCCP’s items, County staff proposes entering into a sub-lease with CCCP at Renaissance Park for the construction, operation, and maintenance of the storage structure. As part of the sub-lease agreement, CCCP will also be granted workspace in the vicinity of the new facility to build, maintain and repair floats and other operations. The sub-lease to CCCP is consistent with the provision in the lease between the County and the City of Charlotte (which owns the property) that the property be used for park and recreational uses.

The County Manager will negotiate a lease consistent with the following business terms:

Location - A portion of Renaissance Park (Tax Parcel 143-281-01)

Leased Area Size - +/- 1.09 acres (with final size of leased area to be determined by site design)

Permitted Use - To store, build, repair, and maintain floats for Novant Health’s Thanksgiving Day Parade and for operations related to other recreational/entertainment events.

Lease Term - Nine (9) years and 364 days

Insurance - Tenant is required to maintain liability, property, worker’s compensation and any other insurance deemed necessary by the County’s Risk Management Department, and name the County as an additional insured on all necessary policies.

Maintenance - CCCP is responsible for all maintenance of its leased area.

Utilities - CCCP shall have all utilities associated with its operations in its name and pay for all utilities needed for its permitted use.

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

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-2 with Commissioners Cotham, Dunlap, Fuller, Harden, Rodriguez-McDowell, Powell
and Scarborough voting yes and Commissioners Jerrell and Leake voting no, to Authorize the County Manager to negotiate and execute all documents necessary for acquisition of permanent greenway and storm drainage easements (+/- 3.88 acres) and a temporary construction easement (+/- 0.411 acres) on a portion of tax parcel 221-091-01 from Francena Tinsley Pelotte, Michael Tinsley, Alan Tinsley, Charles Tinsley, Yusef Fite, and Deatrice Thomas (being all the heirs of Alice Lee Tinsley), and Tinsley-Fite Holdings, LLC for a purchase price of $53,850 for greenway trail and stream enhancement projects on Little Sugar Creek.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and carried 8-0 with Commissioners Cotham, Dunlap, 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 10:25 p.m.

Janice S. Paige, Clerk

George Dunlap, 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 5, 2019.

ATTENDANCE

Present: Chair George Dunlap and Commissioners Patricia "Pat" Cotham, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, 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: Commissioner Trevor M. Fuller

-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: 19-5133, 19-5137, 19-5150, 19-5153, 19-5154, and 19-5160.

STAFF BRIEFINGS - NONE

CLOSED SESSION

19-5149 CONSULT WITH ATTORNEY

19-5155 LAND ACQUISITION

19-5157 ECONOMIC DEVELOPMENT

Prior to going into Closed Session County Attorney Wade announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcel(s): 221-032-20, 221-091-02, 047-351-03, 047-351-06, 229-021-19, 229-021-14, 229-021-05, 229-021-13, 229-021-87, 229-021-03, and 229-021-22.

Motion was made by Commissioner Rodriguez-McDowell, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to go into Closed Session for the following purpose(s): Consult with Attorney, Land Acquisition and Economic Development.

The Board went into Closed Session at 5:09 p.m. and came back into Open Session at 6:09 p.m.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and
unanimously carried with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to move Item 19-5153-Proclamation – Teen Dating Violence Awareness and Prevention Month from the Consent section of the agenda to Awards/Recognition.

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 which was followed by introductions, invocation by the Chair, and then the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

CHAIR UPDATES

Chair Dunlap noted the following matters for information purposes:

**Board Support**
Staff was continuing to work on filling the vacancies in the Board Support area. Final interviews were held last week, and new staff should be on board by March 1st.

**Greetings by the Chair**
Last week greetings were brought by the Chair on behalf of the County at the Charlotte Center City Partners State of the Center City event, present also was Commissioner Harden. It was noted that the state of the Center City was “strong.”

**NBA All-Star Game**
The Chair participated in a press event for the NBA All-Star Game. It’s estimated that there would be 150,000 visitors coming to Charlotte/Mecklenburg County for the NBA All-Star Game and $100 million in economic impact; twenty-two million TV viewers; and one billion social media imprints.

There will be a series of events taking place at county parks and recreation facilities in connection with the NBA All-Star Game.

**Village Heartbeat**
On February 12, 2019 at 9:00 a.m. in the Meeting Chamber, Governor Roy Cooper and the president of Aetna will hold a press event to make a major announcement regarding Mecklenburg County’s Public Health Department and the Village Heartbeat Program. The public was encouraged to attend.

**Legislative Breakfast**
The Board will meet with the Mecklenburg County NC Legislative Delegation in a breakfast meeting on Monday, February 18, 2019 at 9:00 a.m. at the at the Valerie C. Woodard Conference Center. Court Officials will also be present, and Town Officials have also been invited to attend.

**Town Visits**
The Chair and County Manager completed visits and meetings with the Town officials within Mecklenburg County.

**Commissioner Jerrell**
Commissioner Jerrell attended an Urban League Event and a My Brother’s Keeper Event on behalf of the Chair recently.

**Use of Chair’s Office**
Commissioners are welcomed to use the Chair’s Office when meeting with more than two people. The Chair’s Office will hold up to eight people.

**Employee Pay**
The Board, at its recent retreat, decided that if it wanted to push for a living wage that it should set the example. Consistent with that decision, the Board decided that the starting salary of all county employees would now be fifteen dollars per hour. Letters were being sent to every affected employee indicating the salary change, effective February 13, 2019.

Chair Dunlap opened the floor for Commissioners to comment on the employee pay change. All of whom did and spoke favorably.

**LAND ACQUISITION – LITTLE SUGAR CREEK GREENWAY**

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of permanent greenway, storm drainage, and temporary construction easements on the following properties:

- Tax Parcel 221-032-20 - +/- 1.503 acres of Greenway and Storm Drainage Easement and +/- 0.112 acres of Temporary Construction Easement;
- Tax Parcel 221-091-02 - +/- 6.307 of Greenway and Storm Drainage Easement and 0.653 acres of Temporary Construction Easement; and
- Tax Parcel 221-091-02 - +/- 4.673 acres of Greenway and Storm Water easements within an area described by survey as the “Miller Gap Area” with uncertain ownership from Robert E. Smith, Molly J. Smith, and Charles Stephen Miller for a total purchase price of $114,075 for greenway trail and stream enhancement projects on Little Sugar Creek.

**LAND ACQUISITION – MALLARD CREEK GREENWAY**

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for the County to obtain a permanent greenway easement on Tax Parcels 047-351-03 (± 2.61 acres) and 047-351-06 (± 0.88 acres) from RB48 Charlotte, LLC for $65,000 for the future construction of a portion of Mallard Creek Greenway.

**LAND ACQUISITION – CHARLOTTE MECKLENBURG SCHOOLS**

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 7-1 with Commissioners Cotham, Dunlap, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough voting yes and Commissioner Leake voting no, to approve a purchase price not to exceed $13,200,000 for Charlotte-Mecklenburg Board of Education to purchase Tax Parcels:

- 229-021-19 from Ronald Wayne Singer,
- 229-021-14 from Ronald Wayne Singer,
- 229-021-05 from Robin P. Woshkolup & Claudio S. Woshkolup,
- 229-021-13 from Joe M. Ardrey & Marshall Woodie Ardrey,
- 229-021-87 from Joe M. Ardrey,
- 229-021-03 from Joe M. Ardrey,
FEBRUARY 5, 2019

- 229-021-22 from Joe M. Ardrey Living Trust totaling +/- 37 acres for a future elementary school site.

Prior to the above vote, Commissioner Leake said the Board of Education should consider purchasing land for schools on the westside of the County versus the southside, because the land cost would be cheaper.

PUBLIC APPEARANCE

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

Fran Holoman, a School Psychologist at Walter G. Byers School, Bruns Avenue Elementary, and Cochran Collegiate Academy, addressed the impact on families that live in hotels and motels when there are large community events, such as the NBA All-Star Game and CIAA. She said families were negatively impacted because of rate increases when large events occur. It was noted that families who pay daily rates were impacted the most. Information was also shared regarding the housing difficulties many families experience, including being evicted. Ms. Holoman commented on how the uncertainty of stable housing negatively impacts families and especially children. She challenged the Board to be “intentional” when it came to problem-solving with respect to the issue of affordable housing. She was joined at the podium by Anthony Wright, School Counselor, and Amanda Thompson, Math teacher.

Marques 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 and expressed thanks to Village Heartbeat.

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.”

Jodi Douglas Turner, a member of Delta Sigma Theta Sorority, Inc. and on behalf of the local Graduate Chapter of Delta Sigma Theta Sorority, Inc, addressed the sorority’s work and alignment with Village Heartbeat. She asked the Board to continue to support Village HeartBeat.

Reverend Jordan Boyd, pastor of Rockwell AME Zion Church concluded, by noting the continued success of Village HeartBeat and the difference it continued to make in the lives of so many, whose health had improved tremendously. He thanked the Board for the Village HeartBeat Program and for Cheryl Emmanuel, the Health Department employee, whose vision resulted in the development of Village Heartbeat. He was joined at the podium by other local pastors, whose churches were a participant with Village Heartbeat.

Alan Winninger expressed concern and opposition for his name being on the Mecklenburg County Sheriff’s Office active warrant page. Mr. Winninger said he has a restraining order and not a warrant. Mr. Winninger said even though it states, “do not arrest for this,” on the site, his name should not be listed on the warrant page. Mr. Winninger said this puts him at risk of being arrested and/or incarcerated for “no reason.”

A copy of a handout from Mr. Winninger showing what’s stated on the website is on file with the Clerk to the Board.
Merel Devaney, a student at UNC Charlotte addressed the tax placed on feminine hygiene products, such as, panty liners, tampons, sanitary pads, etc. She said in Mecklenburg County these products were taxed by an additional two percent on top of NC state sales tax of 4.75 percent. Ms. Devaney said as a concerned woman, she would like to call for a referendum to amend the tax code to decrease the sales tax in Mecklenburg County by 1.5% for feminine hygiene products. She said the tax on feminine hygiene products was a form of financial gender discrimination based “purely” on the needs of females for these products.

Ms. Devaney said she spoke with Edwin Terrell at the Board of Elections and was informed that the Board of County Commissioners had the authority to enact the referendum.

She said she was “aware of potential economic backlash as a result of this decrease, however by decreasing the sales tax on products necessary for women’s health, the county would be working to resolve the gender gap; in addition to women saving money on essential products, it would allow them to contribute to the local economy in other manners and reduce the financial burden specific to being female.” She asked the Board to consider the request.

Anthony Abraham addressed his vision for his landscaping business and his desire to do landscaping work for the County, particularly in the parks.

Eric Anderson registered to speak but was not present.

Chair Dunlap thanked all the speakers for appearing.

AWARDS/RECOGNITION

19-5153 PROCLAMATION – TEEN DATING VIOLENCE AWARENESS AND PREVENTION MONTH

Motion was made by Commissioner Rodriguez-McDowell, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a joint proclamation designating February 2019 as Teen Dating Violence Awareness and Prevention Month in Mecklenburg County and Charlotte, North Carolina.

Commissioners Leake and Rodriguez-McDowell removed this item from Consent for more public awareness.

The proclamation was read by Commissioner Rodriguez-McDowell and received by Alex Pyun, Community Support Services, Violence Prevention Manager.
APPOINTMENTS

19-5166 NOMINATION/APPOINTMENT

AIR QUALITY COMMISSION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate and appoint Shalinda Williams to the Air Quality Commission for a three-year term expiring August 31, 2022 as a General Public representative.

Note: She will replace Daryl Curtis.

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

19-5164 CITY OF CHARLOTTE AGING IN PLACE PILOT PROGRAM
The Board received information regarding the City of Charlotte’s Aging In Place (AIP) pilot program to provide tax relief grants to qualifying homeowners.

Tax Collector, Neal Dixon, presented the information.

Note: The City of Charlotte implemented a pilot program designed to provide grants that offset tax increases that may occur following the 2019 reappraisal. Grant candidates are low and moderate-income senior homeowners who wish to continue living in their Charlotte homes as they age. Grants are based on the percentage increase of their 2019 total tax amount due, compared to their 2018 total tax amount due. The program is to be implemented on July 1, 2019.

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

Comments

Commissioner Rodriguez-McDowell asked about the AIP budget of $500,000 and how many individuals would that amount impact. Tax Collector Dixon said it was not known at this time because the City had no idea how many people would apply and/or how many of those individuals would actually have an increase in their taxes.

Commissioner Rodriguez-McDowell asked about the various statutory tax relief options, which was addressed. She asked was the $500,000 all City dollars. The response was yes.

Commissioner Jerrell spoke in support of the AIP program. He asked that it be kept in mind, also, the needs of single parent households, who often could use some tax relief. He said the position single parent households find themselves in is that their income isn’t low enough, yet it maybe just over the qualifying limit.

Commissioner Powell asked was the AIP program applicable to City of Charlotte residents only. The response was yes.

Commissioner Leake asked that the information shared be presented, going forward, in a manner where the language was more in layman’s terms. She asked Tax Collector Dixon to follow up with her at a later time to discuss this further.

Chair Dunlap noted the N.C. tax relief options that were currently available. He encouraged the public to reach out to the Tax Office to learn more about these options and to see if they qualify.

Chair Dunlap said the AIP program was something the City was going to make available to its residents and was being shared with the Board for information purposes. He said if the Board was interested in pursuing something of this nature for those in the unincorporated area of the County, this would be the time to let staff know.

Commissioner Rodriguez-McDowell commented on the income threshold amounts and whether they could be lowered.

County Manager Diorio said the Board did not have the authority to do tax relief without the express permission of the N.C. General Assembly, and that the thresholds were set by the General Assembly. She said the City was calling its AIP Program a grant program, which was different. County Manager Diorio said it was unknown whether it would be tested and sustained.

County Manager Diorio said there were some very fine lines involved and that the Board should be careful in how it talked about these types of programs.
It was the consensus of the Board to have the County Manager move forward with developing something for Mecklenburg County residents that lived outside of Charlotte City limits and to report back to the Board for its consideration of the matter.

Chair Dunlap suggested Board members with questions or ideas regarding what they would like to see in a grant program, communicate that to the County Manager, who would take that into consideration in her development of a recommendation to the Board.

**19-5165 INVASIVE SPECIES FUNDING (PARK AND RECREATION)**

Park and Recreation Director, Lee Jones and staff member Christopher Matthews addressed invasive species.

*Note: The FY 2019 Budget included one-time funding of $200,000 in restricted contingency, to address the removal of invasive species. The restricted contingency requires the BOCC approval of Park and Recreation’s plan for invasive species control, prior to this funding being made available. Park and Recreation proposes that $20,000 be allocated to Park and Recreation for equipment and supplies and $180,000 be allocated to contractor(s) for parkland treatment, with Park and Recreation oversight and management.*

Invasive Species are Non-Native Organism (plants and animals) that
- Grows and reproduces quickly
- Harms environment by pushing out native species
- Invasion often due to poorly informed agricultural, recreational or horticultural practices
- Invasive species kill native plants and wildlife by eliminating food and habitat
- Cause soil erosion and poorer water quality
- Costs the US over $120 billion every year in damages
- Outside of development, invasive species are the biggest threat to Mecklenburg County’s natural resources
- Most of Mecklenburg County’s invasive species are Plants
- 84% of Mecklenburg natural areas are negatively impacted by invasive plants
- The County’s Natural Resources Section has a goal to treat 10% of impacted acreage each year.

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

Comments

Commissioner Powell spoke in support of the release of funds from restricted contingency to address invasive species.

Commissioner Powell noted the role of the Park and Recreation Commission’s Stewardship Council in seeing this come to fruition. She said they were persistent in their request to have the issue of invasive species addressed and were finally able to get former Commissioner Dumont Clarke to push forward their request, which he did.

Commissioner Leake expressed concern for spending funds in this area, in light of other areas of need that she felt were greater.

Commissioner Leake questioned what was being done on the westside of the County, especially when it came to improving air quality.

Motion was made by Commissioner Powell, seconded by Commissioner Scarborough and carried 7-1 with Commissioners Cotham, Dunlap, Harden, Jerrell, Powell, Rodriguez-McDowell,
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and Scarborough voting yes, Commissioner Leake voting no, to approve the release of invasive species removal funding from restricted contingency.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS

19-5169 MECKLENBURG COUNTY BOARD OF COMMISSIONERS’ 2019 LEGISLATIVE AGENDA ADDITIONS

Sr. Assistant to the County Manager Starla Tanner addressed proposed additions to the Board’s 2019 Legislative Agenda.

Motion was made by Commissioner Scarborough, seconded by Commissioner Powell and carried 7-1 with Commissioners Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, and Commissioner Cotham voting no, to adopt additions to the Board’s Legislative Agenda for the 2019 Long Session of the North Carolina General Assembly as presented by the staff. Those additional items were: 1) Support State School Bond, 2) Support Maintaining State ABC Board Management, 3) Support County Use of Surplus CMS Property, 4) Support Re-establishing Mountain Island Lake Marine Commission, and 5) Support Revised Public-Private Park Infrastructure Development Authority.

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

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the following item(s):

19-5143 CONSTRUCTION CONTRACT AWARD - JAIL CENTRAL PARTIAL ROOF REPLACEMENT PROJECT

Award a contract to Weathergard, Inc. in the amount of $1,240,000 for the Jail Central Partial Roof Replacement Project.

19-5144 TAX REFUNDS

1. Approve refunds in the amount of $2,152.18 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 statewide vehicle tax system.

2. Approve refunds in the amount of $8,363.12 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 an estimated accrued interest of $59.94 included in the $8,363.12 refunds.
A list of the taxpayer recipients is on file with the Clerk to the Board.

19-5145  STORM WATER PROGRAM – FY19 HAZARD MITIGATION FLOODPLAIN ACQUISITION

1. Accept the Offer of Sale of Real Estate from Paola Dorantes-Diguero & David Rojas, owners of property located at 1115 Mockingbird Lane, Charlotte, NC (tax parcel 171-082-20), for $355,000; 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.).

19-5146  DUKE ENERGY LIGHTING SERVICE CONTRACT – 2145 SUTTLE AVENUE

Approve contract with Duke Energy Carolinas, LLC for a total amount of $3,145.20 for a 10-year contract at $26.21/month for one exterior LED light fixture at 2145 Suttle Avenue.

19-5148  MINUTES

Approve Minutes of Regular meeting held January 15, 2019.

19-5151  FUND BALANCE APPROPRIATION FOR COPPERHEAD ISLAND BOAT RAMP

1. Approve the transfer of $238,000 from the general fund to Park and Recreation’s Capital Reserve Fund; and

2. Recognize, receive and appropriate these funds in Park and Recreation's Capital Reserve Fund to renovate the boat ramp at Copperhead Island.

19-5152  ARCHITECT/ENGINEER SELECTION – NORTHEAST AND WEST COMMUNITY RESOURCE CENTERS

Authorize the County Manager to negotiate fees and execute a contract with Gensler for architectural/engineering services for the Northeast and West Community Resource Centers and site master plans, and in the event negotiations with this team are unsuccessful, approve negotiations with Clark Nexsen.

19-5156  NAMING APPLICATION - MCALPINE PARK CROSS COUNTRY RACE COURSE TO "LARRY MCAFEE CROSS COUNTRY COURSE AT MCALPINE PARK"

1. Acknowledge receipt of an application, submitted by Wendy's Cross Country Invitational Board, to approve naming the McAlpine Park Cross Country Race Course at McAlpine Creek Park to "Larry McAfee Cross Country Course at McAlpine Park"; and
2. Schedule a public hearing on February 19, 2019 at 6:30 p.m. To receive public comment on the proposed naming of this cross country race course at McAlpine Creek Park to "Larry McAfee Cross Country Course at McAlpine Park" and direct the Clerk to the Board to publish the notice of hearing as required.

2. Schedule a public hearing on February 19, 2019 at 6:30 p.m. To receive public comment on the proposed naming of this cross country race course at McAlpine Creek Park to "Larry McAfee Cross Country Course at McAlpine Park" and direct the Clerk to the Board to publish the notice of hearing as required.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

19-5133 BUDGET AMENDMENT – SHERIFF’S OFFICE SPECIAL REVENUE FUND (REVENUE AND EXPENSE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cottham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Recognize, receive and appropriate $327,000 from Inmate Commissary revenue to the Sheriff’s Office Special Revenue Fund; and

Note: This action would make available $327,000 in funds from Commissary revenue. All funds collected through Jail commissary operations must 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 $118,988 from Vocational Facility telephone revenue to the Sheriff’s Office Special Revenue Fund; and

Note: This action would make available $118,988 in telephone revenue received from the 16.8 percent of commissions from the inmate telephone system, which must be used for inmate vocational education programs.

3. Recognize, receive and appropriate $315,210 from concealed handgun permit fees to the Sheriff’s Office Special Revenue Fund.

Note: This action would make available $315,210 of the Sheriff’s Office share of all funds resulting from the issuance of concealed carry permits. These amounts are to be used for law enforcement purposes only, and 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.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

19-5137 INTERLOCAL AGREEMENT FOR WATER QUALITY MONITORING

Motion was made by Commissioner Powell, seconded by Commissioner Leake and unanimously carried with Commissioners Cottham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt Resolution Authorizing the Execution of an Interlocal Agreement for Water Quality Monitoring by Mecklenburg County Storm Water Services of Charlotte Water Drinking Water Supplies on Mountain Island Lake and Lake Norman.

MECKLENBURG COUNTY
RESOLUTION AUTHORIZING EXECUTION OF INTERLOCAL AGREEMENT FOR WATER QUALITY MONITORING OF CHARLOTTE WATER DRINKING WATER SUPPLIES ON MOUNTAIN ISLAND LAKE AND LAKE NORMAN
WHEREAS, Mecklenburg County (County) and the City of Charlotte (City) wish to enter into an Interlocal Agreement for water quality monitoring services; and

WHEREAS, the County and City have the authority pursuant to General Statute 153A-445(a)(1) and Article 20 of Chapter 160A of the North Carolina General Statutes to contract with each other for the exercise of any governmental function which they have been granted the authority to exercise alone, and to enter into interlocal cooperation agreements to specify the details of these undertakings; and

WHEREAS, the City has requested that the County perform water quality monitoring services to ensure the protection of Charlotte Water drinking water supplies on Mountain Island Lake and Lake Norman; 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 that the Board of Commissioners of Mecklenburg County does hereby approve the Interlocal Agreement for Water Quality Monitoring with the City and authorizes the County Manager to execute such Agreement 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 48-A, Document #3.

Commissioner Powell removed this item from Consent for public awareness. LUESA Director, Ebenezer Gujjarlapudi addressed this item.

19-5150 BUDGET AMENDMENT – HEALTH DEPARTMENT (NET INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Recognize, receive, and appropriate a net increase in revenue of $79,918 to reflect actual state and federal changes; and

Note: The North Carolina Division of Public Health (DPH) awards the Health Department funding to support federal and state programs. The Department received notification of modified funding in the following programs: Child Health an increase of $15,252, Family Planning a decrease of $5,272, Tuberculosis Control an increase of $4,525, NC Pre-Exposure Prophylaxis an increase of $41,667, Community Health Assessment/Community Health Improvement Plan an increase of $1,000 and Maternal and Child Health an increase of $22,746.

2. Approve the creation of a limited part-time position in the Positive Parenting Program (Triple P)

Note: The Positive Parenting Program (Triple P) is requesting the approval for the current Temporary part-time position be converted to a Limited Part-time position. This position supports the Triple P and Improving Community Outcomes for Maternal and Child Health (ICO4MCH) programs. Currently, the position is being funded with a State allocation - Child Health. The State Triple P has approved the additional administrative support expense to be paid from the Triple P allocation.

Commissioners Leake and Rodriguez-McDowell removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

19-5154 DONATION OF BASKETBALL COURT RENOVATION FROM AND1 COMPANY AT CORDELIA PARK
FEBRUARY 5, 2019

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize and receive the donation of an outdoor basketball court renovation at Cordelia Park, valued at up to $50,000, from AND1.

Note: AND1, an American footwear and clothing company specializing in basketball shoes, clothing and sporting goods, has worked with several communities to renovate neighborhood basketball courts. Recently, AND1 has partnered with Mecklenburg County Park and Recreation to renovate the courts at Cordelia Park, owned by Mecklenburg County.

Commissioners Jerrell, Leake and Rodriguez-McDowell removed this item from Consent for more public awareness.

19-5160 TIMBER SALE - FOREST RESTORATION AT RURAL HILL NATURE PRESERVE (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Powell and unanimously carried with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve FY19 sale of timber from thinning and accept the revenue into the Natural Areas Capital Reserve Account.

Note: The purpose of this timber sale is to reduce species that have thrived under intensive agricultural practices, increase sunlight to the forest floor, and shift the composition of species to a more natural structure for increased forest health, resilience and ecological diversity. The sale includes two plantations on Rural Hill Nature Preserve in Huntersville; 38 acres planted in 1956 and 50 acres planted in 1976. Canopy trees will remain intact.

Commissioners Leake and Rodriguez-McDowell removed this item from Consent for more public awareness and clarity. Park and Recreation Director, Lee Jones addressed this matter.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:29 p.m.

Janice S. Paige, Clerk

George Dunlap, 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, February 19, 2019.

ATTENDANCE

Present: Chair George Dunlap and Commissioners Patricia “Pat” Cotham, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, 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: None

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- 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: 19-5171, 19-5173, 19-5181, 19-5182, 19-5183, 19-5191, and 19-5215.

STAFF BRIEFINGS - NONE

CLOSED SESSION

19-5172 LAND ACQUISITION
19-5177 CONSULT WITH ATTORNEY
19-5210 ECONOMIC DEVELOPMENT

Prior to going into Closed Session County Attorney Wade announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcel(s): 009-051-11, 009-051-10, 009-051-12, 009-051-13, 009-051-14, 009-051-15, 009-041-06, 09-051-16, and 009-051-09.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to go into Closed Session for the following purpose(s): Land Acquisition, Consult with Attorney and Economic Development.

The Board went into Closed Session at 5:13 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 Dunlap called this portion of the meeting to order followed by introductions, invocation by Commissioner Fuller, followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to move the Commissioners Reports section up on the agenda to be addressed after Item 19-5193 – Public Hearing – Naming of McAlpine Park Cross Country Race Course.

AWARDS/RECOGNITION

19-5216 RECOGNITION OF EMPLOYEE APPRECIATION DAY (CHAIR DUNLAP)

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to acknowledge and recognize Mecklenburg County employees in honor of National Employee Appreciation Day on March 1, 2019, by adopting a proclamation designating March 1, 2019, as Employee Appreciation Day in Mecklenburg County.

The proclamation was read by Chair Dunlap.

It was noted that March 1, 2019 would be recognized as National Employee Appreciation Day and that Mecklenburg County was honored to join other organizations and businesses around the nation on Friday, March 1, 2019, to thank employees for everything they do for the community. Further, that the work that Mecklenburg County does every day would not be possible without the dedication of its 5,589 employees who truly were the most valuable asset to the organization.

Note: Commissioner Leake made a motion to give all employees a pay raise, but it was ruled out of order at this time. She asked that this be noted in the minutes.
The following persons appeared to speak during the Public Appearance portion of the agenda:

Eric Anderson and Steve Glasgow, accompanied at the podium by Lynne Glasgow and Marc McManus, all of whom live on Melchor Avenue, spoke in opposition to their recent revaluation assessment. It was noted that Melchor Avenue was in the Cotswold area, “an old Charlotte neighborhood, now changing dramatically, due to its rapid growth; that inequities exist between the newly assessed values of older, smaller homes on original lots and new, much larger homes on divided lots.” The history of the housing in the area was shared.

It was suggested that the County use the “Abstract Method” instead of the “Demo Sales” Method. It was stated that “The bottom line is, the current base value of $400,000 is unfair, and it is Not Fair Market Value.”

Concern was expressed for their ability, in the future, to remain in their homes, many of which were paid for.

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

Tiana Petree, a first year CMS teacher, addressed the need for better teacher pay.

Joerica Rhodes registered to speak but did not appear.

Chair Dunlap thanked speakers for appearing.
APPOINTMENTS

19-5163 NOMINATIONS/APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate and appoint Stephanie Collins Frempong to the Adult Care Home Advisory Committee for a one-year term expiring February 28, 2020.

INFORMATION SERVICES AND TECHNOLOGY COMMITTEE

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to reappoint Walid Hamid, Kevin Hayes and Charlotte Whiteside to the Information Services and Technology Committee for three-year terms expiring February 28, 2022.

NURSING HOME COMMUNITY ADVISORY COMMITTEE

Motion was made by Commissioner Fuller, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate Kimberly Anderson, Rachel Brummert, Gail Butler, Benita Mason, David Molinaro and Regina Tisdale to the Nursing Home Community Advisory Committee for one-year terms expiring February 28, 2020.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to reappoint Priscilla Johnson to the Nursing Home Community Advisory Committee for a three-year term expiring February 28, 2022.

PARK AND RECREATION COMMISSION

The following persons were nominated by Commissioner Powell for appointment consideration to the Park and Recreation Commission: Sandy Barnett and Brian Haislip. They were the only eligible applicants for the Southern Towns’ slot.

Note: An appointment will occur at the March 6, 2019 meeting.

TRANSIT SERVICES ADVISORY COMMITTEE

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to reappoint Patrick Paige to the Transit Services Advisory Committee for a three-year term expiring January 31, 2022.

WOMEN’S ADVISORY BOARD
FEBRUARY 19, 2019

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

Taisha Abreu by Commissioner Rodriguez-McDowell
Maura Chavez by Commissioner Rodriguez-McDowell
Kristen Moyer by Commissioner Jerrell

Note: An appointment will occur at the March 6, 2019 meeting.

PUBLIC HEARINGS

19-5193 PUBLIC HEARING - NAMING OF MCALPINE PARK CROSS COUNTRY RACE COURSE TO “LARRY MCAFEE CROSS COUNTRY COURSE AT MCALPINE PARK”

Motion was made by Commissioner Scarborough, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to open the public hearing on the request to name the McAlpine Park Cross Country Race Course the “Larry McAfee Cross Country Course at McAlpine Park.”

Note: In the 40 years since the cross-country trail was built, McAlpine Park has hosted over 200 major cross-country events, all under the administration of Larry McAfee. Included in these events are the prestigious Wendy’s Invitational (which will be held in the park for the 40th time this year) as well as the Footlocker South Regional. These two races alone bring over 10,000 people into the park annually. Beyond these two races, the McAlpine Park Cross Country Course hosts numerous school invitational events, conference and regional championships, state championships for all four NCHSAA classes and collegiate and AAU championships. Larry McAfee is a former CMS teacher, 1971 - 2000, and a Cross Country and Track Coach for East Mecklenburg High School, 1974 - 1999. Mr. McAfee is a 2017 Mecklenburg County Wall of Fame Honoree and a Charlotte Observer top 10 all-time high school Mecklenburg County coach. His cross-country teams have won 27 conferences, 21 regional and 5 state titles.

The following persons appeared to speak in support of the naming: Thomas Deming; Brian McCulloch and Evans Lalas.

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

Motion was made by Commissioner Fuller, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to close the public hearing and approve naming the McAlpine Park Cross Country Race Course to the "Larry McAfee Cross Country Course at McAlpine Park”.

Note: Mr. McAfee was in the audience. The Board asked him to stand and be recognized, which he did. Mr. McAfee was thanked for his service to the community.

COUNTY COMMISSIONERS REPORTS & REQUESTS

19-5207 STATUS OF ICE ACTIVITIES IN MECKLENBURG COUNTY (COMMISSIONER HARDEN)

Chair Dunlap called upon Commissioner Harden to introduce her agenda item regarding the status of Immigration and Customs Enforcement (ICE) activities in Mecklenburg County. Her co-sponsors were Commissioners Jerrell and Rodriguez-McDowell.
Commissioner Harden introduced her agenda item which was to receive an update from Mecklenburg County Sheriff Garry McFadden regarding the status of U.S. Immigration and Customs Enforcement (ICE) activities in Mecklenburg County and in other counties, such as Forsythe, Wake, and Durham counties, if known.

Sheriff McFadden came forward and thanked the Board for inviting him. He addressed his vision for the Mecklenburg County Sheriff’s Office. He said his vision was guided by “transparency and trust.” He commented on his years of law enforcement experience and service within the community. Sheriff McFadden said his number one priority was to “keep people safe” in the community, which also included persons within the detention center.

Sheriff McFadden said although he’d only been in office for two months, he and his staff had accomplished the following:

- Ended solitary confinement for the youth population within the detention center;
- Safely reduced the use of solitary confinement for adults and was working with national experts to reduce solitary confinement permanently within the detention center;
- Successfully returned face to face visits between detention center residents and their families and was working on in person visits with families;
- Eliminated the charge to use the phone to call one’s family for detention center residents that were 18 years of age.

He said the following areas of concern were also being addressed:

- Mental Health Issues
- Commissary Costs
- Telecom System
- Support for Raise the Age

Sheriff McFadden said with respect to immigration matters, he and other Sheriff’s across the state, did not believe the role of the Sheriff’s Office was to “actively partner with ICE to carry out civil immigration enforcement.” He elaborated.

Sheriff McFadden ended his remarks by reiterating that his focus was “public safety and strengthening the social fabric” of the community, as opposed to “ripping apart and dividing residents to fear us.”

He said even though ICE had been in the news quite a bit recently and since he took office, that it was “not about ICE and their threat.” He said it was about his vision for public safety, that was focused on the whole county. He said the work before he and other elected officials was about “keeping people safe and secure and strengthening and protecting everyone, rather than tearing apart families.”

Sheriff McFadden said he looked forward to partnering with the Board and would be happy to answer any questions regarding the written report he provided to the Board.

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

Comments

Commissioner Fuller expressed support of the Sheriff and his efforts.

Commissioner Fuller said he “condemned” the comments made by ICE officers who had publicly criticized the “elected” Sheriff of Mecklenburg County. He said he would submit that it
was a violation of federal law for a federal employee to make political comments. He said it was “out of order” for a federal agency to come into the community and instill “fear.”

Commissioner Fuller said ICE had a job to do and he understood that, however, they should not come in and “divide the community.”

Commissioner Leake expressed support of the Sheriff and his efforts, but emphasized the importance of the process being fair and treating everyone “fair.” She said when the Sheriff speaks, it should be in reference to all people and “not just some groups.”

Commissioner Leake requested information on the number of persons arrested per day, for three days, broken down by race, gender, and age, if possible.

Commissioner Rodriguez-McDowell expressed support of the Sheriff and his efforts. She said she appreciated his focus on public safety.

Commissioner Rodriguez-McDowell said as one of two proud Hispanic elected officials in the state of NC, she rejected the “false narrative” around the whole issue that undocumented immigrants were “criminals.” She said they were a community of “hardworking, family-loving” persons that had a “right to live, exist, work and worship” in the community. She said this “desperate” situation could be fixed by policy. She said everyone needed to advocate for a change in policy on the federal level.

Commissioner Harden expressed support of the Sheriff and his efforts.

Commissioner Jerrell expressed support of the Sheriff and his efforts and leadership. He said he appreciated the Sheriff standing up for those that were the most vulnerable in the community.

Commissioner Scarborough expressed support of the Sheriff and his efforts and leadership.

Commissioner Cotham thanked voters for “voting in a change” with the election of Sheriff McFadden. She also thanked the Sheriff for the changes that had been made with respect to solitary confinement and visitation rights.

Commissioner Powell thanked the Sheriff for his community-based approached.

Chair Dunlap in his remarks regarding the Sheriff noted the following quote from Dr. Martin Luther King, Jr. “The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy.”

Chair Dunlap thanked Sheriff McFadden for addressing the Board and said he had the support of the Board.

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

19-5230 RESOLUTION EXPRESSING SUPPORT FOR OUR IMMIGRANTS AND SHERIFF (COMMISSIONER HARDEN)

Commissioner Harden read a resolution placed on the agenda by she and co-sponsors Commissioners Jerrell and Rodriguez-McDowell supporting immigrants and the Sheriff.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt Resolution of the Mecklenburg County Board of Commissioners Expressing Support for Our Immigrants and Sheriff.
RESOLUTION OF THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS
EXPRESSING SUPPORT FOR OUR IMMIGRANTS AND SHERIFF

WHEREAS, Mecklenburg County is the largest county by population in North Carolina and is home to a diverse population, including foreign born residents from more than 187 countries speaking 205 languages; and

WHEREAS, Mecklenburg County has been and remains a desirable location for immigrants to settle; and

WHEREAS, the County’s growth in foreign born residents has increased 126.5% since the year 2000; Foreign-born residents now comprise 14.9 % of the population. There are currently 686 foreign-owned firms located in Mecklenburg County; and

WHEREAS, the immigrant community plays a significant role in the economic, cultural, educational, and spiritual landscape of our community; and

WHEREAS, a community that values and depends upon immigration should have rational and humane immigration laws that serve the American economy, reflect the American dream and address the needs of the immigrant community; and

WHEREAS, racial and ethnic profiling is unacceptable and a violation of the rights of residents in Mecklenburg County, and

WHEREAS, creating a welcoming community is critical to the success of Mecklenburg County; and

WHEREAS, Mecklenburg County residents have democratically elected the Mecklenburg County Sheriff, and the Sheriff has implemented policies friendly to the immigrant community; and

WHEREAS, by law, immigration policy, regulation, enforcement and laws remain under the jurisdiction and responsibility of the U.S. federal government; and

WHEREAS, maintaining a collaborative relationship between the residents of the County and the Mecklenburg County Sheriff is crucial to the safety of our community; Now therefore be it,

RESOLVED, that the Mecklenburg County Board of Commissioners declare support for our immigrant residents and our Sheriff; and

BE IT FURTHER RESOLVED that we urge the U.S. Immigration and Customs Enforcement (ICE) and the Mecklenburg County Sheriff to find common approaches that safely and humanely protect homeland security with the utmost regard for the welfare of families and their children.

Resolution recorded in full in Ordinance/Minute Book 48-A, Document #4.

19-5209 ENHANCEMENTS TO VOTER ENGAGEMENT (COMMISSIONER HARDEN)

Chair Dunlap called upon Commissioner Harden to present her agenda item regarding Enhancements to Voter Engagement. The item was co-sponsored by Commissioners Jerrell and Rodriguez-McDowell.

Commissioner Harden said the request was to seek the Board’s support to request a report from the Intergovernmental Relations Committee of the Mecklenburg County Board of Commissioners, developed with the Director of Mecklenburg County Board of Elections, making recommendations on actions available to the Mecklenburg County Board of Commissioners to expand access, convenience, and customer service to voting in Mecklenburg County. The report may include and address the following:
1) Input from the citizenry including the Mecklenburg County Board of Elections, non-partisan voting advocacy groups, and partisan political groups;
2) All forms of voting including absentee, early, and election day voting;
3) Technological innovations and strategies to reduce wait times and standing, like those used in our Community Resource Centers;
4) Baseline metrics for access, convenience, and customer service and set goals;
5) Budget implications for all recommendations;
6) Definitions of access, convenience, and customer service;
7) Space and parking shortages experienced during early voting;
8) Contemporary communication strategies and enhanced voter outreach including real-time wait information;
9) Population growth estimates for Mecklenburg County and strategies to expand access, convenience, and customer service in this growing context;
10) Intensified voter education in light of changing voter id requirements.

Chair Dunlap said a motion for the Intergovernmental Relations Committee to move forward with their request may not be required but if someone wanted to make a motion they could.

Motion was made by Commissioner Scarborough, seconded by Commissioner Powell, to request a report from the Intergovernmental Relations Committee of the Mecklenburg County Board of Commissioners, developed with the Director of Mecklenburg County Board of Elections, making recommendations on actions available to the Mecklenburg County Board of Commissioners to expand access, convenience, and customer service to voting in Mecklenburg County, but was never acted upon, because it was determined not be necessary.

Chair Dunlap clarified that the Committee could pursue obtaining this report without the Board’s approval because it was part of their work as a committee. He said the Committee would report back to the Board. He said it was not a request asking the Board to refer the matter to the Intergovernmental Relations Committee. He said the Committee was wanting to make the Board aware of what they would be working on.

Commissioner Fuller questioned whether this was something that the full Board did indeed need to endorse in advance of the Committee moving forward. He said while it was true, the Board wanted to give its committees “autonomy” that on matters of “Importance,” those matters should be referred to a committee. He said this would show the full Board’s “buy in” for the committee to engage in whatever work they’re desiring to do.

Chair Dunlap reiterated that Board committees weren’t required to seek Board approval of matters they wanted to discuss in their respective committee.

The discussion ended.

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

ADVISORY COMMITTEE REPORTS

19-5162 HISTORIC LANDMARKS COMMISSION ANNUAL REPORT

The Board received as information the Historic Landmarks Commission Annual Report, given by Executive Director, Dr. Dan Morrill.

The report addressed the following:
- Powers of the Historic Landmarks Commission
- Designated Historic Landmarks
- Design Reviews
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- Threatened Historic Landmarks
- Historic Landmarks Sold
- Historic Landmarks for Sale

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

Comments

Commissioner Leake requested information on the cost to preserve the threatened Historic Landmarks noted in the report.

Commissioner Cotham thanked Dr. Morrill for his report and noted her attendance at a recent meeting of the Historic Landmarks Commission.

Commissioner Fuller asked about the Excelsior Club that’s on the list of “threatened” historic landmarks and what were the obstacles for preserving it. The response was “money.”

Dr. Morrill said the building was in “considerable disrepair.” He said the ability to be able to enter into a study to see what type of development might be possible had been “frustrating,” and they’d been unable to create the environment to even look at that.

Dr. Morrill noted his “personal” opinion with respect to the Excelsior Club. “The lessons it represented were too important to be forgotten.” He said the question was whether the best way to keep those lessons remembered was by “saving” the building. He said, “maybe not.” He said maybe there was a way to think about the future development of the property that somehow spoke to the building. He said thought could be given to determine if there was a way to preserve some elements of the building in a future development, particularly its presence to the street. Or, was there a way to replicate the building into a new development. He said efforts should be made by land planners to think about how to keep the “lessons that icon represented alive.”

Commissioner Fuller said there were people in the community interested in preserving the Excelsior Club, the site, the building and what it meant to the community. He said some in the community also felt that were the building located in another neighborhood, there would not be an issue about preserving it; but because of where it was, to preserve it was “optional.”

Commissioner Fuller said he understood there were a lot of moving parts with respect to the Excelsior Club, including a landowner who wanted to get as much as they could for their property. He said that fact did present an issue for the community, but perhaps it should be looked at from the perspective that it was more important to preserve the property for the community, than being concerned about the amount of money the property owner would make off of the property.

Commissioner Fuller said from what he recalled, the County was going to communicate with the owner. County Manager Diorio said that was a Closed Session matter.

Commissioner Fuller asked that the matter be placed on a Closed Session agenda.

Commissioner Leake requested cost information also on Torrence Lytle High School.

Chair Dunlap shared a historical fact about Torrence Lytle High School. He said in 1969 it was called the “Learners Academy” and was a residential facility for students who had learning issues. Commissioner Dunlap said he voluntarily attended the Academy. He said the reason he decided to go was because he lost interest in school. He said things were taught differently at the Academy and as a result, he regained interest in school and excelled. He said students would go on home the weekend.
Chair Dunlap said it was similar to the type of facility Commissioner Leake, over the years, had expressed interest in having.

Chair Dunlap thanked Dr. Morrill for his report.

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

**MANAGER’S REPORT**

**19-5197 2018 MECKLENBURG COUNTY PERFORMANCE REPORT**

The Board received a report on Mecklenburg County's Annual Performance results for FY2018, presented by Director for Strategic Planning & Evaluation, Dr. Monica Allen.

*Note: Each year, the Mecklenburg County Manager's Office produces its annual performance report. The 2018 annual performance report highlights areas in which the County does well and highlights opportunities for improvement. The Board received the annual performance report along with contextual information to support outcomes outlined in the County's FY2017 -2019 Corporate Strategic Business Plan.***

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

Comments

Commissioner Powell asked what the strategy was for improving communication of information about County news, programs and services to residents and customers, which was addressed.

Commissioner Powell suggested consideration be given to having each department director or someone designated on their staff to provide input on how they thought communication could be improved, including what they’d heard from others, resources needed, etc.

Commissioner Harden addressed the importance of the work done by Strategic Planning & Evaluation.

Commissioner Leake thanked Director Allen for the report and highlighted the County’s Employee Motivation and Satisfaction rate index of 89%. She asked about the number of respondents to the survey, which was addressed.

Commissioner Leake asked that Village Heartbeat be included in future reports, as it related to the Health Department.

Commissioner Jerrell asked for clarity on the retention rate, which was addressed.

Commissioner Jerrell asked about the occurrence of exit interviews and was it possible to receive some of that data. *The response was yes.*

He also requested information on training cost.

Chair Dunlap asked about the civil process service rate and asked for information on the process for purging unserviceables.

Chair Dunlap thanked Director Allen for her report.
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Note: The above was not inclusive of every comment but was a summary.

19-5223 SPIRIT SQUARE - REDEVELOPMENT OPTIONS

The Board received as information a presentation on redevelopment options for Spirit Square from Asset and Facility Management Director Mark Hahn.

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, involved the disposition of County property at the corner of 7th and College Streets (i.e., Spirit Square facilities). Fulfilling this Vision Plan included the introduction of open space, public plazas, and new development at the current Spirit Square site and the potential to connect Spirit Square with the new Main Library. The presentation described several options for the extent of redevelopment.

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

Comments

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

Vice Chair Powell chaired the meeting until noted in the minutes.

Commissioner Fuller commented on the differences between Option B and Option D.

He asked about the utilization of rehearsal space, which was addressed.

Commissioner Fuller said if he had to select an option today it would probably be Option B, but that he could be persuaded on Option D if there was enough support for it.

Commissioner Harden said she would like to know the projections for future theater space. She asked was Option D the opportunity to gain seats and space that was needed in the community and was there anyone else in the community planning for theater space in the future. Director Hahn said he was not aware of any other planned theaters. County Manager Diorio said the only other theater she was aware of was the Carolina Theater. It was noted that the performances that took place at the Duke Energy Black Box Theater would not be appropriate for the Carolina Theater. The Duke Energy Black Box Theater was a very unique type of performance space that didn’t exist anywhere else in the County. Also, the fact that it’s located Uptown Charlotte made it very attractive.

Commissioner Leake said her concern was the closeness of the Belk Theater and asked would anything change in that area. Director Hahn said no, because the Belk Theater was a different type of theater.

Commissioner Leake asked about the Arts and Science Council and its use of the facilities. Director Hahn said it was his understanding that most of the tenants were considering possible relocations.

Commissioner Leake asked would the Baptist church in this area remain. The response was yes, that it would be renovated and restored, respecting the historical significance of the building.

Commissioner Leake asked when was the church built. The response was 1909.

Commissioner Leake asked about the selection of a contractor. The response was Rodgers Builders, a local firm, selected by the Library.
Commissioner Leake asked was the Library Board of Trustees building the new Library. The response was yes.

Commissioner Leake asked was any County funding involved. The response was yes.

Chair Dunlap returned to the dais and resumed chairing the meeting.

Commissioner Leake asked if the contractor would be guaranteeing a certain percentage of outsourcing to minority contractors. The response was yes and elaborated on.

Commissioner Leake asked was it possible for the Board to receive a report regarding the involvement of minority contractors on this and other County projects and the success of that involvement. The response was yes.

Commissioner Leake asked that the minutes reflect her request of such a report.

Commissioner Leake asked how far this project would extend down North Tryon Street, which was addressed.

Commissioner Leake asked about development on the westside. Director Hahn noted the completion of the Valerie C. Woodard Center on Freedom Drive. He said a new Community Resource Center was planned for the West Blvd. corridor.

Commissioner Rodriguez-McDowell said Option D appeared to be the best option for growth, but noted it cost more. She asked if there was an opportunity for public/private partnerships or was it the sole responsibility of the County to do the project. Director Hahn addressed the statutory definition of public/private partnerships and how that process worked. He said the project was being funded using pay-go funds.

Chair Dunlap thanked Director Hahn for his report.

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

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

19-5196 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information monthly department management reports for January and February 2019.

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.

19-5212 FEATURE DEPARTMENT/AGENCY PRESENTATION: MECKLENBURG EMERGENCY MEDICAL SERVICES AGENCY (MEDIC)

The Board received a presentation from MEDIC, presented by Executive Director Joe Penner on the Agency’s performance, value delivered to the community and challenges that the Agency was working to address.
It was noted with respect to fleet performance and the replacement of Navistar engines since his report to the Board in June of 2018, that twenty-eight (28) engines had been replaced, three (3) recalibrated, and three (3) remain in process. Thirty-four (34) of MEDIC’s seventy-two (72) ambulances had engine design flaws. Director Penner said ten (10) ambulances would be replaced this year and ten (10) next year because of mileage. This would leave MEDIC with 14 remaining engines to be addressed at the end of FY2020.

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

Comments

Commissioner Scarborough noted the value of MEDIC.

Commissioner Leake thanked Director Penner and his staff for the work that they did and noted the importance of their work.

Commissioner Powell thanked Director Penner and his staff for the work that they did and noted the importance of their work.

Commissioner Powell asked Director Penner to explain what “medic hold” meant and could that effect smaller fire departments. Director Penner said he would speak off line to Commissioner Powell regarding where that term came from, but that MEDIC did not “hold” to first response only. He explained the process of receiving a call from law enforcement or other responding agency to an incident that they’re going to and the process of what occurred when a call was received from a “caller” and noted that response was immediate to a “caller.” He said for law enforcement calls or other responding agency calls, an ambulance was not sent unless it’s known that there was a patient to be attended to.

Commissioner Powell asked for clarity on the number of ambulances and their lifespan, which was addressed. It was noted that 300,000 miles was the target.

Commissioner Powell asked was there a need for more ambulances. Director Penner addressed the agreement between the County and MEDIC for the replacement of the fleet.

Chair Dunlap thanked Director Penner for addressing the overtime issue in his report. He asked Director Penner if the Media spoke with him prior to their publishing their story. Director Penner said yes and that they were given lots of information. He said he recognized that the story went around in different ways, but he believed he understood the publisher’s objectives, but it wasn’t “all of the story.”

Chair Dunlap asked was it correct that there was not a shortage of ambulances, but rather MEDIC was responding differently. Director Penner said that was correct.

Chair Dunlap thanked Director Penner for his report.

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

STAFF REPORTS & REQUESTS

19-5199 MECKLENBURG COUNTY BOARD OF COMMISSIONERS' 2019 FEDERAL LEGISLATIVE AGENDA

The Board discussed and considered adoption of the Board’s 2019 Federal Legislative Agenda, presented by Legislative Affairs Liaison, Starla Tanner.
The following was presented and addressed.

Federal Priority Areas

Health and Human Services
• Oppose new restrictions, or funding reductions for programs utilized to support the self-sufficiency such as the Child Care and Development Block Grant, Social Services Block Grant,
• Supplemental Nutrition Assistance Program and Temporary Assistance for Needy Families Program.
• Support funding for Centers for Disease Control (CDC) and Prevention and Public Health Fund (PPHF).
• Support policies and funding that address opioid and mental health issues.
• Protect Federal-State-Local Partnership for Medicaid and support increasing flexibility to support local systems of care.
• Secure assistance to support integrated health and human services in Community Resource Centers.

Education and Community Development
• Seek federal support for universal child care initiatives such as Pre-K programs and Head Start.
• Support federal programs that increase affordable housing opportunities.
• Support programs and funding related to HOME and Community Development Block Grants.

Infrastructure and Finance
• Support policies that allocate more funding for regional transit infrastructure, increased local decision-making authority and prioritized federal investments that increase economic development, mobility and safety.
• Support expansion of EPA funding for air quality and environment support programs.
• Support stable tax policies that benefit counties, such as the continued treatment of municipal bonds as tax exempt.

Public Safety and Criminal Justice
• Support federal funding and policies focused on illegal drug and alcohol abuse diversion.
• Support federal funding and policies that address juvenile crime prevention, domestic abuse prevention and mental health treatment.

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

Motion was made by Commissioner Fuller, seconded by Commissioner Powell and unanimously carried with Commissioners Gotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt the Board’s 2019 Federal Legislative Agenda as presented.

CLOSED SESSION

19-5172 LAND ACQUISITION LAND ACQUISITION – MCDOWELL CREEK GREENWAY
Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1) Adopt a resolution entitled Mecklenburg County Board of Commissioners Resolution Authorizing the Institution of Condemnation Proceeding for The Acquisition of Permanent Greenway Easements on:

   Tax Parcel 009-051-11 (+/- 0.478) owned by Deborah Draugn; Tax Parcels 009-051-10 (+/- 0.49 acres), 009-051-12, 009-051-13, 009-051-14, 009-051-15 (+/- 1.6216 acres), 009-041-06 (+/- 1.2027 acres) Owned by Janice B. & Thomas C. Roberts, Testamentary Trust for William Braxton Poe, Testamentary Trust for Emily Grace Roberts, Kerry R. Poe, Todd J. Roberts, Testamentary for Blake Thomas Poe, Testamentary Trust for William Grayson Roberts, Testamentary Trust for Eve Elaine Roberts; Tax Parcel 009-051-16 (+/- 0.148 acres) owned by Ronald F. Brown & Sugenia B. Wells; and Tax Parcel 009-051-09 (+/- 1.8035 Acres) owned by Helen B. Pender.

2) Authorize that $50,250.00 be deposited in the Office of the Clerk of Superior Court at the time of the filing.

WHEREAS, the Mecklenburg County Board of Commissioners find as fact that it is necessary and in the public interest to acquire permanent greenway easements on those real properties known as Tax Parcels 009-051-11, 009-051-10, 009-051-12, 009-051-13, 009-051-14, 009-051-15, 009-041-06, 009-051-16, and 009-051-09, being more particularly described in the attached Exhibit A, owned by Deborah Draugn, Janice B. & Thomas C. Roberts, testamentary trust for William Braxton Poe, testamentary trust for Emily Grace Roberts, Kerry R. Poe, Todd J. Roberts, testamentary for Blake Thomas Poe, testamentary trust for William Grayson Roberts, testamentary trust for Eve Elaine Roberts, Ronald F. Brown, Sugenia B. Wells, and Helen B. Pender; and

WHEREAS, Mecklenburg County has in good faith undertaken to negotiate the purchase of these easements, but has been unable to reach agreement with the owners with respect to the purchases; now, therefore, be it

RESOLVED the Mecklenburg County Board of Commissioners that, pursuant to the authority granted to Mecklenburg County by the North Carolina General Statutes §40A-3(b)(6), condemnation proceedings are hereby authorized to be instituted against the property of the persons named above, as described in Exhibit A attached hereto, under the procedures set forth in Chapter 40A of the General Statutes of North Carolina, as amended; and be it further

RESOLVED that the sending of the Notices of Intent to Institute Condemnation by the County Manager as required by North Carolina Statute 40A-40, which was authorized previously, is hereby ratified, and the County Manager is authorized and directed to take any and all actions which might be necessary to secure the use of said property by Mecklenburg County for greenway expansion; and be it further

RESOLVED that $50,250, the County’s estimate of just compensation for the value of the property, is hereby authorized to be deposited in the office of the Clerk of Superior Court of Mecklenburg
FEBRUARY 19, 2019

County, North Carolina, at the time of filing of the Complaint and the Declaration of Taking and recording the Memorandum of Action.

*Resolution recorded in full in Ordinance/Minute Book 48-A, Document #5.*

**CONSENT ITEMS**

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the following item(s):

19-5166 **STORM WATER PROGRAM - FY19 HAZARD MITIGATION FLOODPLAIN ACQUISITION**

1. Accept the Offer of Sale of Real Estate from Daniel & Catherine Robertson, owners of property located at 1316 Seneca Place, Charlotte, NC (tax parcel 171-121-19), for $405,000; 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.).*

19-5167 **NC CLEAN WATER MANAGEMENT TRUST FUND GRANT AWARD**

1. Affirm submission of a stream restoration grant application to the North Carolina Clean Water Management Trust Fund (CWMTF) for the restoration of Long Creek Phase II from Rumney Court to I-485 up to an amount of $500,000; and

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

3. Upon receipt of grant; recognize, receive and appropriate up to $500,000 in funds from the CWMTF.

19-5174 **CONSTRUCTION CONTRACT - MCALPINE CREEK GREENWAY SARDIS ROAD TO PROVIDENCE ROAD**

Award a construction contract to Eagle Wood Inc. in the amount of $1,552,078.03 for the McAlpine Creek Greenway.

19-5176 **MINUTES**

Approve Minutes of Regular meeting held February 5, 2019 and Closed Session held February 5, 2019.

19-5179 **BUDGET AMENDMENT -TRANSFER OF FUNDS (SOLID WASTE)**
FEBRUARY 19, 2019

Approve the FY19 transfer of $1,608,000 from the Solid Waste Enterprise Fund to the Solid Waste Management Fund Capital Reserve Fund and appropriate these funds in the Solid Waste Management Capital Reserve Fund.

Note: The Solid Waste Management Facilities Capital Reserve Fund was established to provide monies to fund solid waste management improvements and maintenance and for the acquisition of necessary equipment for use in conjunction therewith. The Solid Waste Management Facilities Capital Reserve Fund is periodically replenished from the Solid Waste Operating Fund, consistent with the Solid Waste Management Facilities Capital Reserve Fund Ordinance.

19-5180   EASEMENT DONATION - REEDY CREEK GREENWAY

Authorize the County Manager to negotiate and execute all documents necessary to obtain a permanent greenway easement (± 2.93 acres) from Elissa Mullis on Tax Parcel 108-081-07 for the future construction of Reedy Creek Greenway.

19-5184   ARCHITECT/ENGINEER SELECTION, MEDICAL EXAMINER’S OFFICE EXPANSION & RENOVATION

Authorize the County Manager to negotiate fees and execute a contract with Angelo Architects for Architectural/Engineering Services for the Expansion and Renovation of the Medical Examiners Office and in the event, negotiations are unsuccessful, authorize the County Manager to negotiate a fee and execute a contract with the alternate firm, RDM Architecture.

19-5188   TAX REFUNDS

1. Approve refunds in the amount of $6,635.14 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 $17,309.35 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 an estimated accrued interest of $12.34 included in the $17,309.35 refunds.

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

19-5192   NAMING APPLICATION - ACCESS EASEMENT AT EASTWAY COMMUNITY PARK

1. Acknowledge receipt of an application, submitted by James P. Knuckles, to approve naming the access easement at Eastway Community Park connecting Eastway Regional Recreation Center, Briarwood Community Park and Briarwood Elementary School to “Jackie Gregg Knuckles, Jr. Connector”; and
2. Schedule a public hearing on March 6, 2019 at 6:30 p.m. to receive public comment on the proposed naming of this access easement to "Jackie Gregg Knuckles, Jr. Connector" and direct the Clerk to the Board to publish the notice of hearing as required.

19-5195 AIR QUALITY LEARNING STATION (AQLS)

Recognize, receive and appropriate a grant award of $200,000 from the North Carolina Department of Environmental Quality, Division of Air Quality.

Note: Mecklenburg County Air Quality (MCAQ) will partner with the North Carolina Division of Air Quality (NCDAQ) to design and construct an Air Quality Learning Station (AQLS) in Mecklenburg County. The grant funds will support the project activities to include working with vendors to procure, install, and test all equipment and technology required to operate the AQLS, and developing public engagement and school resources to compliment the AQLS. 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.

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

19-5171 APPOINTMENT OF REVIEW OFFICER

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, 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 add Catherine M. Elearney as a Review Officer.

**AMENDMENT TO RESOLUTION DESIGNATING REVIEW OFFICERS**

**TO REVIEW EACH MAP AND PLATRecorded in the Register of Deeds Office Pursuant to N.C.G.S. 47-30.2**

**WHEREAS,** on September 16, 1997 the Mecklenburg County Board of Commissioners adopted a resolution entitled “Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office Pursuant to N.C.G.S. 47-30.2”; and

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

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

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

1. Catherine M. Elearney 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
Resolution recorded in full in Ordinance/Minute Book 48-A, Document #6.

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

19-5173 GRANT APPLICATION - 2019 DIESEL EMISSION REDUCTION ACT

Motion was made by Commissioner Leake, seconded by Commissioner Powell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

A. Approve the submission of a grant application by Mecklenburg County Air Quality to the U.S. Environmental Protection Agency for $500,000 in grant funds; and

B. Upon award of grant, recognize, receive and appropriate the grant amount awarded.

Note: Mecklenburg County Air Quality (MCAQ) is applying for $500,000 in Diesel Emission Reduction Act (DERA) grant funding from the U.S. Environmental Protection Agency. The DERA funding will be used to provide sub-grants to 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 current MCAQ staff and all matching funds will be provided by equipment owners who participate in GRADE (no County funds will be required).

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

19-5181 EASEMENT CONVEYANCE AND DONATION - WALKER BRANCH GREENWAY

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Authorize the County Manager to convey a temporary construction easement (± 0.75 acres) to South Tryon Apartment Associates (2015), LLC on County owned Tax Parcel 219-061-19 for the construction of an access trail and bridge to connect Dunsmore Forest Lane to existing Walker Branch Greenway; and

2. Authorize the County Manager to negotiate and execute all documents necessary to obtain a permanent access easement (± 0.5 acres) from South Tryon Apartment Associates (2015), LLC on Tax Parcel 219-061-16 for a greenway access trail from Dunsmore Forest Lane to Walker Branch Greenway; and

3. Authorize the County Manager to negotiate and execute a Memorandum of Agreement with South Tryon Apartment Associates (2015), LLC that outlines the responsibilities of the developer during the construction of the access trail and bridge on County Property.

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

19-5182 GRANT APPLICATION - MECKLENBURG COUNTY JUVENILE CRIME PREVENTION COUNCIL (JCPC) (SHERIFF’S OFFICE)
Motion was made by Commissioner Leake, seconded by Commissioner Powell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Approve the submission of the response to the Request for Proposal (RFP) and grant application to the Mecklenburg County Juvenile Crime Prevention Council (JCPC) to request funding for programming to develop community-based alternatives to youth development centers, to provide community-based delinquency and substance abuse prevention strategies, and programs to provide non-institutional disposition alternatives that will protect the community and juveniles; and

2. Recognize, receive and appropriate grant if awarded.

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

19-5183 NCDOT GRANT FUNDING FOR BARTON CREEK GREENWAY

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize, receive and appropriate additional NCDOT grant funding awarded by the Charlotte Regional Transportation Planning Organization (CRTPO) to fund construction completion of Barton Creek Greenway in the amount of $500,000.

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

19-5191 DONATION FROM COCA-COLA BOTTLING CO. CONSOLIDATED (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to accept a donation in the amount of $20,000 from Coca-Cola Bottling Co. Consolidated for Mecklenburg County Park and Recreation Youth Sports Scholarships.

Note: The funds will be used to help offset the cost of programs for our youth to participate in many of our summer camp programs including, but not limited to: youth sports, field trips and traditional day camps. To qualify, the youth must meet certain income criteria.

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

19-5215 ORDINANCE AMENDMENT - FY 2017 AUTHORIZATION SCHOOL FACILITIES CAPITAL PROJECT ORDINANCE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve amendment to the FY 2017 School Facilities Capital Project Ordinance.

Note: This capital project ordinance amendment revises the advanced projects identified by CMS and approved by the Board of County Commissioners on December 20, 2016. At the February 5, 2019 BOCC meeting, the Board approved purchase of land at a purchase price that exceeded the
FEBRUARY 19, 2019

CIP initial estimate and requires an increase to the CIP funding. This amendment to the Capital Project Ordinance will support the approved increase.

MECKLENBURG COUNTY, NORTH CAROLINA
FY 2017 AUTHORIZATION SCHOOL FACILITIES
CAPITAL PROJECT ORDINANCE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 19th DAY OF FEBRUARY 2019:

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

- **Land Acquisition**
  - $30,500,000
  - (3 new elementary schools, 1 new high school, Shamrock Gardens ES, Briarwood ES)

- **Design/Preconstruction**
  - $10,750,000
  - (Collinswood K8, Harding HS, EC Specialty, Montclaire ES, new K8 – South, New K8 – North)

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, $41,250,000 is hereby appropriated.

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

- **Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:**
  - 2016-2017 fiscal year: $33,250,000
  - 2018-2019 fiscal year: 8,000,000

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 48-A, Document #7.*

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

**ADJOURNMENT**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Coham, 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 10:00 p.m.

Janice S. Paige, Clerk

George Dunlap, 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, March 6, 2019.

ATTENDANCE

Present: Chair George Dunlap and Commissioners Patricia “Pat” Cotham, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, 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: Commissioner Trevor M. Fuller

-INFORMAL SESSION-

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

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: 19-5198, 19-5202, 19-5213, 19-5217, 19-5219, 19-5231, 19-5232, 19-5243, and 19-5253.

STAFF BRIEFINGS - NONE

CLOSED SESSION

19-5187 BUSINESS LOCATION AND EXPANSION

19-5194 CLOSED SESSION-TO PREVENT DISCLOSURE OF INFORMATION THAT IS CONFIDENTIAL PURSUANT TO G.S. 105-259. (G.S. 143-318.11(A)(1)

19-5204 LAND ACQUISITION

19-5227 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): 221-021-14, and 027-194-95.
MARCH 6, 2019

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and carried 7-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, and Rodriguez-McDowell voting yes, to go into Closed Session for the following purpose(s): Business Location and Expansion, To Prevent Disclosure of Information That Is Confidential Pursuant to G.S. 105-259. (G.S. 143-318.11(a)(1) and Land Acquisition.

The Board went into Closed Session at 5:11 p.m. and came back into Open Session at 5:45 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, followed by introductions, invocation by Commissioner Harden, followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

Chair Dunlap said action was needed on the following Land Acquisition matters addressed by the Board in Closed Session:

19-5204 LAND ACQUISITION - SUGAR CREEK GREENWAY AND CLARKS CREEK COMMUNITY PARK

Motion was made by Commissioner Leake, seconded by Commissioner Powell and carried 7-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, and Rodriguez-McDowell, voting yes, to:

1) Authorize the County Manager to negotiate and execute all documents necessary for acquisition of a portion of Tax Parcel 221-021-14 (± 5.86 acres with final acreage to be determined by survey) from Kenneth Rea Headley Downs in the Town of Pineville for $12,000 per acre with an estimated total purchase price of $70,320 for the future expansion of Sugar Creek Greenway.

2) Authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 027-194-95 (± 3.98) from Thomas Joe Coyle and Janette Davis Coyle in the City of Charlotte for $342,000 for the expansion of Clarks Creek Community Park.

19-5225 PUBLIC APPEARANCE

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

Ross Dannis addressed what he felt was an impending NC Teacher Shortage.

James Lee III addressed his involvement with and concern for the Grier Heights community. He also addressed being grateful to Chair Dunlap for being his mentor, even from his childhood.

Maria Housiadas signed up to speak but was not present.

APPOINTMENTS

19-5233 APPOINTMENTS

PARK AND RECREATION COMMISSION
The vote was taken on the following nominees for appointment to the Park and Recreation Commission:

Sandy Barnett  Commission(s) Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, and Powell

Voting Ceased

Brian Haislip

Chair Dunlap announced the appointment of Sandy Barnett to the Park and Recreation Commission as the Southern Towns’ representative to fill an unexpired term expiring June 30, 2020.

Note: She replaced Tristan McMannis.

WOMEN’S ADVISORY BOARD

Motion was made by Commissioner Leake, seconded by Commissioner Rodriguez-McDowell and carried 7-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, and Rodriguez-McDowell voting yes, to appoint Taisha Abreu and Maura Chavez to the Women’s Advisory Board to fill unexpired terms expiring April 30, 2021.

Note: They replaced Arlean Love and Jodie Ohr.

Note: Kristen Moyer was nominated on Feb 19, 2019 but asked that her name be removed from consideration.

19-5246 NOMINATIONS/APPOINTMENTS

BOARD OF EQUALIZATION AND REVIEW

Motion was made by Commissioner Cotham, seconded by Commissioner Leake and carried 7-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, and Rodriguez-McDowell voting yes, to reappoint Kathy Davis, Steven Kessler, Robert Miller, Nobie Thrasher and Nick Vilord to the Board of Equalization and Review for three-year terms expiring April 30, 2022 and to reappoint Robert Miller as Chairperson and William Hawkins as Vice Chairperson for the duration of their terms.

The following persons were nominated for appointment consideration to the Board of Equalization and Review:

Eric Anderson  by Commissioner Leake
Emmitt Butts  by Commissioner Jerrell
Zanthia Hastings  by Commissioner Cotham

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 Jerrell. Chair Dunlap appointed Commissioner Jerrell as the Chair of the Committee.
MARCH 6, 2019

Note: An appointment will occur on April 2, 2019.

BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner Cotham, seconded by Commissioner Powell and carried 7-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, and Rodriguez-McDowell voting yes, to nominate and appoint Vince Busby to the Building Development Commission as the National Association of Remodeling Industry representative for a three-year term expiring July 31, 2022.

Note: He replaced Travis Haston.

AWARDS/RECOGNITION

19-5202 PROCLAMATION - SOCIAL WORK APPRECIATION MONTH

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and carried 7-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, and Rodriguez-McDowell voting yes, to adopt a Proclamation designating March 2019 as “Social Work Appreciation Month” in Mecklenburg County.

Note: In conjunction with National and State recognition, the proclamation celebrates the exemplary service provided by social workers in Mecklenburg County. Social workers provide critical support to the most vulnerable people in our society including people of all ages who are physically or mentally disabled, homeless, living in poverty, struggling with substance abuse, and/or victims of family and domestic violence.

Commissioners Leake, Rodriguez-McDowell, and Jerrell removed this item from Consent for more public awareness. The proclamation was read by Commissioner Cotham. It was accepted by Department of Social Services Director Peggy Eagan and Community Support Services Director Stacy Lowry.
PUBLIC HEARINGS

19-5222  PUBLIC HEARING - NAMING OF ACCESS EASEMENT AT EASTWAY COMMUNITY PARK TO "JACKIE GREGG KNUCKLES, JR. CONNECTOR"

Motion was made by Commissioner Leake, seconded by Commissioner Powell and carried 7-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, and Rodriguez-McDowell voting yes, to open the public hearing on the request to name the access easement at Eastway Community Park to “Jackie Gregg Knuckles, Jr. Connector”.

Lee Jones, Park and Recreation Director addressed the request.

Note: This easement provides a critical connection from Eastway Community Park and the Eastway Regional Recreation Center to Briarwood Community Park and Briarwood Elementary School. The easement is located on property owned by James P. Knuckles, who has submitted a naming application to name the easement "Jackie Gregg Knuckles, Jr. Connector" after his late grandson. Mr. Knuckles, active in his community and church, is the founder and owner of K&S Sanitation Services, Inc. His company is located on Industrial Drive in the heart of the Plaza Eastway coalition of over 18 diverse neighborhoods and the future Eastway Regional Recreation Center. A member of the Charlotte Better Business Bureau, James was an active member in the Calvary Apostolic Church holding various leadership positions until its closure. He has mentored over six successful waste sanitation service companies.

No appeared to speak from the public.

Motion was made by Commissioner Leake, seconded by Commissioner Powell and carried 7-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, and Rodriguez-McDowell voting yes, to close the public hearing on the request to name the access easement at Eastway Community Park and approve naming it the "Jackie Gregg Knuckles, Jr. Connector".
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19-5205 PUBLIC HEARING: BUSINESS INVESTMENT GRANT: DENTSPLY NORTH AMERICA, LLC

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and carried 7-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, and Rodriguez-McDowell voting yes, to open the public hearing to receive comments on a proposed Business Investment Program grant to Dentsply North America, LLC (Dentsply).

Economic Development Director, Peter Zeiler presented the request.

Note:
- Dentsply Sirona is the world’s largest manufacturer of professional dental products and technologies. It manufactures a range of products such as x-ray machines and polishers to consumables such as tooth pastes and fluoride treatments.
- Formed by a merger in 2016 of two companies, each more than 130 years old, Dentsply has more than 15,000 employees globally and is headquartered in York, PA.
- The merged organization had $3.9 billion in sales in 2017 and is part of the S&P 500 and NASDAQ 100.
- As a result of the merger, Dentsply is seeking to establish a North American Regional Commercial Organization Center that will serve as the hub for: o Sales o Service o Training o Marketing o Executive functions.
- Approximately 100 jobs would be relocated from across North America and 220 jobs would be filled locally.
- Dentsply currently operates a state of the art 29,000 square foot training facility in Ballantyne with 113 employees.
- Dentsply’s proposed project meets all Business Investment Program guidelines specifically: · A taxable investment of $3 million. · Creation of 320 new jobs with an average wage of $71,000 and Expansion of existing operations in Mecklenburg County.
- The Business Investment Program grant is a 50% grant over 5 years, with an estimated total amount of up to 43,436.

No one appeared to speak from the public.

Motion was made by Commissioner Leake, seconded by Commissioner Rodriguez-McDowell and carried 7-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, and Rodriguez-McDowell voting yes, to close the public hearing on a proposed Business Investment Program Grant to Dentsply North America, LLC, and adopt a resolution approving a Business Investment Program grant to Dentsply for a total estimated amount of $43,436 and authorize the County Manager to negotiate and execute the contract.

Commissioner Leake asked about job training and use of CPCC, which was addressed.

Note: A representative from Dentsply was present and thanked the Board for supporting its request.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR DENTSPLY NORTH AMERICA, LLC

WHEREAS, Dentsply North America, LLC is seeking to establish a North American Regional Commercial Organization Center Charlotte, NC; and

WHEREAS, the company evaluated sites in York, Pennsylvania; 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 August 08, 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 $3 million and will create 320 new jobs within five years at an average annual salary of $71,000. The Business Investment Program grant is a 50% grant over five years, with an estimated total amount of up to $43,436. 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 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 48-A, Document #8.

19-5238 PUBLIC HEARING: BUSINESS INVESTMENT GRANT - AVIDXCHANGE, INC.

Motion was made by Commissioner Cotham, seconded by Commissioner Leake and carried 7-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, and Rodriguez-McDowell voting yes, to open the public hearing to receive comments on a proposed Business Investment Program grant to AvidXchange, Inc. (AvidXchange).

Economic Development Director, Peter Zeiler presented the request.

Note:
- AvidXchange, Inc. is a “software as a service” [SaaS] company founded in 2000 in Charlotte.
- AvidXchange provides web-based accounts payable services for small to medium sized businesses across the county, helping customers save money by converting to all digital processes.
- AvidXchange services enable their customers to access analytics and performance monitoring usually only available to larger companies with significant in-house resources.
- AvidXchange is growing rapidly after securing significant new financing in 2017.
- AvidXchange is proposing a 225,000 sq. ft. building adjacent to new HQ to accommodate new positions.
- AvidXchange’s proposed project meets all the following Business Investment Program guidelines for a seven-year grant, specifically:  • A taxable investment of $42 million.  • Creation of 1,229 new jobs with an average wage of $68,000 and  • Expansion of an existing operation in Mecklenburg County.
- There is competition for this project from Woodlands, TX (Existing Facility); Kansas City, KS; Oklahoma City, OK.
- The Business Investment Program grant is a 90% grant over 7 years, with an estimated total amount of up to $2,084,836.

No one appeared to speak from the public.
MARCH 6, 2019

Motion was made by Commissioner Leake, seconded by Commissioner Cotham and carried 6-1 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, and Rodriguez-McDowell voting yes, and Commissioner Powell voting no, to close the public hearing on the proposed Business Investment Program grant to AvidXchange, Inc., and adopt a resolution approving a Business Investment Program grant to AvidXchange for a total estimated amount of $2,084,836 and authorize the County Manager to negotiate and execute the contract.

Note: A representative from AvidXchange was present and thanked the Board for supporting its request.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR AVIDXCHANGE, INC.

WHEREAS, AvidXchange, Inc. is seeking to expand its headquarters in Charlotte, NC; and;

WHEREAS, the company evaluated sites in Woodlands, TX; Kansas City, KS; and Oklahoma City, OK; and

WHEREAS, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the City of Charlotte and the County of Mecklenburg, the Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on December 11, 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 $42 million and will create 1,229 new jobs within five years at an average annual salary of $68,000. The Business Investment Program grant is a 90% grant over seven years, with an estimated total amount of up to $2,084,836. 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,

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 48-A, Document #9.

ADVISORY COMMITTEE REPORTS

19-5249 LIBRARY BOARD OF TRUSTEES ANNUAL REPORT

The Board received as information the Library Board of Trustees Annual Report, given by Library Board of Trustees Chair, Robert Harrington.

Mr. Harrington thanked the Board for its continued support of the Library. The following was noted:

• “The Library continues to be a powerful platform in the community for literacy, education, digital citizenship, economic development and for community building.”
• In light of the community’s continued growth, one of the challenges for the Library is building capacity in order to keep up with that growth.
The Library is focusing on building capacity primarily in four ways through its:

- Collection
- Physical Facilities
- Technology, and
- Human Capital

Library Activities Over the Next Two (2) – Five (5) Years include the following:

- Reopening of the North County Regional Facility
- Closing, Renovating, and Reopening the South County Regional Facility
- Relocating the Scaleybark Facility to a larger facility
- Building and Opening a New Main Library
- Transforming the Library to capitalize on the position that the library has in the community; and that
- The Library Board of Trustees would undergo a sizable change in composition over the next two – five years.

Comments

Commissioner Leake requested a copy of the Library’s budget. Lee Keesler, CEO of the Library said he would forward a copy of the Library’s most recent financial audit directly to Board members. He said a copy was sent to the County’s Finance Office.

Commissioner Powell asked about the growth areas. Library CEO Keesler said there were probably six (6) areas of the county where the Library was not represented, 1) District 1 on the west side of I-77 off of Sam Furr Road and the Prosperity Village area, which is near Highland Creek, 2) District 6 in the Town of Pineville and in the Ballantyne area, and 3) District 2 on the South/West side of West Blvd., Steele Creek area.

Commissioner Cotham thanked Mr. Harrington for the report and complimented the Library on the work that they’re doing.

Chair Dunlap noted that the North Tyron Street Branch Library would be moving because of the Police Department expansion, as well as, the University City Library because of the Hospital’s expansion.

Chair Dunlap thanked Mr. Harrington and Mr. Keesler for the report.

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

Commissioner Scarborough entered the meeting.

MANAGER’S REPORT

19-5234 ESTABLISHMENT OF THE MECKLENBURG COUNTY 2020 CENSUS COMPLETE COUNT COMMITTEE

Deborah Goldberg, from the County Manager’s Office, addressed the establishment of a County 2020 Census Complete Count Committee.

The following was noted:

- The 2020 decennial census will officially begin one year from April 2019.
- Getting an accurate count of people living in Mecklenburg County was imperative because census results were used in many ways that affect our daily lives and work, from political representation, to distribution of government resources, such as Medicaid funds, and Section 8 housing vouchers.
Only 75 percent of people living in Mecklenburg County participated in the 2010 Census.

The most common reasons reported for why people do not participate in the census or do not accurately report their information include: fear and misinformation about privacy and confidentiality; language barriers; not understanding the purpose of the census and who should be counted; and instability in living arrangements.

The 2020 census would be online, so it’s anticipated that lack of internet access or lack of internet proficiency would be an additional barrier for some people.

The addition of a citizenship question was likely to be another complicating factor.

To address these barriers and increase participation, the U.S. Census Bureau asked states and local governments to establish Complete Count Committees (CCC).

The goal of a CCC was to increase participation of those individuals who were less likely to respond or who were often missed by the decennial census, such as young children, homeless individuals, residents with unstable housing, immigrants, non-English speakers, renters, and college students.

Mecklenburg County is forming a committee that includes individuals from local government, the business and education community, and other community leaders from across the county. They will develop an outreach plan tailored to the unique characteristics of the different communities in Mecklenburg County.

They will begin meeting within the next month and will continue to meet through May of 2020.

County Manager Diorio will chair the committee.

The City of Charlotte and six (6) Towns were asked to select a representative to serve, as well as Charlotte-Mecklenburg Schools.

Committee members, in addition to those listed in the Board’s agenda materials: Jim Dunn with Atrium Health, Chair Dunlap, Shawn Herndon (Town of Cornelius Business Owner) and Monterai Adams with the Town of Cornelius Planning Department; Town of Davidson Commissioner Jane Campbell

The first committee meeting was tentatively scheduled for April 22, 2019.

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

Comments

Commissioner Harden thanked the County Manager for being proactive with respect to this matter.

Commissioner Leake asked about the staffing involved in the process, which was addressed.

Commissioner Leake asked about the racial make-up of the Committee, specifically, African Americans, which was addressed.

Commissioner Leake addressed the need for involvement by those in the Faith community.

Commissioner Jerrell asked for clarity regarding the Hard to Count Census Tracts and the barriers that existed, which was addressed.

Commissioner Jerrell said he would be happy to provide information to staff regarding organizations that could assist in reaching out to persons within his district to help ensure everyone was counted.

Chair Dunlap said the Committee would not be replacing the work that would be done by the Census Bureau. He said it was the Census Bureau’s responsibility to actually conduct the count. He said the Committee would address concerns relative to the count.
Commissioner Leake asked for clarity regarding the Committee’s role. County Manager Diorio said the Committee would be charged with making sure all of the messaging, promotion and campaigning got done. She said it was like a get out to vote campaign. She said the Census Bureau would be responsible for conducting the actual count.

County Manager Diorio said the number of persons to be hired by the Census Bureau was unknown and would depend upon the number of persons that completed the Census Bureau survey online.

Commissioner Leake asked that Senior facilities not be forgotten in the process. She suggested that a Senior facility representative be on the committee.

Commissioner Leake said it was important that grassroots people and organizations be included on the committee.

County Manager Diorio said there would be another level of participants and work groups which the Committee would form consisting of grassroots people who would be the “real boots” on the ground getting out in the community.

County Manager Diorio welcomed persons in the community that wanted to volunteer to participate to reach out to the County Manager’s Office.

Commissioner Leake said it was important that the Board’s district representatives be kept informed because of their work in the respective districts.

Commissioner Jerrell asked if Board members could submit names for the subgroups. The response was yes and that names be submitted to Deborah Goldberg.

Deborah Goldberg said she would follow up with an email to Commissioners regarding names.

Commissioner Scarborough noted the importance of having ministers involved in the process.

Commissioner Leake asked was this already included in the budget. County Manager Diorio said $60,000 was included in this year’s budget but there would be a request in the FY 20 budget for additional funding because that’s when the majority of the work would be done.

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

Motion was made by Commissioner Leake, seconded by Commissioner Powell and unanimously carried with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, and Rodriguez-McDowell, and Scarborough voting yes, to adopt a resolution establishing the Mecklenburg County 2020 Census Complete Count Committee.

Note: Commissioner Powell read the resolution.

MECKLENBURG BOARD OF COUNTY COMMISSIONERS RESOLUTION ESTABLISHING THE MECKLENBURG COUNTY 2020 CENSUS COMPLETE COUNT COMMITTEE

WHEREAS, Article 1, Section 2 of the United States Constitution mandates that a census be conducted of the nation’s population every 10 years with the next census scheduled for April 1, 2020; and

WHEREAS, it is vital that all households of Mecklenburg County complete a census form and that all residents be counted; and

WHEREAS, the census will determine how many elected congressional representatives and congressional districts North Carolina will have; and
WHEREAS, having an accurate and complete census count is important to our community in determining the allocation of federal and state funds and in making decisions related to economic development, housing assistance, transportation improvements, health care and education planning, and many other policies; and

WHEREAS, it is essential that accurate data be collected from groups of people who are historically difficult to count, including young children, low-income individuals, non-native English speakers, immigrants, renters, and individuals with unstable housing situations; and

WHEREAS, education, planning, outreach, and community partnerships between elected officials, the business and faith-based community, are necessary to ensure the census is as accurate as possible; and

WHEREAS, the United States Census Bureau encourages states and local governments to form Complete Count Committees, (CCC’s) to increase awareness and understanding about the importance of the 2020 Census and to encourage people to participate; and

WHEREAS, every resident of Mecklenburg County counts and deserves to be counted;

NOW, THEREFORE BE IT RESOLVED BY THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS THAT

1. There is hereby established an ad hoc committee known as the Mecklenburg County Complete Count Committee (“Committee”).
2. The Committee shall consist of up to 40 members representing a broad cross section of Mecklenburg County’s population. It is particularly important that the Committee have strong representation from organizations that serve the populations that are most likely to be undercounted.
3. Each municipality in the County will recommend one elected official or a designee.
4. The Committee shall sunset upon completion of its activities in 2020.

Resolution recorded in full in Ordinance/Minute Book 48-A, Document #10.

Board Support Position
County Manager Diorio informed the Board that the second Board Support staff person was hired, Shalon Genwright.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTRY COMMISSIONERS REPORTS & REQUESTS

19-5254 STUDY REQUEST FOR POSSIBLE LAND BOND (COMMISSIONER POWELL)

Chair Dunlap called on Commissioner Powell to address her agenda item requesting a study for a possible land bond. Commissioners Harden, Jerrell, and Rodriguez-McDowell co-sponsored the item.

Commissioner Powell addressed her request and noted that as the population explodes, the County must be very intentional about land acquisition for schools, parks, storm water management, greenways and possibly for affordable housing.

The following persons signed up to speak to the matter:
Steven Cohen and James B. Lee spoke in support of the study, noting the need for land for affordable Housing purposes.

Note: Dora Mills registered to speak but was not present.

Comments

Commissioner Leake asked for clarity on what was being requested.

Commissioner Powell and County Manager Diorio responded. It was noted that this was essentially a land banking request (buy land now for future purposes). Per Board approval to direct staff to conduct a study on the feasibility of the County pursuing a Land Bond; and the Board’s subsequent approval to move forward with a bond; the matter would be placed on the ballot for a vote of the citizenry.

Commissioner Leake asked if staff had looked at the excess land owned by Charlotte-Mecklenburg Schools (CMS) that could be used to expand housing. County Manager Diorio said yes.

Commissioner Leake said the Board needed to be aware of what land was owned by CMS.

Commissioner Leake asked was it correct that Charlotte City Council (the City) was accountable for housing. County Manager Diorio said “traditionally” it’s been their responsibility.

Commissioner Leake questioned why the City was not trying to buy property in the Ballantyne area or Myers Park area for housing. She questioned why low-income housing was concentrated in one area of the community, specifically, District Two.

Commissioner Leake said she would not support a tax increase for anything.

Chair Dunlap said the motion was to request a study on the feasibility of pursuing a land bond. He said there would be a cost associated with a $300,000,000 land bond. He said the report staff would bring back would indicate the impact of a $300,000,000 land bond on the budget and the County’s bonding ability.

Chair Dunlap said once the report was received, then the Board would make a decision as to whether it wanted to move forward.

Commissioner Jerrell addressed the importance of having the data that’s being requested of staff. He said there were many community needs, including, but not limited to housing.

Commissioner Jerrell said once the data was received, the Board could then make an informed decision.

Commissioner Cotham said the County buys land on a regular basis for various purposes.

Commissioner Cotham said she would not support bringing forth another bond request to the voters at this time. She referenced the bond that was approved last November. She said voters were told in 2018, that it would be five (5) years before the Board would ask for another bond referendum.

Commissioner Cotham said the Board’s word “has to mean something.” She said the Board had to have “credibility” and the “trust” of the people.
Commissioner Cotham said she was also “struggling” with the fact that the Board of Education instructed the Superintendent not to buy or do anything in Districts 1 or 6 because of the unresolved issue around charter schools in these areas.

Commissioner Cotham said the County needed to do a better job of communicating to the public on what’s occurring and the great things the County was doing, with respect to land purchases and other matters. She again emphasized the fact that the County purchases land regularly.

Commissioner Cotham said this was a necessary request at this time. She said she would continue to support the County’s normal practice of purchasing land.

Commissioner Powell said she didn’t make a promise to anyone regarding a bond referendum. She said her intent was to find out what tools were available and what could be done. She said the land that was currently being bought was not even “close” to what was going to be needed for the population that was coming.

Commissioner Powell said everything that was being asked for was a community priority, based on social equity for every part of the County. She said the protection of natural resources, air quality and water quality were all things that impact the quality of life and having a healthy place to live.

Chair Dunlap concluded the discussion and noted the following:

- This was just a study.
- This was not a commitment to move forward.
- This was not a commitment to $300,000,000.
- Even if the Board made a commitment two or three years down the road, at least the Board would have had the advantage of getting the information and data to make an “intelligent decision” about the direction it wanted to go, if any.
- Historically, money was always set aside for land purchases and that would continue.

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

Motion was made by Commissioner Powell, seconded by Commissioner Jerrell and carried 6-2 with Commissioners Dunlap, Harden, Jerrell, Powell, and Rodriguez-McDowell, and Scarborough voting yes, Commissioners Cotham and Leake voted no, to approve staff undertaking a study and report back on the feasibility of the County pursuing a Land Bond of at least $300,000,000.

19-5255 POLICY OF THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS – AGENDA FORMAT (CHAIR DUNLAP)

Motion was made by Commissioner Leake, seconded by Commissioner Powell and unanimously carried with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the Chair Dunlap to appoint an Ad Hoc Committee to review and bring a recommendation back to the full Board regarding possible changes to the Board’s Agenda Format Policy for Regular meetings.

Note: At the Board’s Budget/Public Policy meeting on February 26, 2019, questions were raised regarding the current structure of the Board’s Regular meeting agenda and the order in which items are handled. In response to that concern, Chair Dunlap asked the Board to authorize the creation of an Ad Hoc Committee to review the current policy and practice regarding the agenda format and order in which items are disposed and to offer recommendation(s) back to the Board on possible changes. The purpose of any change(s) will be for the effective and
efficient conduct of County business at Regular meetings.

19-5256 POLICY OF THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS – MEETING SCHEDULE DATES AND TIMES (CHAIR DUNLAP)

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, Powell and Scarborough voting yes, to amend Policy of The Mecklenburg County Board of Commissioners – Meeting Schedule Dates and Times to change the start time of Budget/Public Policy Workshops from 3:00 p.m. to 2:30 p.m. effective with the March 26, 2019 meeting.

Note: At the Board’s Budget/Public Policy meeting on February 26, 2019, questions were raised regarding the current starting time of the Board’s Budget/Public Policy Workshops. In response to that concern, Chair Dunlap asked the Board to consider amending the Meeting Schedules Dates and Times Policy to change the start time of Budget/Public Policy Workshops from 3:00 p.m. to 2:30 p.m. An end time does not have to be indicated because it would vary depending upon the topics to be discussed, but as a general rule, three hours should be ample time, unless it’s a Special Budget/Public Policy meeting, such as the Budget Straw Vote Session. If approved, the change would not take effect until the March 26, 2019 Budget/Public Policy Workshop because of the legal requirement for providing public notice of a change in the Board’s meeting schedule.

POLICY OF THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS

Meeting Schedule Dates and Times

Regular Meetings are held on the first and third Tuesdays of each month at 5:00 p.m. in the Charlotte-Mecklenburg Government Center Chamber Conference Room for an informal work session and for closed sessions, if applicable, and at 6:00 p.m. in the Charlotte-Mecklenburg Government Center Meeting Chamber for the formal public session, except when the Board otherwise fixes the time and place for such meetings, and except when there is a conflict with the meeting schedule of the Charlotte City Council caused by a holiday falling on a Monday which causes a change in the City Council’s meeting schedule to either the first or third Tuesday of the month, then the regular meeting of the Board of Commissioners shall be held on the Wednesday immediately following the first or third Tuesday.

Budget/Public Policy Workshops are held on the second and an optional fourth Tuesday of each month at 2:30 p.m. in Room 267 of the Charlotte-Mecklenburg Government Center, except when the Board otherwise fixes the time and place for such meetings, and except when there is a conflict with the meeting schedule of the Charlotte City Council caused by a holiday falling on a Monday which causes a change in the City Council’s meeting schedule to either the second Tuesday of the month, the Budget/Public Policy Workshop of the Board of Commissioners shall be held on the Wednesday immediately following the second Tuesday or fourth Tuesday.

Special Meetings may be called by the Chairman or by a majority of the Board giving written notice of time and place, and the subject to be considered. Only items specified may be considered unless all members are present or those not present have signed a written waiver. Notice shall be given to each member, and notice shall be posted for the benefit of the public at least 48 hours prior to each meeting.

Budget Meetings (and matters related thereto) are concerned with public business, and normally attended by a majority of the Board, are deliberative in nature and provide the basis for formal action in the adoption of a budget and setting of the tax rate, are subject to the provisions of the Open Meetings Law, should be scheduled by resolution in formal session or by written notice as in the case of Special Meetings, even though actions taken are in most cases tentative and made binding in the adoption of the Budget Resolution.
which occurs much later. All budget meetings are open to the public. Minutes of the budget meeting should be kept. Some discretion might be exercised by the Board in determining the quality and detail of such minutes. The time, place, those in attendance, and the subject matters generally considered should, at a minimum, be recorded in such minutes.

Other Meetings refer to gatherings where a majority of the Commissioners are in attendance, where public business is considered, where hearings are conducted or where deliberations are made. Such meetings appear to be official meetings governed by the Open Meetings Law, and are therefore open to the public upon the giving of applicable public notice.

Minutes. The Clerk shall keep full and accurate minutes of the proceedings of the Board of Commissioners. This provision is applicable to all regular, special and official meetings.

Regular Procedure. Every effort should be exercised to assure, by regular procedures, that all matters which require consideration or action by the Board of Commissioners including specifically the conduct of hearings relating thereto, deliberations thereon or the transaction of public business be presented to the Board of Commissioners in official session and not under circumstances which may not satisfy requirements of the law.

Policy recorded in full in Ordinance/Minute Book 48-A, Document #11.

CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner Cotham and unanimously carried with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the following item(s):

19-5189 EXHIBITS CONTRACT - STEVENS CREEK NATURE CENTER

Award a contract for the purchase of Exhibits to Building Four Fabrication, LLC in the amount of $219,785.

Note: This contract is for fabrication and installation of educational and interactive exhibits in the new Nature Center, which is under construction and located in the Stevens Creek Nature Preserve (15700 Thompson Road, Mint Hill).

19-5211 LAND DONATION - SOUTH PRONG CLARK CREEK

Accept the donation of Tax Parcels 019-221-16 (± 2.11 acres) and 019-223-29 (±3.64 acres) from Southside Neighborhood LLC for the future construction of South Prong Clarke Creek Greenway.

19-5214 BUDGET AMENDMENT - APPROPRIATION OF GENERAL FUND BALANCE FOR HUNTERSVILLE LAND DEVELOPMENT SERVICES

Appropriate $463,205 from General Fund Balance for the Town of Huntersville to provide Land Development services in the future.

Note: LUESA - Storm Water Services provides Land Development services on behalf of the six Towns. These services include enforcement of the Town’s zoning, subdivision, water quality, planning, floodplain and other ordinances.

In March 2018, the Town of Huntersville Board of Commissioners instructed Town staff to initiate discussions with the County on the potential for the Town to assume the responsibility...
of providing Land Development services. The County was informed that the Town’s reasons for assuming responsibility for providing these services are to create a one-stop shop; increase the Town’s control and ownership to match the Town’s accountability for roads, sidewalks, street trees, etc.; and enhance the ability for the Town to adjust fees. Since March 2018, Town and Storm Water staff have been meeting to address the many issues that need to be resolved for a successful transition of services to the Town effective July 1, 2019.

One of the issues that needs to be addressed is the disbursement of Pre-Paid Land Development fees to Huntersville. When construction plans are submitted for review within the Towns at the start of a project, Land Development fees are paid to compensate the County for plan review, permitting and inspection services the County provides throughout the duration of the project. Some projects (large commercial and large residential, as examples) may last as long as 5 to 7 years. Therefore, the related General Fund balance is designated to fund support services in the future in the event there is an economic downturn and to fund future technology upgrades for Land Development Services. Projects in all of the Towns contribute funding from the pre-paid fees to the designated fund balance. The County and the six Town Managers analyzed the designated fund balance through the close of FY18, including fees collected from development in each Town. The County and Town Managers agreed that 52% of the total designated fund balance should be disbursed to the Town of Huntersville - which equates to $463,205. At the end of FY19, the County and six Town Managers will analyze the designated fund balance to determine if any additional disbursement of pre-paid fees to Huntersville is recommended. In FY20 and beyond, any shortfall in revenue or increase in need for Land Development services for development activity within its jurisdiction will be the responsibility of the Town of Huntersville.

LUESA - Code Enforcement provides services to ensure compliance with the NC Building Code countywide. The Town has expressed that they have no interest in assuming the responsibility of providing those services. Also, the Town has requested the County continue to enforce the Town’s Floodplain Ordinance due to the relative infrequency of development in the floodplain in Huntersville and the complexities of managing this regulatory program to the State of North Carolina and FEMA standards. The County will also continue to manage the EPA, National Pollutant Discharge Elimination System (NPDES) permit in partnership with all the municipalities. The NPDES permits include numerous activities that focus on protecting water quality during and after development.

19-5220 STORM WATER PROGRAM - FY19 HAZARD MITIGATION FLOODPLAIN ACQUISITION

1. Accept the offer of sale of real estate from George & Kimberly Scott, Jerry & Cynthia Morgan, and Vann & Allison Scott, owners of property located at 1021 Mockingbird Lane, Charlotte, NC (tax parcel 171-082-17), for $375,000; and

2. Accept the offer of sale of real estate from Shelby Investments, LLC, owner of property located at 1131 Mockingbird Lane, Charlotte, NC (tax parcel 171-082-22), for $372,500; and

3. 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.).

19-5221 DONATION FROM NANCY LIEBERMAN CHARITIES TO NAOMI DRENAN
RECREATION CENTER

Recognize, receive and appropriate a donation of $5,000 for programming and supplies at Naomi Drenan Recreation Center from Nancy Lieberman Charities.

Note: Nancy Lieberman Charities is a 501(c)3 organization committed to promoting and developing healthy lifestyles and educational opportunities for young boys and girls from low-to-moderate income families.

19-5226 MINUTES

Approve Minutes of Regular meeting held February 19, 2019, and Closed Session held August 8, 2018.

19-5229 TAX REFUNDS

1. Approve refunds in the amount of $11,559.76 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 statewide vehicle tax system.

2. Approve refunds in the amount of $8,027.50 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 of the Board.

19-5248 PROPERTY INTEREST EXCHANGE - RURAL HILL NATURE PRESERVE

Adopt a resolution of intent to exchange a lease on a portion of County owned Tax Parcel 013-041-01 (+/- 2.25 acres) for a 20' wide access easement across Tax Parcel 013-181-04 owned by Lewis Atkins Parks Heirs.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS

RESOLUTION

DECLARING INTENT TO EXCHANGE A LEASE ON A PORTION OF TAX PARCEL 013-041-01 ALONG NECK ROAD IN THE EXTRA-TERRITORIAL JURISDICTION OF HUNTERSVILLE FOR AN ACCESS EASEMENT ON TAX PARCEL 013-181-04 ALSO ALONG NECK ROAD IN THE EXTRA-TERRITORIAL JURISDICTION OF HUNTERSVILLE

WHEREAS, the County owns Tax Parcel 013-041-01 along Neck Road in the Extra-territorial jurisdiction of Huntersville (hereinafter referred to as the “County Parcel”) which is a portion of the County’s Cowan’s Ford Wildlife Refuge; and

WHEREAS, the County is also owner of the Rural Hill Nature Preserve located along either side of Neck Road in the ETJ of Huntersville; and

WHEREAS, the County is in the process of developing a strategy to remove loblolly pine trees, which are an invasive species to the Rural Hill Nature Preserve, and to restore the property with trees native to this area of North Carolina; and
WHEREAS, the portion of Rural Hill Nature Preserve to be restored is separated from the bulk of the nature preserve by a tributary of McDowell Creek and is bordered by Mountain Island Lake on three sides; and

WHEREAS, the County needs to secure a long-term accessible route to and from this portion of the nature preserve to implement activities associated with restoring and maintaining the nature preserve and has determined that the most feasible and desirable route to and from the property is across Tax Parcel 013-181-04 which is owned by the Lewis Atkins Parks Heirs ("Parks Heirs"); and

WHEREAS, the Parks Heirs desire to lease +/- 2.25 acres of the County Parcel to graze farm animals and mow from time to time; and

WHEREAS, the County and the Park Heirs have agreed to exchange a two (2) year access easement across the Parks Heirs property in favor of the County for a five (5) year lease of the County Parcel in favor of the Parks Heirs; and

WHEREAS, the Mecklenburg County Park and Recreation and Asset and Facility Management Departments have determined that in its opinions the County will receive full and fair consideration for the property interests to be exchanged; 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 a lease on the County Parcel for an access easement across the Parks Heirs Parcel 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 a lease on the County Parcel for an access easement across the Parks Heirs Parcel at its next regular meeting; directs 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 March 19, 2019 at the Board’s next regular business meeting.

Resolution recorded in full in Ordinance/Minute Book 48-A, Document #12.

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

19-5198 COMMON SQUARE MOU ASSIGNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to execute all documents necessary for the assignment by Common Square, LLC ("Common Square") of its rights and obligations pursuant to Memorandum of Understanding dated December 6, 2018, between County and Common Square (the “MOU”) to CS Development.

Note: At its November 7, 2018 meeting, the Board adopted a resolution authorizing the exchange of (a) County-owned tax parcel 123-062-17 (+/- 4,356 SF) at Wilmore Centennial Park at SouthEnd, for (b) the northern portion of tax parcels 123-062-05 and 123-062-06 (+/- 4,500 SF), both of which are owned by Common Square, together with an access easement across the southern portion of such parcels.

Section 18 of the MOU permits Common Square, without County approval, to assign its rights
and obligations thereunder to another entity in which 1) Common Square has an equity interest, or 2) which is controlled by the same individuals or entity which control Common Square. Either transfer would be considered a “Permitted Assignment”. Any proposed assignment which does not meet such requirements requires prior County approval.

Common Square has now proposed to assign its rights and obligations under the MOU to Common Square Development, LLC (“CS Development”). This proposed assignment does not qualify as a Permitted Assignment; however, having analyzed the underlying facts and risks, County staff is comfortable with the proposed assignment to CS Development and is willing to provide its consent thereto.

Upon assignment of the MOU, CS Development agrees to assume all rights, duties and obligations of Common Square Development and to be legally responsible for fulfilling all existing conditions and requirements in the MOU, including acceptance of re-zoning approval from the City of Charlotte for a mixed-use project with structured parking and ground floor retail.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed the request.

19-5213 DONATION OF K-9 BULLET PROOF VESTS - SHERIFF'S OFFICE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize and receive the donation of six K-9 bullet proof vests to Mecklenburg County Sheriff’s Office (MCSO) K-9 Unit from Max Milas and Spike’s K-9 Fund.

Note: Max Milas, a local 6th grader from Union County, started a fundraiser to equip MCSO’s K-9 Officers with bullet proof vests. Max wanted to help because he says that dogs are often the first ones to enter the line of fire. Each vest costs approximately $2,500. Max raised nearly $3,000 from online donations. The organization he teamed up with, Spike’s K-9 Fund, makes it their mission to outfit all dogs once they are on their list. They are supplementing the remainder of the cost (approximately $12,000) to outfit all six of our K-9 Officers.

Commissioners Leake and Powell removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed the donation.

Commissioner Powell expressed a special thanks to Max.

19-5217 DONATION OF BASKETBALL COURT RENOVATIONS FROM HABITAT FOR HUMANITY CHARLOTTE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize and receive the donation of basketball court renovations at Lakewood Neighborhood Park valued at up to $30,000 from Habitat for Humanity Charlotte.

Commissioners Leake and Jerrell removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed the donation.

19-5219 HOUSING OPPORTUNITIES FOR PEOPLE WITH AIDS (HOPWA) GRANT
APPLICATION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1) Request permission to submit a grant application totaling $36,000 for a one-year period (July 1, 2019 - June 30, 2020) 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

2) If awarded, recognize, receive and appropriate awarded funds.

Commissioners Leake and Jerrell removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this request.

Chair Dunlap left the dais and was away until noted in the minutes. Vice Chair Powell chaired the meeting until noted in the minutes.

19-5231 AFFIRM GRANT AWARDS - HUD CONTINUUM OF CARE 2018

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Cotham, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

A) Affirm award of three renewal grants and one additional funding grant from the U.S. Department of Housing and Urban Development (HUD):

1) Affirm grant for $2,346,745 for the year 7/1/19-6/30/20 to provide Shelter Plus Care (SPC) targeted rental subsidies to homeless persons with disabilities (SPC Consolidated Renewal)

2) Affirm grant for $63,000 for the year 6/1/19-5/31/20 to provide Coordinated Entry services for homeless individuals and families (Mecklenburg County Coordinated Entry Renewal 2018)

3) Affirm grant for $63,000 for the year 4/1/2019 - 3/31/2020 to administer the Homeless Management Information System (HMIS) for the Charlotte-Mecklenburg Continuum of Care. (2018 HMIS Mecklenburg)

4) Affirm grant for $100,000 for the Homeless Management Information System expansion project for the Mecklenburg Continuum of Care – County will be notified of project dates once scope of work notice has been received from HUD.

B) Recognize, receive and appropriate funds for the affirmed amounts awarded for the duration of the grant periods; and

C) Authorize one position in Community Support Services, Homeless Services Divisions: 1 HMIS Administrator (annual market rate) $58,700.

Commissioners Leake and Jerrell removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed the request.

Chair Dunlap returned to the dais.
MARCH 6, 2019

19-5232  CAPITAL PROJECT ORDINANCE SCALEYBARK BRANCH & ORDINANCE AMENDMENT- FY 2017 LIBRARY FACILITIES CAPITAL PROJECT ORDINANCE-NORTH COUNTY LIBRARY RENOVATION

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1) Approve the FY19 Authorization Library Facilities Capital Project Ordinance (Scaleybark Branch); and

Note: This action would fund the outfitting for a replacement for the Scaleybark Branch. The Charlotte-Mecklenburg Library currently leases 5,500 Square Feet at 101 Scaleybark Road. The current lease has a 6-month advance notice termination clause for either party. The Library has pursued a new lease location out of a concern that development pressure on the current lease site could result in a termination without time to relocate. A new lease was negotiated for the 18,850 SF building located at 4429 South Blvd. The lease covers costs for a typical office upfit, but does not include capital costs for all of the critical needs of a library, including technology. Additional funding of $1,707,000 is needed for additional electrical, telecommunications, A/V equipment, furniture and fixtures.

2) Approve amendment to the FY2017 Library Facilities Capital Project Ordinance.

Note: This action would provide additional funding of $185,000 for the North County Library Renovation and will bridge a funding gap caused by unforeseen conditions, allowing the current construction project to continue as designed.

Commissioners Leake and Powell removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed the request, as well as, Lee Keesler.

Note: A second reading will be required, since all nine Commissioners were not present. The second reading/vote will take place at the March 19, 2019 meeting.

19-5243  ORDINANCE AMENDMENT FY 2018 AUTHORIZATION GOVERNMENT FACILITIES CAPITAL PROJECT ORDINANCE (NORTH PARK MALL DEMOLITION)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the amendment of the FY 2018 Authorization Government Facilities Capital Project Ordinance.

Note: The County purchased the former Northpark Mall property at the intersection of Eastway and North Tryon Streets for the future Northeast Community Resource Center and a Library Support Services Center. A section of the vacated strip mall has become a target for break-ins and other unsafe conditions. This funding allows demolition of those portions of the Northpark Mall facilities.

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

Note: A second reading will be required, since all nine Commissioners were not present. The second reading/vote will take place at the March 19, 2019 meeting.

19-5253  FY 2019 AUTHORIZATION GOVERNMENT FACILITIES CAPITAL PROJECT
MARCH 6, 2019

ORDINANCE (COURTHOUSE COURTROOM UPFIT)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve FY2019 Authorization Government Facilities Capital Project Ordinance in the amount of $1,100,000.

Note: The NC Legislature approved a position for a new Superior Court Judge in 2021. Because all existing courtrooms in the Mecklenburg County courthouse are assigned, this action will require the upfit of an additional courtroom. The County is obligated by State statute to provide facilities and furniture for the court system. The cost for this will be approximately $1 million.

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

Note: A second reading will be required, since all nine Commissioners were not present. The second reading/vote will take place at the March 19, 2019 meeting.

ADJOURNMENT

Motion was made by Commissioner Harden, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:25 p.m.

Janice S. Paige, Clerk

George Dunlap, Chair
MARCH 19, 2019

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 Tuesday, March 19, 2019. These Closed Session minutes are a part of the minutes of that meeting and should be read in that context.

ATTENDANCE

Present: Chair George Dunlap and Commissioners Patricia "Pat" Cotham, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, 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: None

Also Present: Assistant County Manager/Chief of Staff Derrick Ramos, Assistant County Managers Mark Foster, Leslie Johnson, Anthony Trotman, Finance Director Sarah Lyberg, Deputy County Attorney Ed Yeager, Asset and Facility Management Director Mark Hahn and Jacqueline McNeil with Asset and Facility Management, Dr. Dan L. Morrill, Consulting Director for the Historic Landmarks Commission and Tom Egan, Chair of the Historic Landmarks Commission

19-5269 LAND ACQUISITION- THE EXCELSIOR CLUB

The Board received an update on Property Acquisition - 921 Beatties Ford Road, Charlotte, NC, (Parcel ID-06906621), The Excelsior Club.

Dr. Dan L. Morrill, Consulting Director for the Historic Landmarks Commission (HLC) addressed this matter.
The following was noted:

- The Excelsior Club is located at 921 Beatties Ford Road in Charlotte, north of Johnson C. Smith University in the Washington Heights neighborhood.
- There are two adjacent parcels owned by the same owner, but are not included in the historic designation.
- The owner wants to sell all three parcels, however, the HLC can only purchase the parcel with the historic designation.
- The Excelsior Club has been an iconic structure in Charlotte’s African American community since it was established by local philanthropist James Robert “Jimmie” McKee in 1944.
- It was the only social club for Charlotte’s African American professionals in the era of legal racial segregation.
- It became the home for several bridge, social and civic clubs, as well as, for fraternity and sorority meetings.
- The Club was more than a place for festive entertainment. It was also a gathering place for community leaders who sought to improve life circumstances for African Americans through political activism.
- Candidates for public office, both black and white, routinely visited the Excelsior Club to garner the African American vote.
- Its role in the Civil Rights movement in Mecklenburg County was paramount.
- Architecturally, the Excelsior Club gained greater significance when it was expanded in 1952 and assumed its current Art Moderne style.
- The Historic Landmarks Commission presented an Option to Purchase the Excelsior Club for $350,000 to the Board for prospective approval on October 2, 2018.
- The Board took no action on the Option to Purchase.
- The owner of the Excelsior Club may demolish the Excelsior Club on or after June 12, 2019.
- In September 2018, the appraisal for the property was $110,000. Current Tax Value is $309,800.
- The building is in dilapidated condition.
- In September 2018, the cost to renovate the shell of the building was estimated at $525,000. It was noted this was not an estimate for a full renovation.
- According to the City of Charlotte’s Code Enforcement staff, the Repair Order that was placed on the building, would probably end up being changed to an Order for Demolition at the end of March, because the owner has not made any repairs to the building to rectify the code violations that exist.
- There’s an opportunity to Offer to Purchase the Excelsior Club without Option for $350,000. ($200,000 from HLC Revolving Fund, $150,000 from the Foundation For The
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Carolina)  
• Were the HLC to come in possession of the property, a feasibility study would be done to see how all three parcels could be used.

• Per Mr. Egan, the owner was still not interested in the Option to Purchase for $350,000.

County Manager Diorio noted the following:

• The demolition order would not be voted on by Charlotte City Council at this time. The desire is to see if this matter can be resolved.
• The owner has bundled all three parcels together, has obtained a broker, and was asking for $850,000 for all three parcels.
• There’s no real value to the property without the other two parcels.
• There was interest in the community to preserve the property.
• Jessie Cureton with Novant Health feels he could raise the funds to purchase and renovate the property.
• The Foundation For The Carolinas was also willing to help.

Comments

Commissioner Leake asked about the value of the land that the building was on. County Manager Diorio said the property was valued at $309,000 with the building on it. She said the building itself really didn’t have any value.

County Manager Diorio said the goal would be to develop a plan to either save and renovate the building or save the facade.

Commissioner Leake asked about the value of the other two parcels. Staff said they would obtain that information.

Commissioner Scarborough expressed support for preserving the building, in light of its history.

Commissioner Rodriguez-McDowell asked about the County’s role and the HLC revolving fund, which was addressed.

Dr. Morrill addressed how the HLC revolving fund works.

County Manager Diorio raised a concern regarding ownership of the other two parcels were funds raised to purchase them and how the properties could be given to the HLC.
Dr. Morrill said one alternative would be to expand the boundaries of the historic designation to include the other two parcels. He said that would require a vote of Charlotte City Council.

Chair Dunlap said the County could own it and make it a museum or lease the building out.

County Manager Diorio said there would need to be a lot of community engagement around the future of the building/site.

Commissioner Jerrell asked who would pay for a feasibility study if one was done. The response was the HLC.

Commissioner Leake asked was it correct the County would only have to put up $200,000, if there were others in the community that planned to raise the necessary funds to purchase the property. She also asked how much would have to be raised.

County Manager Diorio said initially they would have to raise $500,000 in order to have the $850,000 to purchase all three parcels. She said in addition, they would have to raise whatever amount was necessary, at least a million dollars, to do renovations.

Commissioner Leake asked if those that expressed interest in raising the necessary funds were willing to do so based on the amounts noted. The response was yes.

Commissioner Fuller expressed support for preserving the building. He said there needed to be one voice speaking to this issue with the owner and it should be the County working through the HLC.

Note: It was noted by staff that the value of the other parcels was a total of $270,900, (one at $134,600 and one at $136,300). It was a grand total of $580,700 when the other parcel was added. The owner was asking $850,000.

County Manager Diorio said there should be some room for negotiation.

Commissioner Cotham questioned whether the County or the City should take the lead with respect to this matter, since it was the City that had the property designated as a historic landmark.

Dr. Morrell said the HLC would take the lead, because it was a historic landmark. He said it was possible for the City to take the property using its eminent domain authority when a there’s a certificate of appropriateness for demolition.
Commissioner Cotham said the building should be preserved, however, she expressed disappointment that the building had not been maintained and was now in a dilapidated state.

Commissioner Cotham questioned what happens if Mr. Cureton raised the needed funds and the property ends up selling for less.

County Manager Diorio said Mr. Cureton would not be asked to raise funds until after a feasibility study was done, community engagement had taken place, and there was a clear plan for the site.

Commissioner Harden expressed support for buying all three parcels and preserving the building. She said it would be in line with the current Board's goal of eliminating racial disparity.

Dr. Morrell said if this was to move forward, the HLC would work with the community and the Board to ensure that whatever was done on the property would be acceptable to the community.

This concluded the discussion.

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

Motion was made by Commissioner Scarborough, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to direct the County Manager to negotiate with the owner for the purchase of all three parcels and to report back to the Board.

Motion was made by Commissioner Scarborough, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to end Closed Session.
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 19, 2019.

ATTENDANCE

Present: Chair George Dunlap and Commissioners Patricia “Pat” Cotham, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, 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: 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: 19-5239, 19-5251, 19-5259, 19-5260, 19-5270, 19-5271, 19-5272, 19-5276, and 19-5293.

It was the consensus of the Board to move Item 19-5260 Joint Proclamation – Child Abuse Prevention Month from Consent to Awards/Recognition.

STAFF BRIEFINGS - NONE

CLOSED SESSION

19-5267 CONSULT WITH ATTORNEY
19-5269 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.

Prior to going into Closed Session County Attorney Wade announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcel(s): 013-042-11 and 069-066-21.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to go into Closed Session for the following purpose(s): Land Acquisition.
The Board went into Closed Session at 5:17 p.m. and came back into Open Session at 5:56 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. Commissioner Harden gave the invocation which was followed by the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.

Note: Boy Scout Troop 25 from St. Paul Baptist Church was present and lead the Pledge of Allegiance to the Flag. They are the oldest African American Boy Scout Troop in Mecklenburg County.

19-5277 PUBLIC APPEARANCE

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

Members of the Charlotte Mecklenburg Association of Educators addressed the Board regarding Supplement Pay for CMS Teachers: Erlene Lyde, President, Amanda Thompson, Secretary, Members Linda Ingle and Stephanie Collins Fremprong and Kevin Strawn with Charlotte-Mecklenburg Retired School Personnel.

They presented information about the local teacher supplement, what it is, why it is, how much it is, and how Mecklenburg County compared to other areas of the state.

They also thanked the Board for raising the local supplement this past year.

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

AWARDS/RECOGNITION

19-5260 JOINT PROCLAMATION - CHILD ABUSE PREVENTION MONTH

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a Joint Proclamation declaring April 2019 as Child Abuse Prevention Month in Mecklenburg County and City of Charlotte.

The proclamation was read by Commissioner Rodriguez-McDowell and received by Krystal Morris, Communications Manager with Prevent Child Abuse N.C.

Note: Child Abuse Prevention Month is an annual campaign that has been in place for the last seven years organized by the Mecklenburg Child Abuse Prevention Team (CAPT). The purpose is to create awareness and to educate the community about child abuse prevention strategies.
Commissioners Jerrell and Leake removed this item from Consent for more public awareness.

**MANAGER’S REPORT**

**19-5284 LAW ENFORCEMENT SERVICE DISTRICT UPDATES – CITY OF CHARLOTTE AND TOWN OF CORNELIUS**

County Manager Diorio gave the history of the law enforcement service district and now districts in Mecklenburg County.

Presentations were then received from the Police Chief of the City of Charlotte and Town of Cornelius as noted below.

**CITY OF CHARLOTTE**

The Board received as information an update regarding the Law Enforcement Service District Interlocal Agreement between Mecklenburg County and the City of Charlotte.

Chief Kerr Putney, Charlotte-Mecklenburg Chief of Police gave the report.

*Note: The Interlocal Agreement with the City of Charlotte requires the Charlotte-Mecklenburg Police Department (CMPD) to provide law enforcement services to the ETJ areas of the City, the Towns of Davidson, Mint Hill and Pineville, and the portion of the Town of Huntersville’s ETJ where the McGuire Nuclear Plant is located. The Interlocal Agreement stipulates that the CMPD provides quarterly written reports to the BOCC regarding the policing activities within the ETJ areas, and that the CMPD Chief of Police provide bi-annual in-person updates to the BOCC.*
Chief Putney said the next report would be more in line with the department’s mission of crime prevention.

Comments

Board members thanked Chief Putney for the work that’s being done by CMPD and for his leadership.

Commissioner Jerrell asked about the CMPD’s coverage of the portion of the Town of Huntersville’s ETJ where the McGuire Nuclear Plant was located, which was addressed.

Chair Dunlap asked Chief Putney to express to his officers, the Board’s appreciation for what they do every day to keep the residents of Charlotte/Mecklenburg County safe.

TOWN OF CORNELIUS

The Board received as information an update regarding the Law Enforcement Service District Interlocal Agreement between Mecklenburg County and the Town of Cornelius.

Chief Kevin Black, Town of Cornelius Chief of Police gave the report.

Note: The Interlocal Agreement with the Town of Cornelius requires the Cornelius Police Department (CPD) to provide law enforcement services to the ETJ areas of Cornelius and to Lake Norman. The Interlocal Agreement stipulates that the CPD provides quarterly written reports to the BOCC regarding the policing activities within the ETJ areas, and that the Cornelius Chief of Police provides an annual in-person update to the BOCC.

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

Comments

Board members thanked Chief Black for the work that’s being done by Cornelius Police Department and his leadership.

Commissioner Powell asked if the Department tracked response time for businesses and residential calls. The response was yes. Commissioner Powell said she’d like to receive that data.

Commissioner Cotham asked about the need for a magistrate in the northern part of the County. Chief Black confirmed that the need was real and elaborated on the benefits of having a magistrate.

Commissioner Leake expressed thanks for the protection of residents in the Town of Cornelius and patrol of Lake Norman.

Chair Dunlap thanked Chief Black for the report and for the Town of Cornelius Police Department’s work that’s being done to protect the residents of Cornelius, which included the ETJ area. Chair Dunlap complimented Chief Black on the department’s responsiveness.

He complimented the Chief as well for giving warnings when deemed appropriate versus always ticking.

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

APPOINTMENTS

CENTRALINA ECONOMIC DEVELOPMENT COMMISSION

Motion was made by Commissioner Fuller, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to appoint Commissioner Susan Harden to the Centralina Economic Development Commission as the Public Sector representative for a three-year term expiring March 31, 2022.

Chair Dunlap thanked Commissioner Fuller for having previously served.

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

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

Brooke Adams by Commissioner Harden
Daniel Estevez by Commissioner Powell
Marque Macon by Commissioners Fuller and Leake
Elyas Mohammed by Commissioner Fuller
Yvette Townsend-Ingram by Commissioner Rodriguez-McDowell

Note: An appointment will occur on April 2, 2019.

GROUNDWATER ADVISORY COMMITTEE

Motion was made by Commissioner Scarborough, seconded by Commissioner Powell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to reappoint Ralph Roberts to the Groundwater Advisory Committee to fill an unexpired term expiring July 31, 2019.

Note: Ralph Roberts was removed because of attendance, but asked to be considered for reappointment.

NURSING HOME COMMUNITY ADVISORY COMMITTEE

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate and appoint Kathy Dowd, Stephen Fogg,


REGION F AGING ADVISORY COMMITTEE
Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate and appoint Jeffrey Dean to the Region F Aging Advisory Committee as the Alternate representative for a one-year term expiring June 30, 2020.

*Note: He will replace Jeannie Fennell in the Alternate slot.*

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to reassign Jeannie Fennell to a Delegate slot on the Region F Aging Advisory Committee.

*Note: She replaced Natalie Tunney.*

**WASTE MANAGEMENT ADVISORY BOARD**

The following persons were nominated by Commissioner Powell for appointment consideration to the Waste Management Advisory Board: Catherine Carter, Lindsay Martell, and Elyas Mohammed.

*Note: An appointment will occur on April 2, 2019.*

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to reappoint Jason Thomas to the Waste Management Advisory Board for a two-year term expiring November 2, 2021 as recommended by Charlotte City Council.

*Note: The Waste Management Advisory Board has slots set aside for appointments by Charlotte City Council but require Board approval. The Waste Management Advisory Board is a County managed advisory board.*

**PUBLIC HEARINGS - NONE**

**ADVISORY COMMITTEE REPORTS**

**19-5291 PUBLIC ARTS COMMISSION ANNUAL REPORT**

The Board received as information the Public Arts Commission Annual Report.

Lisa Lewis Dubois, Chair of the Public Arts Commission and Carla Hanzal, Arts and Science Council Vice President of Public Art gave the report. The report included an overview of the Public Arts Commission and information regarding completed and in-progress projects during FY2019.

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

Comments

Commissioner Leake thanked the presenters for the report. She addressed the need for equity throughout the County when it came to the placement of artwork in the various districts.
Commissioner Powell asked if the 1% of the total eligible project costs allocated for artwork could be used for multiple pieces rather than all of it being used for one piece of artwork. Ms. Hanzal said multiple pieces could be selected; however, they've found that having one “impressive” piece had more impact.

Commissioner Powell asked Ms. Hanzal to comment on how the "Hive" artwork was decided upon for the Eastway Regional Recreation Center, which was addressed.

Commissioner Powell noted the importance of having citizen input on public artwork. She said shade was going to be needed around the planned artwork for Eastway Regional Recreation Center (the Hive) if there were going to be an outdoor classroom.

Chair Dunlap thanked the presenters for the report. He said he looked forward to going on the next annual arts tour and encouraged other commissioners to go on the tour. Chair Dunlap asked was there a map available showing where all of the art pieces were.

Ms. Hanzal said they were working on that. She said there was a virtual Charlotte that they’re trying to update. She said they were also investigating trying to create a public art App.

This concluded the discussion.

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

MANAGER'S REPORT

19-5286 BRINGING MECKLENBURG COUNTY TO YOU (BMC2U) AND BROOKLYN VILLAGE REDEVELOPMENT UPDATE

The Board received as information an update on Bringing Mecklenburg County To You (BMC2U) projects and on activities related to the Brooklyn Village Master Redevelopment Agreement.

Mark Hahn, Director of Asset and Facility Management and Jacqueline McNeil with Asset and Facility Management gave the report.

Note: The 2014 Government Facilities Master Plan outlined numerous relocation/consolidation projects and proposed a new concept to transform delivery of Health and Human Services at six new Community Resource Centers. A brief status of these projects will be provided in the presentation. At its July 10, 2018 meeting, the Board adopted the Brooklyn Village Master Redevelopment Agreement and authorized the County Manager to execute all documents necessary to implement the agreement between the County and the selected master developer, BK Partners, LLC. The agreement governs the phased disposition of County-owned assets in the Second Ward neighborhood of Uptown Charlotte to BK Partners. The project is planned in three phases to include the redevelopment of Walton Plaza (Brooklyn Village South) and the former Board of Education Center and Marshall Park (Brooklyn Village North) into a vibrant mixed-use location. The project includes market rate housing, affordable housing, office, park and open space among other uses. Since adoption of the master agreement, staff has been working on updating interlocal and MOU agreements among the County, City, and Charlotte Housing Authority. The agreements among the public agencies govern the implementation of affordable housing and dictate the terms by which the existing Marshall Park property is included in the redevelopment plans. This presentation will provide an overview of BK Partner’s redevelopment plans and information on the developer’s due diligence activities to date.

A copy of the report is on file with the Clerk to the Board.
Commissioner Leake addressed the history of Brooklyn Village.

Commissioner Fuller addressed the history of Brooklyn Village also. He asked had a design been approved. The response was no.

Commissioner Fuller asked about the following: the size of the park planned for, affordable housing, MWSBE participation, which was addressed. It was noted that the park planned for the Brooklyn Village project would be 2.5 acres of open space with the actual size of the park being 1.6 acres.

County Manager Diorio noted that the Board approved the Master Development Agreement in July of 2018.

Commissioner Powell asked why it was taking so long for the Brooklyn Village project to start, which was addressed.

Commissioner Powell commented on the importance of the park space.

Commissioner Scarborough addressed the history of Brooklyn Village.

Commissioner Rodriguez-McDowell asked about the affordable housing units planned, which was addressed.

Commissioner Jerrell said he was not “warm and fuzzy” about the Brooklyn Village project as presented. He said it was a project that was taking a site that had historical and cultural significance to many in the community and replacing that culture and history by bringing in people that would not look like those that originally resided in this area.

Commissioner Jerrell asked anything going to be done to honor that history and cultural.

Ms. McNeil said the concern and sentiments expressed by Commissioner Jerrell were relayed to the developer by the County early on in the process. She said the developer was asked to bring remembrances of the original Brooklyn Village neighborhood and that it be integrated in the design.

Ms. McNeil said when the plans for some of the phases were received, the County should see evidence of that request, not only in the buildings planned for the area, but also the park and open space.

Commissioner Jerrell said he hoped it would be commensurate with the “respect and honor” that people were due, especially when they were removed from “their land.”

Commissioner Cotham noted her opposition of the project from the beginning. Commissioner Cotham said she opposed the project for several reasons, 1) she would have preferred using a local developer, 2) the loss of Marshall Park, 3) the elimination of a 5 acres park, and 4) She was not pleased with the amount of housing for seniors and those with disabilities.

Commissioner Cotham said she wanted to know more about the Capital Improvement Program for 2014-2019, how much had been spent and how much remained. She said often constituents asked her about it.

Chair Dunlap addressed the history of the Brooklyn Village Project and noted that he was on the Board when discussion of the project began. He noted the following:

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Comments
There were a number of developers interested in developing the property that the County owns.

Each development proposal offered something different.

The Board at that time chose the developer that offered more of the things the Board wanted to see.

The vote was 8-1.

The person who won the bid is an African-American developer, who lives in New York City.

His proposal presented more of what the Board thought was important.

The developer made public commitments about how he would respect and honor the legacy of those who lived in Brooklyn Village; even to the point that they were willing to rename the streets and roads within the development the names of the roads that were in the development at the time Brooklyn Village was torn down.

The 35% minority participation was an offer the developer made. No one else came close to that amount.

At some of the community forums when discussion came up regarding the size of the park, persons that lived in Brooklyn Village and relatives of those that lived there questioned the concern about a five-acre park; because they said there was never a park in Brooklyn.

The only park African-Americans had to go to was Pearl Street Park.

Chair Dunlap said as evident from the report that was given, the County was making progress on both projects, Bringing Mecklenburg To You and the Brooklyn Village Project.

This concluded the discussion.

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

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

19-5287 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information monthly department management reports for March 2019.

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.

19-5288 FEATURE DEPARTMENT/AGENCY PRESENTATION: INFORMATION TECHNOLOGY SERVICES

The Board received a presentation from the Information Technology Services (ITS) Department, given by ITS Director, Keith Gregg.

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

Comments

Commissioner Powell asked about IT services provided to human service agencies housed at the Valerie Woodard Center and was there a back-up system if their computers went down. The response was yes, and Director Gregg elaborated.
Commissioner Powell thanked Director Gregg for the work that they do.

Chair Dunlap thanked the ITS Department for all of their work during the cyber-attack.

Chair Dunlap said he understood the need for security and protection but said there needed to be a good balance. He said sometimes it was difficult for Commissioners to do their job because they can’t access certain external information and/or the amount of time it took to gain access was problematic.

Director Gregg said thought had been given to the issue raised by Chair Dunlap. He said it came down to Enterprise Risk Tolerance and elaborated.

Chair Dunlap noted concerns expressed to him regarding the Information Technology Services Advisory Committee’s role and work with the department.

Director Gregg said positive changes were forthcoming as a result of his staff member Erica Ellerby’s now involvement with the Committee.

Chair Dunlap thanked Director Gregg for the report.

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to move Item 19-5295 Update from the Small Business Consortium, up on the agenda, since there were citizens waiting for this matter to be addressed.

19-5295 UPDATE FROM THE SMALL BUSINESS CONSORTIUM (COMMISSIONER LEAKE)

The Board received an update from the Small Business Consortium.

LaPronda Spann, Moderator of the Consortium, gave the report. She was joined at the podium by some of the members of the Consortium. Mr. Kevin Douglas gave a business testimonial as a result of his affiliation with the Consortium.

Note: The Small Business Consortium is a civic group that began in 2010 as an initiative of Commissioner Vilma D. Leake, County Commission District 2. The purpose was to provide a forum to strengthen relationships among small business owners, the city, county, and state as it related to business opportunities for small businesses. The goal was to implement a program that would educate, equip, empower, and provide solutions for small business owners in the City of Charlotte and Mecklenburg County by:

- Educating small businesses on the certifications and contractual opportunities with city, county, and state governments.
- Equipping small businesses with business and leadership development opportunities.
- Empowering small businesses to develop collaborations and partnerships.

Since its inception, the consortium has grown from 4 participants to 100+ participants at its bi-monthly meetings and has more than 1,000 people in its database.

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

Comments
Commissioner Leake thanked those from the Consortium for sharing with the community the work that they've been doing. She said through their work, they were contributing to economic growth in the community and not poverty.

Commissioner Scarborough thanked Commissioner Leake for her vision to create the Consortium years ago.

Chair Dunlap thanked the Consortium for its report.

**STAFF REPORTS & REQUESTS**

**19-5252 BAIL POLICY FOR THE 26TH JUDICIAL DISTRICT**

The Board received as information the Bail Policy for the 26th Judicial District, given by Criminal Justice Services Director, Sonya L. Harper.

*Note: In 2018, Criminal Justice Services began convening local justice system partners to begin collaborative work to update the 26th Judicial District’s bail policy to better align it with national legal and evidence-based processes. The presentation provided an overview of the newly revised local bail policy.*

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

**Comments**

Commissioner Harden thanked Director Harper for the report and noted how she could see that this work, as well as, other work being done by Criminal Justice Services was making systematic change.

Commissioner Harden asked if there would be a cost associated with referring more people to Pretrial Release. **Director Harper said there would not be any significant cost to the County.**

Commissioner Leake thanked Director Harper for the report. She asked about the ability of persons to get bail and what charges qualified for bail. **Director Harper addressed how the bail system worked. She noted, however, that they were trying to make a systemic change of trying to move away from looking just specifically at one’s charge and look at the person’s actual risk to public safety.**

Commissioner Leake asked were Bondsmen being put of business as a result the changes. **The response was no.**

Commissioner Leake raised awareness regarding persons incarcerated years ago and given in some instances life sentences, 50-year sentences, other extremely long sentences for having been in the company of someone that was involved in drugs but not themselves. She asked was there anyway to eradicate that.

**Director Harper** said the concern raised by Commissioner Leake had more to do with sentencing guidelines, which were statutory.

Commissioner Fuller thanked the judges and district attorney for participating in the process of reviewing the bail policy. He noted a recent court order regarding pretrial release decisions.

Commissioner Fuller asked for clarity on who the new bail policy would be applicable to. **Director Harper said anyone who comes through and has a public safety assessment and meets**
Chair Dunlap thanked Director Harper for the report.

This concluded the discussion.

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

COUNTY COMMISSIONERS REPORTS & REQUESTS

19-5257 METROPOLITAN TRANSIT COMMISSION (MTC) UPDATE (COMMISSIONER HARDEN)

The Board received as information an update from Commissioner Harden regarding the Metropolitan Transit Commission (MTC). Commissioner Harden serves as the Board’s representative on the MTC.

The following was noted:

- The MTC adopted a new light rail system plan, the Lynx Plan and the major development is a Silver Line.
- It’s a regional Plan.
- The Silver Line would extend west to Belmont and south to Stallings.
- The areas of Gastonia, Ballantyne and Pineville were being studied for inclusion.
- CATS estimates the back of the envelope cost to be about $8 billion.
- CATS expects to look for a significant amount of the financing locally.

Commissioner Harden said she could imagine over the next couple of years that the MTC would be faced with some funding options for how to pay for the Silver Line.

Comments

Commissioner Leake asked about the status of traffic relief for the Steele Creek area, which she said had been struggling for ten years. She said the area continued to grow.

Commissioner Harden said she would raise that question to the MTC at their next meeting.

Commissioner Fuller asked would the Silver Line run from downtown Charlotte directly to the Airport. Commissioner Harden said it wouldn’t be from downtown specifically but more from 12th Street over to Wilkinson Boulevard. She said it would be too expensive to tunnel it from downtown.

Commissioner Fuller asked would it be like the Metro in D.C. that takes you directly from downtown to the airport terminal. The response was no.

Chair Dunlap thanked Commissioner Harden for serving as the Board’s representative.

19-5269 CLOSED SESSION - LAND ACQUISITION STEPHEN’S ROAD NATURE PRESERVE

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 013-042-11.
MARCH 19, 2019

(+/- 0.499 acres) in the extra-territorial jurisdiction of the Town of Huntersville from David E. Labounty and Mary McDaniel for expansion of Stephen’s Road Nature Preserve for a purchase price of $33,500.

CONSENT ITEMS

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the following item(s):

19-5235 BUDGET AMENDMENT-LUESA AUCTION REVENUE

Recognize, receive and appropriate revenue of $36,963.55 from the vehicle auction on January 12, 2019.

Note: County obsolete equipment and rolling stock is periodically sold and the proceeds are distributed to the original sources for additional purchases. Net proceeds of $36,963.55 were realized from the January 12, 2019 County vehicle auction as belonging to LUESA. The rolling stock for LUESA is funded by fees and regulations require the sales proceeds be used by the department where the fees are generated. This amendment requests funds from the latest auction be returned to LUESA’s Code Enforcement division.

19-5258 SCHEDULE PUBLIC HEARING - ZONING PETITION 2019-001C

Adopt resolution setting a public hearing on petition for zoning changes, Petition 2019-001C, to be held on Tuesday, April 16, 2019, at 6:30 p.m. in the Meeting Chamber of the Charlotte-Mecklenburg Government Center.

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 2019-001C is on record in the Office of the Board Clerk; and

WHEREAS, Petition No. 2019-001C is by Ascent Real Estate Capital, LLC for a change in zoning for approximately 3.42 acres located on the west side of Lancaster Hwy., north Providence Road West from NS (Neighborhood Services) to NS SPA Neighborhood Services, Site Plan Amendment; 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, April 16, 2019 on petition number 2019-001C.

BE IT FURTHER RESOLVED that notice of said hearing be published as required by law.

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #13.

19-5261 SOLE SOURCE PURCHASE -- SHERIFF’S OFFICE BODY SCANNER
MARCH 19, 2019

1) Approve the purchase of a Body Scanner without competitive bidding, as authorized by the sole source exemption of G.S. 143-129(e)(6); and

2) Approve a contract with Point Security for the purchase of a Body Scanner in the amount of $129,069 from approved carryforward funds (RFBA 18-4718).

19-5266 MINUTES

Approve minutes of Regular meeting held March 6, 2019.

19-5268 PROPERTY INTEREST EXCHANGE - RURAL HILL NATURE PRESERVE

Adopt a resolution authorizing exchange of a lease on a portion of County owned Tax Parcel 013-041-01 (+/- 2.25 acres) for a 20’ wide access easement across Tax Parcel 013-181-04 owned by Lewis Atkins Parks Heirs.

Note: The purpose of the exchange is to allow the County access to a portion of the County’s property which is located south of the Lewis Atkins Parks Heirs property. This will allow the County access to implement restoration activities at Rural Hill Nature Preserve. In addition, the Lewis Atkins Parks Heirs are interested in leasing a portion of the County’s property across Neck Road from their home to allow for the grazing of farm animals and occasional mowing. To approve the exchange, the Board must approve a resolution authorizing the exchange.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION AUTHORIZING EXCHANGE OF A LEASE ON A PORTION OF Tax Parcel 013-041-01 ALONG NECK ROAD IN THE EXTRA-TERRITORIAL JURISDICTION OF HUNTERSVILLE FOR AN ACCESS EASEMENT ON Tax Parcel 013-181-04 ALSO ALONG NECK ROAD IN THE EXTRA-TERRITORIAL JURISDICTION OF HUNTERSVILLE

WHEREAS, the County owns Tax Parcel 013-041-01 along Neck Road in the Extraterritorial jurisdiction of Huntersville (hereinafter referred to as the “County Parcel”) which is a portion of the County’s Cowan’s Ford Wildlife Refuge; and

WHEREAS, the County is also owner of the Rural Hill Nature Preserve located along either side of Neck Road in the ETJ of Huntersville; and

WHEREAS, the County is in the process of developing a strategy to remove loblolly pine trees, which are an invasive species to the Rural Hill Nature Preserve, and to restore the property with trees native to this area of North Carolina; and

WHEREAS, the portion of Rural Hill Nature Preserve to be restored is separated from the bulk of the nature preserve by a tributary of McDowell Creek and is bordered by Mountain Island Lake on three sides; and

WHEREAS, the County needs to secure a long-term accessible route to and from this portion of the nature preserve to implement activities associated with restoring and maintaining the nature preserve and has determined that the most feasible and desirable route to and from the property is across Tax Parcel 013-181-04 which is owned by the Lewis Atkins Parks Heirs (“Parks Heirs’); and

WHEREAS, the Parks Heirs desire to lease +/- 2.25 acres of the County Parcel to graze farm animals and mow from time to time; and

WHEREAS, the County and the Parks Heirs have agreed to exchange a two (2) year access easement across the Parks Heirs property in favor of the County for a five (5) year lease of
WHEREAS, the Mecklenburg County Park and Recreation and Asset and Facility Management Departments have determined that in its opinions the County will receive full and fair consideration for the property interests to be exchanged; 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, on March 6, 2019 the Board approved a resolution stating its intent to authorize the exchange of a lease on the County Parcel for an access easement on the Parks Heirs property and authorized publication of a notice of such intent, which notice was published in The Charlotte Observer as required by law; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners hereby authorizes the exchange of a lease on the County Parcel for an access easement on the Parks Heirs property, authorizes the County Manager to negotiate and execute a contract for the exchange, and authorizes and directs the County Manager to execute the deed and any other documents necessary to effectuate the exchange.

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #14.

19-5274 TAX REFUNDS

1. Approve refunds in the amount of $15,073.03 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 statewide vehicle tax system.

2. Approve refunds in the amount of $350,268.88 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 an estimated accrued interest of $15.14 included in the $350,268.88 refunds.

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

19-5279 CAPITAL PROJECT ORDINANCE SCALEYBARK BRANCH & ORDINANCE AMENDMENT- FY 2017 LIBRARY FACILITIES CAPITAL PROJECT ORDINANCE- NORTH COUNTY LIBRARY RENOVATION (SECOND READING)

1) Approve the FY19 Authorization Library Facilities Capital Project Ordinance (Scaleybark Branch); and

Note: This action funds the outfitting for a replacement for the Scaleybark Branch. The Charlotte-Mecklenburg Library currently leases 5,500 Square Feet at 101 Scaleybark Road. The current lease has a 6-month advance notice termination clause for either party. The Library has pursued a new lease location out of a concern that development pressure on the current lease site could result in a termination without time to relocate. A new lease was negotiated for the 18,850 SF building located at 4429 South Blvd. The lease covers costs for a typical office upfit but does not include capital costs for all of the critical needs of a library, including
technology. Additional funding of $1,707,000 is needed for additional electrical, telecommunications, A/V equipment, furniture and fixtures.

MECKLENBURG COUNTY, NORTH CAROLINA
FY 2019 AUTHORIZATION LIBRARY FACILITIES
CAPITAL PROJECT ORDINANCE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 19th DAY OF MARCH 2019.

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

Scaleybark Library ($1,707,000)

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, $1,707,000 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>2018-2019</td>
<td>$1,707,000</td>
</tr>
</tbody>
</table>

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

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

Ordinance recorded in full in Minute/Ordinance Book 48-A, Document #15.

2) Approve amendment to the FY2017 Library Facilities Capital Project Ordinance.

Note: This action provides additional funding of $185,000 for the North County Library Renovation and will bridge a funding gap caused by unforeseen conditions, allowing the current construction project to continue as designed.

MECKLENBURG COUNTY, NORTH CAROLINA
LIBRARY FACILITIES - 2017
CAPITAL PROJECT ORDINANCE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 19th DAY OF MARCH 2019.

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

North County Library Renovation ($6,885,000)

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 therefor, $6,885,000 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>2016-2017</td>
<td>$1,381,400</td>
</tr>
</tbody>
</table>
These will be the maximum amounts of cash available to pay project expenses per fiscal year unless the Director of Finance determines that an additional amount of cash can be made available during a fiscal year or years.

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

Ordinance recorded in full in Minute/Ordinance Book 48-A, Document #16.

19-5280
ORDINANCE AMENDMENT FY 2018 AUTHORIZATION GOVERNMENT FACILITIES CAPITAL PROJECT ORDINANCE (NORTHPARK MALL DEMOLITION) (SECOND READING)

Approve the amendment of the FY 2018 Authorization Government Facilities Capital Project Ordinance.

Note: The County purchased the former Northpark Mall property at the intersection of Eastway and North Tryon Streets for the future Northeast Community Resource Center and a Library Support Services Center. A section of the vacated strip mall has become a target for break-ins and other unsafe conditions. This funding allows demolition of those portions of the Northpark Mall facilities.

MECKLENBURG COUNTY, NORTH CAROLINA
FY 2018 AUTHORIZATION
GOVERNMENT FACILITIES
CAPITAL PROJECT ORDINANCE

The following ordinance was offered as an amendment to and restatement of FY2018 Authorization Government Facilities Capital Project Ordinance as originally adopted June 20, 2017 and amended June 19, 2018:

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 19th DAY OF MARCH 2019.

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
- BMC2U Government District Phase II
- Medical Examiner’s Office Clinical Expansion
- Motorola Radios and Repeaters
- County Share of Library Support Services Center

Including the acquisition and construction of new facilities, the improvement and expansion of existing facilities, project management, the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefore, $116,927,008 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>Proceeds from Pay-As-You-Go/Other County Funds:</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017-2018 fiscal year</td>
</tr>
</tbody>
</table>

155
Ordinance recorded in full in Minute/Ordinance Book 48-A, Document #17.

19-5281 FY 2019 AUTHORIZATION GOVERNMENT FACILITIES CAPITAL PROJECT ORDINANCE (COURTHOUSE COURTROOM UPFIT) (SECOND READING)

Approve FY2019 Authorization Government Facilities Capital Project Ordinance in the amount of $1,100,000.

Note: The NC Legislature approved a position for a new Superior Court Judge in 2021. Because all existing courtrooms in the Mecklenburg County courthouse are assigned, this action will require the upfit of an additional courtroom. The County is obligated by State statute to provide facilities and furniture for the court system. The cost for this will be approximately $1 million.

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 MARCH 2019.

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

Courthouse Courtroom Upfit ($1,100,000)

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, $1,100,000 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>2018-2019</td>
<td>$1,100,000</td>
</tr>
</tbody>
</table>

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

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

Ordinance recorded in full in Minute/Ordinance Book 48-A, Document #18.
MARCH 19, 2019
THIS CONCLUDED ITEMS APPROVED BY CONSENT

19-5239  AMENDED AND RESTATED LEASE - MEDIC HEADQUARTERS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and
unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake,
Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Authorize the County Manager to negotiate and execute all documents necessary for an
amended and restated lease agreement between Mecklenburg County and the Mecklenburg
Emergency Medical Services Agency ("MEDIC"); and

2. Recognize, receive and appropriate $595,000 from MEDIC for routine/preventive
maintenance, repair costs, utilities for partial year, and connectivity costs incurred by
Mecklenburg County in Fiscal Year 2019.

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

19-5251  BUDGET AMENDMENT (REVENUE INCREASE) - CRIMINAL JUSTICE SERVICES
(CJS)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and
unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake,
Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize, receive and
appropriate for FY2019, $37,048.00 in funding from Cardinal Innovations Healthcare to support
local jail diversion efforts related to the Stepping Up Initiative.

Note: The North Carolina Department of Health and Human Services has provided Managed
Care Organization (MCOs) funding to apply towards jail diversion strategies in their catchment
areas that are tied to the Stepping Up initiative. Stepping Up is a national NACo initiative geared
towards addressing behavioral health in jail populations across the country. CJS currently chairs
the Mecklenburg County Stepping Up efforts and conducts a significant amount of jail diversion
work. As such, CJS plans to partner with CMPD and utilize funds to develop a technology
platform that would serve as a behavioral health repository for Crisis Intervention Team (CIT)
officers. Having such a platform would provide CIT officers the capacity to record and share
information with other CIT officers on behavioral health encounters in the field. Cardinal is
Mecklenburg County’s MCO.

Commissioners Jerrell and Leake removed this item from Consent for more public awareness
and clarity. County Manager Diorio addressed this item.

19-5259  BUDGET AMENDMENT - PARK AND RECREATION SUMMER CAMPS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and
unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake,
Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize, receive, and
appropriate $79,600 in revenue and associated expenses for additional summer camp
opportunities at Elon Recreation Center, Tom Sykes Recreation Center, Ray's Splash Planet and
the Mecklenburg County Aquatic Center.

Note: Due to an increased demand for Mecklenburg County Summer Camps, we are asking to
increase the participation at the aquatic camps from 28 to 48 campers per week for 4 weeks.
We would also like to add 8 weeks of traditional camp for 40 participants at Tom Sykes and
Elon Recreation Centers. The $79,600 in revenue will be used to fund 12 temporary Recreation Assistants and other costs associated with the camps.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

19-5270   GRANT APPLICATION - SMART START OF MECKLENBURG COUNTY

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve submitting two grant applications totaling $932,998 for a one-year period (July 1, 2019 - June 30, 2020) to Mecklenburg Partnership for Children of Mecklenburg County (Smart Start) to support programs promoting child health and safety.

Commissioners Jerrell and Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

19-5271   GRANT APPLICATION - SUSAN G. KOMEN CHARLOTTE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Affirm submission of a grant application in the amount of $150,000 for a one-year period (April 1, 2019 - March 31, 2020) to Susan G. Komen Charlotte to support early detection of breast cancer; and

2. If awarded, recognize, receive and appropriate awarded funds.

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

19-5272   DONATION OF IMPROVEMENTS TO THE GRAYSON PARK BASEBALL/SOFTBALL FIELD

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize and receive the donation and installation of new outfield fencing and new dugouts for the baseball/softball field at Grayson Park from Myers Park Trinity Little League, valued at $50,000.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

19-5276   AQUARIUM CONTRACT - STEVENS CREEK NATURE CENTER

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to award a contract for the purchase of an Aquarium to Innovative Acrylics, LLC in the amount of $197,682.68.
MARCH 19, 2019

Note: This contract is for fabrication and installation of an aquarium, which will be an interactive living stream in the new Nature Center. The project is under construction and located in the Stevens Creek Nature Preserve (15700 Thompson Road, Mint Hill).

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

19-5293 BUDGET AMENDMENT - APPROPRIATION OF GENERAL FUND BALANCE FOR MECKLENBURG COUNTY CLERK OF SUPERIOR COURT OVERPAYMENT

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Gotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to appropriate $170,303 from General Fund Balance for reimbursement to Mecklenburg County Clerk of Superior Court for county jail fees overpayment to Sheriff’s Office.

Note: In December 2016, the Clerk of Superior Court sent a check for $468,499 to Mecklenburg County, which included $171,160 paid to the County for county jail fees. The amount for jail fees was inconsistent with prior payments for this account to the County. The correct amount for jail fees should have been $857, resulting in an overpayment of $170,303. The overpayment was due to a coding error by the Clerk of Superior Courts’ office. To date, no attempt had been made to recover the overpayment. The Clerk of Superior Courts was recently audited, and this error was revealed at that time. The Clerk of Superior Courts requested a reimbursement refund of the overpayment of $170,303.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Gotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:40 p.m.

Janice S. Paige, Clerk

George Dunlap, Chair
The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, April 2, 2019.

ATTENDANCE

Present: Chair George Dunlap and Commissioners Patricia "Pat" Cotham, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, 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: 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: 19-5237, 19-5301, 19-5306, 19-5316, 19-5323, 19-5324, and 19-5327.

STAFF BRIEFING

19-5314 REQUEST FOR REFUND OF INTEREST PAID ON PROPERTY TAXES

The Board considered a request from Neill J. Pollock for refund of taxes (interest).

Note: NCGS 105-381 provides that a taxpayer may request a release or refund of taxes imposed through a clerical error, or if the tax is an illegal tax, or was levied for an illegal purpose.

Note: Requests for refunds of less than $100 may be delegated by the Board to the County Finance Officer, Manager, or Attorney. This request for refund exceeds $100.

County Attorney Wade presented the matter to the Board. The following was noted:

- By letter dated January 30, 2019, attorney Peter N. Carlino, on behalf of his client, Neill J. Pollock, requested a refund of interest paid related to tax bills for his property located at 11711 Coddington Ridge Drive, Charlotte, NC 28214 (tax parcel 031-223-61).
- Mr. Pollock contends that interest charged to his account was due to a clerical error in the billing process.
The clerical error that Mr. Pollock refers to in his request was an error made by a closing attorney related to tax parcel 031-223-58, located at 11677 Coddington Ridge Drive owned by Ms. Victoria Koester.

The error was not on the part of the Tax Office.

When Ms. Koester purchased her house in 2005, the closing attorney used the wrong parcel number on the Deed of Trust.

Ms. Koester’s property was not updated by Land Records to indicate that she was the new owner, thus it remained in the previous owner’s name (Portrait Homes).

As a result, from 2007 through 2017, Ms. Koester’s mortgage company collected escrow payments from Ms. Koester and submitted those payments to the Office of the Tax Collector referencing the tax bills for Mr. Pollock’s property, and in turn, her tax bills went to Portrait Homes. However, since Portrait Homes was in bankruptcy, the tax payments for Ms. Koester’s property were not collected.

In September 2018, Ms. Koester discovered that there was a property tax lien on her property at 11677 Coddington Ridge Drive for more than $24,000.

She contacted the Office of the Tax Collector with proof that her mortgage company had been making the tax payments.

The Office of the Tax Collector confirmed that her escrow payments had been submitted and applied to Mr. Pollock’s tax bills.

Mr. Pollock was contacted by the Office of the Tax Collector about the issue and notified that the payments were going to be correctly applied to Ms. Koester’s property (the correct parcel).

Pursuant to NCGS 105-394, the Office of the Tax Collector corrected the tax payment issue and applied the payments to Ms. Koester’s tax bills.

This action resulted in taxes being owed on Mr. Pollock’s property dating back to 2007.

The tax bills on Mr. Pollock’s property for years 2007-2017 totaled $24,844.09.

Mr. Pollock paid that sum on January 31, 2019 and requested that the interest totaling $9,326.01 be refunded to him on the basis that if there had not been an error in the tax billing process, he would have paid his taxes each year without incurring the interest.

The Office of the Tax Collector recommended the Board deny Mr. Pollock’s refund request for the following reasons:

- The “clerical error” in the billing process was due to errors made by Ms. Koester’s closing attorney when the wrong tax parcel was included in the closing documents.
- Mr. Pollock did not have a mortgage on his property, yet his tax bills were being paid each year by a mortgage escrow account.
- Mr. Pollock did not investigate why someone else was paying his tax bills.
- Pursuant to NCGS 105-348, an owner of real property is charged with notice of taxes due on the property, even if the owner does not have actual notice.
- This unusual circumstance where a mortgage company paid taxes on the wrong parcel went on for 10 years.
- The Office of the Tax Collector believes that the request does not meet the clerical error definition in the NCGS 105-381.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to deny the request of Neill J. Pollock for refund of taxes (interest) as recommended by staff and instruct the County Attorney to inform Mr. Pollock of the denial.

CLOSED SESSION

19-5304 CONSULT WITH ATTORNEY
19-5313 LAND ACQUISITION
Prior to going into Closed Session County Attorney Wade announced the following Land Acquisition matter to be discussed in Closed Session: Tax Parcel(s): 017-051-09.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, 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 5:24 p.m. and came back into Open Session at 5:45 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 Commissioner Jerrell 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

19-5319 ORDER OF THE HORNET INDUCTION OF ANTHONY HAMILTON (SPONSOR: COMMISSIONER FULLER)

Chair Dunlap acknowledged the presence of Grammy Award-winning R&B artist, songwriter, and record producer, Anthony Hamilton. It was noted that Mr. Hamilton would be inducted into the Order of the Hornet at tonight’s meeting.

Chair Dunlap called on Commissioner Fuller to introduce Mr. Hamilton.

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 Anthony Hamilton reflects the honor, strength, and fierce American patriotism that so stung Lord Cornwallis, he is being recommended for membership in the Order of the Hornet.

Anthony Hamilton is a Grammy Award-winning R&B artist, songwriter, and record producer, and a native Charlottean. Not only has he made a name for himself in the entertainment industry, he’s also been a great humanitarian. He’s been determined to alleviate that which causes others to struggle by giving back. According to Mr. Hamilton, giving back makes his day, and it makes his day even better, when he gives back in the city/county he loves, Charlotte/Mecklenburg, NC.

Mr. Hamilton has visited and given financial support to the Men’s Shelter of Charlotte, the Salvation Army Center of Hope and A Child’s Place. He has given efforts to food drives with the Second Harvest Food Bank; supported the Gift of Adoption Fund; mentored youth to teach them real-life lessons; recently paid for groceries for customers at a local Wal-Mart; gave away free tickets for Aretha Franklin’s "Amazing Grace" Documentary and hosted the movie screening at Northlake AMC Theatres. He also gave away free tickets to the public and
hosted a private screening for the Oscar winning film "Green Book" at the Epicentre. Mr. Hamilton served as the Ambassador of Charlotte during the 2019 NBA All-Star Weekend; where he sang the National Anthem. In May, he will be the headline act for the Charlotte Shout Festival on Thursday, May 9, 2019.

For these and other acts of kindness and generosity, too numerous to list, Anthony Hamilton is more than deserving to be inducted for membership into the Mecklenburg County Order of the Hornet.

Mr. Hamilton is the first person in the entertainment industry to receive the Order of the Hornet.

All Commissioners, including Chair Dunlap, expressed thanks to Mr. Hamilton for all that he had done and continued to do for the community.

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes to induct Anthony Hamilton into the Mecklenburg County Order of the Hornet, the highest honor bestowed by the Mecklenburg Board of County Commissioners.

Mr. Hamilton thanked the Board for recognizing him in this manner.

19-5302 PUBLIC APPEARANCE

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

Tera Long addressed the need for a mental health facility. She asked the Board to support an idea that had been mentioned by Sheriff McFadden regarding a vacant building he had that could be converted into a mental health facility; but would need funding for staffing and other resources. She addressed the need for mental health services by many who were incarcerated.

Ms. Long also spoke on behalf of Health Care Justice NC. She said Wendell Potter was coming to speak on April 12 at Queens University. She said the event was free and open to the public. She invited Commissioners to attend.

Note: Mr. Potter is a nationally known author of “Deadly Spin: An insurance Company Insider Speaks Out On How Corporate PR is Killing Health Care and Deceiving Americans.” Mr. Potter will speak at Queens University at Noon; UNC-Charlotte at 3:30 p.m.; and Trinity Presbyterian Church at 6:30 pm.

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

Sam Spencer addressed the need for affordable housing. He asked the Board to review the affordable housing framework and policy recommendations adopted by the Planning Commission, as well as, recommendations from other groups, when determining what role, the County can play in this process. He also asked the Board to consider using a portion of the extra quarter cent sales tax that the Board has authority to pass for affordable housing.

James B. Lee III registered to speak but was not present.

APPOINTMENTS

19-5299 APPOINTMENTS
Commissioner Jerrell, chair of the Board’s Ad Hoc Interview Appointment Committee for the Board of Equalization and Review, presented the Committee’s recommendation for appointment. The other Committee members were Commissioners Leake, Cotham, and Harden. The Committee recommended the appointment of Zanthia Hastings.

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

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

- Eric Anderson: None
- Emmitt Butts: None
- Zanthia Hastings: Commissioner(s) Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough.

Chair Dunlap announced the appointment of Zanthia Hastings to the Board of Equalization and Review to fill an unexpired term expiring March 31, 2022.

Note: She will replace Gregory Roberts.

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

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

- Brooke Adams: None
- Daniel Estevez: None
- Marque Macon: None
- Elyas Mohammed: None
- Yvette Townsend-Ingram: Commissioner(s) Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough.

Chair Dunlap announced the appointment of Yvette Townsend-Ingram to the Charlotte-Mecklenburg Community Relations Committee to fill an unexpired term expiring September 30, 2019.

Note: She will replace Kwesi Nichols.

WASTE MANAGEMENT ADVISORY BOARD

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

- Catherine Carter: Commissioner(s) Cotham, Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell and Scarborough
- Lindsay Martell: Commissioner(s) Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough.

Voting Ceased

Elyas Mohammed: None
Chair Dunlap announced the appointments of Catherine Carter and Lindsay Martell to the Waste Management Advisory Board for three-year terms expiring March 31, 2022.

Note: They will replace Rita Plyler and Louis Watts.

**19-5325 NOMINATIONS/APPOINTMENTS**

**DOMESTIC VIOLENCE ADVISORY BOARD**

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

Brittany Hammonds by Commissioner Rodriguez-McDowell
Ashley Owen by Commissioner Powell

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate and appoint Brittany Hammonds and Ashley Owen to the Domestic Violence Advisory Board to fill unexpired terms expiring April 30, 2021.

Note: They will replace Ryan Lougheed and Wanda McWilliams.

**HUMAN RESOURCES ADVISORY COMMITTEE**

Motion was made by Commissioner Scarborough, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to reappoint Magaliz Giraud to the Human Resources Advisory Committee to fill her unexpired term expiring June 30, 2021.

Note: Magaliz Giraud was removed because of attendance but asked to be considered for reappointment.

**INFORMATION SERVICES AND TECHNOLOGY COMMITTEE**

The following persons were nominated for appointment consideration to the Information Services and Technology Committee by Commissioner Fuller: Chemere Davis, Elyas Mohammed, and Jesse Newsom.

Motion was made by Commissioner Fuller, seconded by Commissioner Jerrell and failed 8-1 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, and Commissioner Cotham voting no, to nominate and appoint Chemere Davis, Elyas Mohammed, and Jesse Newsom to the Information Services and Technology Committee for unexpired terms, expiring February 28, 2021.

Note: Board Policy requires a unanimous vote in order for persons to be nominated and appointed at the same meeting. The matter will be placed on the April 16, 2019 agenda for reconsideration. A unanimous vote will not be required at that time, only a majority vote.

**PARK AND RECREATION COMMISSION**
The following person was nominated for appointment consideration to the Park and Recreation Commission by Commissioners Fuller and Jerrell: Alesha Brown.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to close nominations.

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate and appoint Alesha Brown to the Park and Recreation Commission as the Central Region 1 representative to fill an unexpired term expiring June 30, 2019.

Note: She will replace Mary Foxx Johnson.

19-5306 PROCLAMATION: PARTNERSHIPS: IMPROVING OUR COMMUNITIES MONTH (CHAIR DUNLAP)

Chair Dunlap read a joint proclamation recognizing April as "Partnerships: Improving Our Communities Month" in Charlotte and Mecklenburg County.

Note: Mecklenburg County and the City of Charlotte are demonstrating the importance that partnerships have to the quality of life of our community. The two organizations are working with the Housing Opportunity Foundation and its Realtor® members on several significant community projects in recognition of the annual, nationally-recognized Realtors® Care on April 5, 2019. The Realtors® Care Day project will be conducted on 14 properties and is conducted in partnership with the City of Charlotte Neighborhood & Business Services Department, the City of Charlotte Code Enforcement, Mecklenburg County Code Enforcement, the Mecklenburg County Park and Recreation Department, and the regional Habitat for Humanity organizations.

It was the consensus of the Board to adopt the proclamation recognizing April as "Partnerships: Improving Our Communities Month" in Charlotte and Mecklenburg County.

The proclamation was received Ed Baesel, who is the Realtors® Care Day Chair and Thomas Shoupe, the Housing Opportunity Foundation Committee Chair.

Commissioner Leake removed this item from Consent for more public awareness.
Motion was made by Commissioner Scarborough, seconded by Commissioner Cotham and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a proclamation declaring April 2019 as Alcohol Awareness Month in Mecklenburg County.

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

The resolution was read by Commissioner Powell and received by Michael Pella with Anuvia Prevention & Recovery Center.
A regular meeting of the Board of Commissioners of the County of Mecklenburg, North Carolina (the “Board”) was held in the Charlotte-Mecklenburg Government Center, Meeting Chamber, Lobby Level, 600 East Fourth Street, Charlotte, North Carolina, at 6:00 p.m. on April 2, 2019, after proper notice, and was called to order by the Chairman.

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 (Mallard Creek STEM Academy) Series 2019 (the “Bonds”), in an aggregate principal amount not to exceed $28,000,000, the proceeds of which will be loaned to Mallard Creek STEM Academy, LLC (the “Borrower”), a North Carolina limited liability company, of which Alliance Preparatory Schools, Inc. dba Mallard Creek STEM Academy (the “Lessee”), a North Carolina nonprofit corporation and an exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, is the sole member, for the purpose of

(a) financing the acquisition of existing charter school facilities currently being leased by the Lessee located at 9142 Browne Road, Charlotte, North Carolina 28269, in the County of Mecklenburg, including but not limited to the acquisition of approximately 28.6 acres of land, a two-story building containing approximately 36,000 square feet, a gymnasium containing approximately 9,000 square feet, and a two-story building containing approximately 21,000 square feet from which the Lessee operates the public charter school known as Mallard Creek STEM Academy (the “Project”).
(b) funding a debt service reserve fund for the Bonds; and

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

The Project is located at 9142 Browne Road, Charlotte, North Carolina 28269, in the County of Mecklenburg. The Project will be owned by the Borrower and leased and operated by the Lessee.

On March 26, 2019, 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, the maximum principal amount of the Bonds, the initial owner and operator of the facilities and the location of the facilities, among other things.

Motion was made by Commissioner Scarborough, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to open the public hearing.

The names, address and testimony of the persons who were present and who offered comments on the proposed issuance of the 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 Scarborough moved that the public hearing be closed. The motion was seconded by Commissioner Fuller and was unanimously adopted.

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

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS EDUCATION REVENUE BONDS (MALLARD CREEK STEM ACADEMY) SERIES 2019 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $28,000,000**

WHEREAS, Alliance Preparatory Schools, Inc. dba Mallard Creek STEM Academy (the "Lessee"), a North Carolina nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), 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 (Mallard Creek STEM Academy) Series 2019, in one or more series (the "Bonds"), in an aggregate principal amount not to exceed $28,000,000, and loan the proceeds thereof to Mallard Creek STEM Academy, LLC (the "Borrower"), a North Carolina limited liability company of which the Lessee is the sole member, for the following purposes:

(a) financing the acquisition of existing charter school facilities currently being leased by the Lessee located at 9142 Browne Road, Charlotte, North Carolina 28269, in the County of Mecklenburg, including but not limited to the acquisition of approximately 28.6 acres of land, a two-story building containing approximately 36,000 square feet, a gymnasium containing approximately 9,000 square feet, and a two-story building containing approximately 21,000 square feet from which the Lessee operates the public charter school known as Mallard Creek STEM Academy (the "Project");

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

(c) 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 Project, which will then be leased by the Borrower to and operated by the Lessee;

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 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 of the Project located within the County in order to satisfy the requirements of Section 147(f) of the Code;

WHEREAS, the Borrower has requested that the Board approve the financing of the Project and the issuance of the 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 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 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 $28,000,000 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 or the Lessee with respect to the Bonds or the Project.

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

On motion of Commissioner Scarborough, seconded by Commissioner Fuller, the foregoing resolution entitled “RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLEMBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS EDUCATION REVENUE BONDS (MALLARD CREEK STEM ACADEMY) SERIES 2019 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $28,000,000” was duly adopted by the following vote:

AYES: Commissioners Patricia “Pat” Cotham, George Dunlap, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, Susan Rodriguez-McDowell, and Ella B. Scarborough

NAYS: NONE

Extract/Resolution recorded in full in Minute/Ordinance Book 48-A, Document #19.

ADVISORY COMMITTEE REPORTS
The Board received as information the Women’s Advisory Board Annual Report.

Zhiviaga Williams, Women’s Advisory Board, Chairman gave the report.

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

Comments

Commissioner Leake thanked the Women’s Advisory Board for their work. She asked about their meeting schedule, which was shared.

Commissioner Leake encouraged participation on the advisory board, in light of the turnover that occurs. She suggested thought be given to how the members can become a more unified board with the goal of bettering things for women in the community. She encouraged men to apply as well.

Commissioner Jerrell, in response to the needs expressed by the Women’s Advisory Board in their report regarding funding, asked that those needs be provided to the County Manager, so the Board could then respond.

Note: In its report the Women’s Advisory Board expressed the need for miscellaneous items such as a table runner.

Commissioner Powell thanked the Women’s Advisory Board for their work. She echoed Commissioner Jerrell’s comment regarding being able to assist advisory boards with their needs to carry out their mission. Commissioner Powell said she was aware that typically advisory boards weren’t funded, but that it was important for the Board to know of any challenges advisory boards were experiencing.

Commissioner Fuller asked was there a process for advisory boards to request funding.

County Manager Diorio said advisory board requests should be made through the department that was supporting them. County Manager Diorio said to date, funding had never been provided to advisory boards.

Chair Dunlap said this issue had been raised before. He echoed County Manager Diorio’s comment that advisory boards should submit their requests to the department that worked with them. He advised the Women’s Advisory Board to submit their request to the Community Support Services Department and that the County Manager be copied.

Commissioner Fuller asked was there a formal process for advisory boards to be aware of.

Clerk to the Board Janice S. Paige shared with the Board, Section 9 of the Board’s Appointment Policy that addressed this issue.

Section 9. BOCC Appointment Policy
Committee Funding

No Committees can independently raise or solicit funds. If any Advisory Board has a legitimate need, they must go through their aligned Department to request funding. The business reason must align with Department priorities, and will come from the aligned Department’s budget.
This concluded the discussion.

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

Chair Dunlap thanked the Women’s Advisory Board for their report.

MANAGER’S REPORT - NONE

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

19-5321 RESOLUTION IN SUPPORT OF THE EQUAL RIGHTS AMENDMENT (ERA) (COMMISSIONER HARDEN)

Motion was made by Commissioner Harden, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to adopt a Resolution in Support of the Equal Rights Amendment (ERA).

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION IN SUPPORT OF THE EQUAL RIGHTS AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA

WHEREAS, SB184 and HB271 were introduced in the North Carolina General Assembly, (ERA ratification bills) on March 5th and 6th, 2019 and co-sponsored by a significant majority of the Mecklenburg County Delegation; and

WHEREAS, the United States Constitution does not explicitly guarantee that all rights are held equally by all citizens without regard to sex; and

WHEREAS, On March 22, 1972, the Equal Rights Amendment was passed by the U.S. Senate and sent to the states for ratification; the Amendment was to provide for the legal equality of the sexes and prohibit discrimination on the basis of sex; and

WHEREAS, women continue to confront a lack of political parity, workplace discrimination, health care inequities, disparate rates of poverty, sexual assault and domestic violence; and

WHEREAS, women play a critical role in the Mecklenburg County economy, supporting families, education, nonprofits, and communities; and

WHEREAS, according to The Status of Women in North Carolina report, commissioned by the North Carolina Council for Women and Youth Involvement in 2018, women are 35% more likely to live below the poverty line than men; women overall in Mecklenburg County earn 73 cents for every dollar earned by men; 52% of the Mecklenburg County population are women; and Mecklenburg County supports equality for all its residents; and

WHEREAS, according to a report from the Mecklenburg County Women’s Advisory Board, the wage disparity costs the average American women and her family $700,000 to $2 million in lost wages over their working lifetimes; and

WHEREAS, North Carolina will make history by being the 38th state to ratify the Equal Rights
Amendment, which is a demonstration by the State of North Carolina of its commitment to equality and fairness; NOW, THEREFORE,

BE IT RESOLVED, that the Mecklenburg County Board of Commissioners supports the ratification of the Equal Rights Amendment to the United States Constitution as proposed by Congress on March 22, 1972.

The resolution was read by Commissioner Harden.

Note: Prior to the above vote, the following persons spoke in support of the resolution: Jane Whitley, Chair of the Mecklenburg County Democratic Party, Melba Evans with the National Organization of Women, Cate Stadelman with the League of Women Voters and Leigh Altman with the Democratic Women of Mecklenburg County.

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

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #20.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the following item(s):

19-5290 BUDGET AMENDMENT - COMMUNITY SUPPORT SERVICES (CSS) (REVENUE INCREASE)

Recognize, receive and appropriate additional revenue in the amount of $15,358, which will be received from Cardinal Innovations for Community Support Services (CSS) Substance Use Program's Medicaid and State billing.

19-5300 BOARD OF EQUALIZATION AND REVIEW TERMS

Approve changing the term expiration date for all members of the Board of Equalization and Review to end March 31st of the given year in which the term expires, instead of April 16th.

Note: The Tax Assessor recommended this change to better coincide with the annual startup of the Board of Equalization and Review work, which is usually April 1st. If approved, the Clerk will make the necessary adjustments to each member’s term.

19-5303 MINUTES

Approve Minutes of Regular meeting held March 19, 2019.

19-5307 TEMPORARY EASEMENT CONVEYANCE - NORTH PRONG CLARKE CREEK

Authorize the County Manager to convey a temporary construction easement (± 0.09 acres) to TF Walden, LP on County owned Tax Parcel 019-441-11 for the construction of natural surface greenway trails along North Prong Clarke Creek.

19-5309 EASEMENT ACQUISITION - MALLARD CREEK GREENWAY
Authorize the County Manager to negotiate and execute all documents necessary for acquisition of a permanent greenway easement (±0.0270 acres) on Tax Parcel 047-412-06 from Caroland Development, LLC as receiver for Countryside Montessori School for Mallard Creek Greenway for a purchase price of $485.

19-5310 TEMPORARY EASEMENT CONVEYANCE - HUNTINGTOWNE FARMS PARK

1. Authorize the County Manager to convey a temporary access easement (± 0.3 acres) to Blythe Development Company on County owned Tax Parcel 173-254-16 for the construction of the City of Charlotte’s Lilly Mill Storm Drainage Improvement and Stream Enhancement Project; and

2. Recognize, receive and appropriate $15,852.15 from Blythe Development Company to contribute to the repaving of the parking lot at the end of Ramblewood Lane in Huntingtowne Farms Park.

19-5311 ENGINEER SELECTION, MECKLENBURG COUNTY SOLID WASTE

Authorize the County Manager to negotiate a fee and execute contracts with CDM Smith, HDR Inc, SCS Engineers and Smith & Garner for Engineering Services for Mecklenburg County Solid Waste Services.

19-5312 TAX REFUNDS

1. Approve refunds in the amount of $3,374.63 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 $383,765.72 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 an estimated accrued interest of $1,347.26 included in the $383,765.72 refunds.

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

19-5315 INFORMATION SERVICES & TECHNOLOGY ADVISORY COMMITTEE CHARTER/BYLAWS REVISIONS

Approve Revisions to the Information Services & Technology Advisory Committee (ISTAC) Charter/Bylaws.

A copy of the report is on file with the Clerk of the Board.
19-5237 GRANT APPLICATION: NC HUMAN TRAFFICKING COMMISSION - HUMAN TRAFFICKING COLLABORATION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1) Affirm submission of a grant application for a total of $80,680 for the term of January 1, 2019 - December 31, 2019 to the North Carolina Human Trafficking Commission in support of a Human Trafficking Collaboration; and

2) Recognize, receive and appropriate awarded grant funds

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

19-5301 SET PUBLIC HEARING ON ASSESSMENT FOR STREET IMPROVEMENTS - HEARTHSTONE SUBDIVISION

Motion was made by Commissioner Leake, seconded by Commissioner Rodriguez-McDowell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1) Accept a petition for a Special Assessment for Street Improvements in the Hearthstone Subdivision; and

2) Adopt a Preliminary Assessment Resolution setting a public hearing for May 21, 2019 at 6:30 p.m. to receive citizen input with respect to the Hearthstone Subdivision Preliminary Assessment Resolution.

Commissioner Leake removed this item from Consent for more public awareness and clarity. Director of Land Use & Environmental Services, Ebenezr Gujjarlapudi addressed this item.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS PRELIMINARY ASSESSMENT RESOLUTION FOR STREET IMPROVEMENTS IN HEARTHSTONE SUBDIVISION

WHEREAS, North Carolina General Statutes Section 153A-185 allows counties to make special assessments against benefited property within the county for all or part of the costs of constructing, reconstructing, extending, or otherwise building or improving roadways; and

WHEREAS, property owners whose properties abut directly on the following roadways: Bards Court, Carding Place and a section of Tatting Road from west of Butter Churn Lane to its end, all located in the Hearthstone Subdivision which is located off of Tilley Morris Road in the southeastern area of unincorporated Mecklenburg County, petitioned the County on February 21, 2019 to bring these roadways up to North Carolina Department of Transportation (NCDOT) paved subdivision roadway standards; and

WHEREAS, the NCDOT has agreed to complete the required repairs to bring the streets described above to within the NCDOT’s standard during a repaving project scheduled for the Hearthstone Subdivision for the not to exceed cost of $38,398.62; and
WHEREAS, one hundred percent (100%) of the property owners owning one hundred percent (100%) of the front footage of the parcels on the following roadways: Bards Court, Carding Place and a section of Tatting Road from west of Butter Churn Lane to its end, have agreed to a special assessment and will share the cost according to the amounts shown on the attached petition for street improvements; and

WHEREAS, the basis for assessment will be one hundred percent (100%) of the County’s payment to the NCDOT to construct the improvements to the following roadways: Bards Court, Carding Place and a section of Tatting Road from west of Butter Churn Lane to its end, the total to be divided by all of the properties benefitting from the improvements according to the amounts shown on the attached petition; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner may pay the total apportioned property share or will be assessed annually at a rate of four percent (4%) interest over five (5) consecutive years for their portion of the cost of the project; now, therefore, be it

RESOLVED, by the Mecklenburg County Board of Commissioners that Mecklenburg County fund the property owners’ cost of the construction of the roadway improvements on the assessment basis, pursuant to the procedure specified herein, and as required by G.S 153A-190 and G.S. 153A-191, and does hereby schedule a public hearing on May 21, 2019 at 6:30 p.m., or as soon thereafter as the agenda allows on the Preliminary Assessment in the Meeting Chamber of the Charlotte-Mecklenburg Government Center (600 E. Fourth Street, Charlotte, North Carolina), and does hereby instruct the Clerk to the Board of Commissioners to cause to be published at least ten (10) days prior to the date of the hearing in a newspaper of general circulation in the County that this Preliminary Assessment Resolution has been adopted, that the Preliminary Assessment Resolution is available for inspection in the Clerk’s office, and that a public hearing on the Preliminary Assessment Resolution will be held at the time and place specified herein. The LUESA Project Manager is hereby instructed to mail or cause to be mailed a copy of this Preliminary Assessment Resolution by first-class mail to each property owner on the following roadways: Bards Court, Carding Place and a section of Tatting Road from west of Butter Churn Lane to its end, as shown on the County tax records at least ten (10) days before the date set for the public hearing, and further, to certify to the Board of County Commissioners that the Resolutions were mailed by first class mail, and the date on which they were mailed.

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #21.

19-5323 RE-ALLOCATION OF FY18 CARRYFORWARD FUNDING (SHERIFF’S OFFICE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the re-allocation of funding in the amount of $24,200 for the purchase of laptops and other equipment and supplies for the Sheriff’s Community Engagement Team.

Note: At the regular meeting June 19, 2018, the Board of County Commissioners approved the carry forward funding of $24,200 from fiscal year 2018 to FY 2019 to purchase and train staff to utilize 2 UAV Drones to provide additional perimeter security at the Jail North campus. After further discussions related to the Drone purchase, the Sheriff’s Office re-considered the Drone purchase and determined that having the drones would not replace the perimeter checks that occur on scheduled intervals at the Jail North campus or take the place of staff ensuring security at the facility. The Sheriff’s Office requested that the $24,200 for the drones be reallocated for the purchase of laptops and other equipment and supplies deemed appropriate for the Sheriff’s newly created Community Engagement Team.
Commissioner Leake removed this item from Consent for more public awareness.

19-5324 GRANT APPLICATION: FY2019-2020 JCPC ALTERNATIVES TO COMMITMENT PROGRAMS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1) 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, FY2019-2020 JCPC Alternatives to Commitment Programs; and

2) 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 and Jerrell removed this item from Consent for more public awareness and clarity. They asked for information on the number of people that would be impacted if the grant was received.

Director of Criminal Justice Services Sonya Harper addressed this item.

19-5327 SOLE SOURCE PURCHASE -- SHERIFF’S OFFICE LIVESCAN SYSTEM

Motion was made by Commissioner Leake, seconded by Commissioner Powell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1) Approve the purchase of the IDEMIA Livescan System without competitive bidding, as authorized by the sole source exemption of G.S. 143-129(e)(6); and

2) Approve a contract with IDEMIA for the purchase of a Livescan system from approved 2018 Justice Assistance Grant (JAG) funds (RFBA 18-5001).

Note: *Sole sourcing is necessary because there is only one supply source. IDEMIA is the owner of the software and design, sole developer and sole provider for the Automated Fingerprint Identification System (AFIS). The proposed IDEMIA Workstation upgrades are specifically designed to work with the existing AFIS located at North Carolina Department of Public Safety (NC DPS).

As the manufacturer of the existing NC DPS AFIS subsystem, software applications, and Workstations, only IDEMIA can provide the Workstation upgrades with the required hardware/software and support. Furthermore, all of our current AFIS machines are supported by maintenance agreements with IDEMIA and the new machines are replacing machines that will no longer be supported on the State of NC platform after next month.
Commissioner Leake removed this item from Consent for more public awareness.

19-5313     LAND ACQUISITION - CHARLOTTE-MECKLENBURG SCHOOLS

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve a purchase price of $370,000 for Charlotte-Mecklenburg Board of Education to purchase Tax Parcel 017-051-09 (+/- 0.59 acres) in the Town of Huntersville from Salem L. Carriker and Adam Carriker future planning and construction purposes.

Note: Commissioner Leake noted that she was voting in support of the request reluctantly. She said was concerned that the property may end up being used for Charter Schools.

ADJOURNMENT

Motion was made by Commissioner Scarborough, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, 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.
Revised

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 16, 2019.

ATTENDANCE

Present:
Chair George Dunlap and Commissioners Patricia "Pat" Cotham, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Tyrone C. Wade
Clerk to the Board Janice S. Paige

Absent: Commissioner Susan Rodriguez-McDowell

- 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: 19-5328, 19-5338, 19-5340, 19-5346, 19-5347, 19-5349, 19-5360, 19-5361, and 19-5365.

STAFF BRIEFINGS - NONE

CLOSED SESSION

19-5333 CONSULT WITH ATTORNEY
19-5351 BUSINESS LOCATION AND EXPANSION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, 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 5:30 p.m. and came back into Open Session at 5:47 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, which was followed by introductions, invocation by Commissioner Jerrell, followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.
AWARDS/RECOGNITION

19-5359 DONATION – MENTAL HEALTH FACES OF DIVERSITY MURAL

Motion was made by Commissioner Jerrell, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to recognize and receive the gift of the "Mental Health Faces of Diversity" mural from local artist Edwin Gil and Mental Health America (MHA) to be displayed in the Mecklenburg County courthouse.

Note: The "Mental Health Faces of Diversity" mural was commissioned in 2017 by local contemporary conceptual artist, Edwin Gil. The work highlights faces of mental health represented by local community members and is part of the international social art project, Faces of Diversity. The mural features likenesses of a young program participant, a MHA volunteer and a MHA donor - all personally affected by mental health concerns. It reflects the universality of mental health conditions, affecting every race, culture, and socio-economic group, gender and age.

Note: Mental Health America of Central Carolinas is a non-profit organization, founded in 1933 in Charlotte. MHA’s mission is promoting mental wellness through advocacy, prevention and education in Mecklenburg and Cabarrus Counties.

Mr. Gil is an art teacher at Providence Day School and an avid social activist, who uses his art to bridge cultures and diverse groups living in the U.S. Mr. Gil has overcome numerous obstacles to become one of America’s premier Latino Artists.

Mr. Gil, along with Mental Health America of Central Carolinas representatives Kathy Rogers, Executive Director, and Andrea Towner, Development Director were present and addressed the Board. They were introduced by Criminal Justice Services Director Sonya Harper.

Comments prior to the above vote:

Commissioner Fuller asked where in the courthouse would the mural be located. The response was the 8th Floor, the family court floor.

Commissioner Leake asked would there be a cost associated with this. The response was installation cost.

Commissioner Harden thanked Mr. Gil for his commitment to social justice.

PUBLIC APPEARANCE

19-5331 PUBLIC APPEARANCE

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

Edna Chirico, a former County Commissioner, extended an invitation to the Board to attend an Out Teach luncheon on May 10, 2019 at Governors’ Village STEM Academy, 7810 Neal Road, Charlotte, NC from 12:15-1:30 p.m. One of the purposes of the luncheon is to build an outdoor learning lab in just one day.

Note: Out Teach, formerly called REAL School Gardens, and before that, the REAL Schools Initiative, is a national teacher-development nonprofit working to ensure that all students, no matter their resources, have access to an engaging, hands-on education that transforms their
lives. Its Mission, to equip teachers with the power of experiential learning outdoors to unlock student performance. “Experiential learning is proven to accelerate learning for all students; and outdoor classrooms provide countless ways to connect Math, Science, and Language Arts to the real world, adding relevance, purpose, and meaning to daily instruction. By combining proven professional training with exciting outdoor spaces, Out Teach empowers teachers to create unforgettable learning experiences and measurable results.”

The following persons spoke in support of more parks, greenways, recreation centers and programming at recreation centers, as well as, summer camps for adults with disabilities. They also addressed the benefits of having them.

Darlene Heater, Nancy Nicholson, Ruth Ann Grissom, Rufus Kearney (Park and Recreation Commission member), Blanche Penn (Park and Recreation Commission member), Paul Freestone (Park and Recreation Commission member), Maureen Gilewski (Charlotte East), Apryl Lewis, Irlanda Ruiz, Jessica Moreno, Abigail Coke, Dyrrele Osborne, Jacob Lineberger, Billy Shue (Charlotte Running Club), and Serita Russell (President of the Lake Arbor Association).

Note: Ms. Gilewski also spoke in support of affordable housing but asked that it not be concentrated in one area and that park land not be used for that purpose, particularly in low income areas. She said Charlotte East was opposed to the County’s possible sale of park land on Statesville Road for affordable housing.

Note: Ms. Coke, a student at UNC-Charlotte asked that emergency call boxes be placed in parks and in student living complexes off campus. She also asked that sidewalks in student living complexes off campus be extended to connect with greenway trails.

Note: The following persons signed up to speak but did not: Heidi Pruess, Rick Winiker, Peter Engles, and Doug Burnett, with the Park and Recreation Commission, and Pat Martinez.

Richard Kingsberry, a retired Lieutenant Kernel, U.S. Army, and Board Chairman of the NC Military Veterans Hall of Fame, addressed the upcoming inductions honoring NC veterans. He said there were 736,000 military veterans that call N.C. home. Mr. Kingsberry said 361,000 North Carolinians served in WWII. Mr. Kingsberry noted a 44-member band that the U.S. Navy started in 1942 called the B-1 Band, a group of African American musicians and WWII Veterans that came out of N.C. A&T State University. He said the band was formed to boost morale and that members were recognized and honored by the U.S Navy for their service, talents and contributions. Mr. Kingsberry said the NC Military Veterans Hall of Fame would be doing the same. He said the goal of the NC Military Veterans Hall of Fame was to recognize and honor veterans born in N.C. and/or those with N.C. ties.

Nia Darby, secretary for the N.C. Military Veterans Hall of Fame Board of Directors, addressed the importance of recognizing and honoring veterans, as well as, the need to involve the youth in this process. She said today’s youth need to understand the impact of what veterans do for our country.

Diane Hall, from Salisbury, NC, addressed the upcoming induction of her late father into the NC Military Veterans Hall of Fame. She commended the N.C. Military Veterans Hall of Fame for its work and for honoring her father in this manner.

James Deal from Salisbury, NC, a WWII veteran said he was being inducted into the N.C. Military Veterans Hall of Fame this year. He thanked the N.C. Military Veterans Hall of Fame for selecting him.
Sandra Suba with the Daughters of the American Revolution from Salisbury, NC said their goal was to preserve history and to educate the next generation. She noted their partnership with the N.C. Military Veterans Hall of Fame and encouraged the County and the State to support their efforts.

David Broadie, one of the founders of the N.C. Military Veterans Hall of Fame, said inductions would take place on April 27, 2019. Twenty-nine (29) veterans will be inducted. Mr. Broadie addressed the impact of the N.C. Military Veterans Hall of Fame locally and on the state level. He said not only was the goal of the organization to recognize and honor veterans but to advocate for them as well. He said they also work on being seen in neighborhoods to create a positive energy to civilians to “reclaim the values” of what veterans fight for on foreign lands, “dignity and respect for what we have as our freedom.” He concluded by asking the Board to stand with them and support its mission.

**APPOINTMENTS**

19-5352 APPOINTMENTS

INFORMATION SERVICES AND TECHNOLOGY ADVISORY COMMITTEE

Motion was made by Commissioner Harden, seconded by Commissioner Scarborough and carried 6-2 with Commissioners Dunlap, Fuller, Harden, Jerrell, Powell, and Scarborough voting yes, and Commissioners Gotham and Leake voting no, to appoint Chemere Davis, Elyas Mohammed, and Jesse Newsom to the Information Services and Technology Advisory Committee to fill unexpired terms expiring February 28, 2021.

19-5326 NOMINATIONS/APPOINTMENTS

CITIZEN’S TRANSIT ADVISORY GROUP

Motion was made by Commissioner Fuller, seconded by Commissioner Powell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to reappoint Adam Pasiak to the Citizen’s Transit Advisory Group for a two-year term expiring April 30, 2021.

GROUNDWATER ADVISORY COMMITTEE

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to nominate and appoint Jennifer York as the Realtor representative to the Groundwater Advisory Committee to fill an unexpired term expiring July 31, 2021.

*Note: She replaced Bertha Walker.*

JUVENILE CRIME PREVENTION COUNCIL

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to nominate and appoint J’Ziya Perry as a Youth representative to the Juvenile Crime Prevention Council to fill an unexpired term expiring June 30, 2021.
The following persons were nominated for appointment consideration to the Juvenile Crime Prevention Council for the Juvenile Defense Attorney slot:

Leigh Altman   by Commissioner Harden  
Tonja Brooks   by Commissioner Fuller  
Kimberly Sanders  by Commissioner Harden  
Tysha Shaw   by Commissioner Harden  

Note: An appointment will be made at the May 7, 2019 meeting.

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

Anthony Gonzalez  by Commissioner Powell  
Marque Macon  by Commissioner Fuller  
Pamela McCarter  by Commissioner Harden  
Brian Peay   by Commissioner Leake  
Danielle Young-Martin by Commissioner Jerrell  

Motion was made by Commissioner Scarborough, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to close the nominations.

Note: An appointment will be made at the May 7, 2019 meeting.

The following person was nominated for appointment consideration to the Juvenile Crime Prevention Council for the Business Community slot: Brianna Davis by Commissioner Jerrell.

Motion was made by Commissioner Scarborough, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to nominate and appoint Brianna Davis as the Business Community representative to the Juvenile Crime Prevention Council to fill an unexpired term expiring June 30, 2019.

Note: She will replace Ryan Atkinson.

Motion was made by Commissioner Scarborough, seconded by Commissioner Harden and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to reappoint Brenda Prince as the Faith Community representative to the Juvenile Crime Prevention Council to fill her unexpired term expiring May 30, 2021.

Note: Brenda Prince was removed because of attendance but asked to be considered for reappointment.

WOMENS ADVISORY BOARD

Motion was made by Commissioner Fuller, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to reappoint Corelutta Reid to the Women’s Advisory Board for a three-year term expiring April 30, 2022.

The following persons were nominated for appointment consideration for the Women’s Advisory Board:
Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to close the nominations.

Note: Appointments will be made at the May 7, 2019 meeting.

19-5369 CENTRALINA ECONOMIC DEVELOPMENT COMMISSION – PRIVATE SECTOR REPRESENTATIVE

Motion was made by Commissioner Harden, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to appoint Alan Kathman as the Board’s private sector representative on the Centralina Economic Development Commission for a three-year term expiring February 28, 2022.

Note: He will replace Robert Hillman.

PUBLIC HEARINGS

19-5350 PUBLIC HEARING: BUSINESS INVESTMENT PROGRAM GRANT - BARRDAY CORPORATION

Motion was made by Commissioner Scarborough, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to open the public hearing to receive comments on a proposed Business Investment Program grant to Barrday Corporation.

Note: Barrday Corporation is a leading advanced material solutions manufacturer currently headquartered in Ontario, Canada. Barrday has had a presence in Mecklenburg County since 2000 and employs 110 people. Barrday Corporation products can be found in a range of applications from defense to aerospace to energy production. Barrday Corporation has developed advancements in unidirectional (UD) products that has allowed them to expand hard and soft armor applications. Barrday is seeking to expand its UD capability and capacity to meet growing demand. Barrday Corporation has announced its intent to locate the UD expansion in Charlotte. Barrday Corporation also considered locating the investment in a facility located in Valkenswaard, Netherlands.

Barrday Corporation’s proposed project meets all the following grant guidelines for a five-year existing industry Business Investment Grant, specifically:

- A taxable investment of $3,490,000 to be completed in the next three years
- Creation of 25 new jobs with an average wage of $43,896 (which includes 19 textile knitting operator positions at 129% of the average for the Charlotte-Gastonia-Rock Hill M.S.A.).
- There is competition for this project from the Netherlands.

Peter Zeiler, Director of Economic Development, presented this matter to the Board.

Comments
Commissioner Leake said she was concerned about the salaries and would have preferred higher salaries.

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

Commissioner Harden asked Director Zeiler to address the training that would be covered by the state of NC, which he did.

Commissioner Jerrell asked if the compensation noted included benefits. The response was no.

Commissioner Jerrell said that would be good information to have going forward.

This concluded the discussion.

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

Motion was made by Commissioner Scarborough, seconded by Commissioner Powell and carried 5-2 with Commissioners Dunlap, Harden, Jerrell, Powell, and Scarborough voting yes, and Commissioners Cotham and Leake voting no, to close the public hearing on a proposed Business Investment Program grant to Barrday Corporation and adopt a resolution approving a Business Investment Program grant to Barrday Corporation for a total estimated amount of $54,186; and authorize the County Manager to negotiate and execute the contract.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR BARRDAY CORPORATION

WHEREAS, Barrday Corporation is seeking to expand its unidirectional capacity and add four new production units in Mecklenburg County, NC; and

WHEREAS, the company evaluated sites in Valkenswaard, Netherlands; 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 March 6, 2019 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. The project will include a capital investment of approximately $3.49 million and will create 25 new jobs within five years at an average annual salary of approximately $43,896. The Business Investment Program grant is a 50% grant over 5 years, with an estimated total amount of up to $54,185. The grant will be subject to the County’s standard contract provisions, including compliance requirements for the company related to job creation targets and clawback provisions; and

WHEREAS, Mecklenburg County Board of Commissioners has determined that this grant will provide new employment, new taxable property and new economic activity within the County, now, therefore, be it

RESOLVED that the Board of County Commissioners does hereby approve the Business Investment Program grant and Economic Development grant as described above, and authorizes the County Manager to execute a contract for the same, with any necessary or helpful nonmaterial changes.

Resolution recorded in full in Minute/Ordinance Book 48, Document # 22.

Commissioner Fuller returned to the dais.
Chairman Dunlap acknowledged the presence of the Zoning Committee of the Charlotte-Mecklenburg Planning Commission and its chair, John Fryday.

Mr. Fryday introduced members of the Zoning Committee that were present. He noted the Committee’s review process with respect to Zoning Petition 2019-001(c). He said the Committee would meet on April 30, 2019 at 5:30 p.m. at the Charlotte-Mecklenburg Government Center to discuss the petition, however, that discussion would not be a continuation of the public hearing. Further, that the April 30th meeting was open to the public.

Motion was made by Commissioner Fuller, seconded by Commissioner Powell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to open the public hearing on Zoning Petition 2019-001(C) for a change in zoning for approximately 3.42 acres located on the west side of Lancaster Hwy., north Providence Road West from NS (Neighborhood Services) to NS SPA (Neighborhood Services, Site Plan Amendment) - Petitioner: Ascent Real Estate Capital, LLC.

Note: The Charlotte Planning Design and Development Department received a rezoning petition (Petition 2019-001C) for property off Lancaster Highway. The site is located in the area that was designated as Pineville’s sphere of influence due to an annexation agreement with the City of Charlotte. The annexation agreement between the City of Charlotte and the Town of Pineville expired in August 2014. Neither municipality has extended their ETJ into this area. Therefore, Zoning authority lies with the Mecklenburg County Board of Commissioners and rezoning petitions in this area must be heard and decided on by the Board of County Commissioners.

Petition No. 2019-001C by Ascent Real Estate Capital, LLC is a request for a change in zoning for approximately 3.42 acres located on the west side of Lancaster Hwy., north Providence Road West from NS (Neighborhood Services) to NS SPA (Neighborhood Services, Site Plan Amendment).

John Kinley, Senior Principal Planner with the City of Charlotte’s Planning and Design Development Department, presented the request to the Board.

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

John Carmichael, representing the Petitioner, addressed the petitioner’s request.

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

Comments

Commissioner Leake expressed concern for traffic in the Steele Creek area, however, it was noted that Petition 2019-001(c) was not in the Steele Creek area.

Mr. Carmichael addressed traffic improvements in the area of the Petition, which was Lancaster Highway.

Commissioner Cotham asked was a traffic study done. The response was no, because it was not required.

Commissioner Cotham expressed concern for increased traffic in the area.

Commissioner Powell asked about the tree canopy that was planned and the storm water retention pond, which was addressed by Mr. Carmichael and Hattie Pavlechko-Reiter.
Commissioner Powell encouraged the petitioner to plant native trees.

Commissioner Fuller asked about traffic patterns, which was addressed.

Chair Dunlap noted that per a meeting with Pineville officials, the question was asked of them regarding their interest in annexing this area of the county; and the answer was still no.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to close the public hearing on the request for a change in zoning for approximately 3.42 acres located on the west side of Lancaster Hwy., north Providence Road West from NS (Neighborhood Services) to NS SPA (Neighborhood Services, Site Plan Amendment) - Petitioner: Ascent Real Estate Capital, LLC. and defer making a decision until a recommendation is received from the Planning Commission.

Note: A recommendation is expected to be received from Planning Commission at the Board’s May 21, 2019 meeting.

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

The members of the Zoning Committee left the meeting at this time.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

19-5348 POLLING RESULTS FOR DEDICATED SALES TAX FOR ARTS & CULTURE AND OTHER USES

Chair Dunlap called on County Manager Diorio to introduce Item 19-5348 Polling Results for Dedicated Sales Tax for Arts & Culture and Other Uses.

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

Vice-Chair Powell presided until noted in the minutes.

County Manager Diorio noted the following: On February 12, 2019 the Board of County Commissioners received a report from the Arts and Science Council (ASC) proposing that the County consider placing a referendum on the ballot to levy an additional quarter cents sales tax. The sales tax would generate approximately $50 million per year. The ASC is proposing that $20 million be allocated to funding arts and cultural programs and institutions throughout the county and the remainder allocated to other purposes.

To gauge community sentiment for the proposal, the Charlotte Regional Business Alliance Foundation contracted with Well World Solutions to poll County residents. The poll included 1,000 residents, both land line and cell phone, in both English and Spanish. The poll included general questions about whether the respondent supported 1) an increase in the local sales tax, 2) allocating the additional sales tax for arts and culture, and 3) what other purposes might be appealing. Respondents were also asked about their thoughts on allocating the remaining $30 million to either public libraries, parks and green spaces, pre-kindergarten, or teacher pay. The poll also gauged community sentiment on whether the funds should be managed by a non-profit or government entity.
County Manager Diorio called on Mousumi Sarkar with Well World Solutions to present the report on the polling results.

The report covered the following:
- Purpose of the Survey
- How the Survey was Conducted
- Potential Referendum
- Initiatives

Chair Dunlap returned to the dais and resumed chairing the meeting.
- Support for Initiative; Etc.

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

Comments

Commissioner Fuller said four or five years ago a referendum was placed on the ballot to levy an additional quarter cents sales tax and that it failed. He said the challenge was people saying what they want versus what they’ll actually vote for. He said the survey results on page six of the presentation was representative of what was said years ago. He said the last time the matter was presented to the public, they were informed of what it would be used for, which included teacher raises and it still failed with well over 60% of voters voting in opposition.

Commissioner Fuller said the polling data presented did not answer the real question, which was what can be done this time to get a different result. He said unfortunately, you can’t provide all of the specific intents for use on the ballot.

Commissioner Fuller said he would be supportive of the County directly funding the arts more.

Commissioner Fuller expressed concern for the timing of this proposed idea, in light of revaluation. He questioned whether taxpayers were willing to pay an additional tax, when they’re anxious about the impact of revaluation. He said the survey didn’t ask whether they would be willing to vote for a tax increase.

Ms. Sarkar said she was not aware of the prior ask of the voters.

Ms. Sarkar said their findings showed that there was more support from non-voters than voters, which she said was not surprising. She questioned whether there was an educational campaign associated with the referendum ask the last time. She said educating the public was a key component.

Commissioner Fuller said what really mattered were responses from voters versus those that responded but do not vote.

Ms. Sarkar said at this point in the process, it was too early to say, if the effort would be successful this go around.

Commissioner Fuller said he was not persuaded to do this at this time.

Commissioner Leake said she had a problem with the Arts & Science Council coming to the County asking for more funding. She questioned how this would impact the “weakest of the weak.”

Commissioner Leake said she would like to see funding provided so that the music curriculum could be back in the schools.
Commissioner Leake said a lot of the Arts & Science Council activities were too expensive for the average person to attend.

Commissioner Leake said there were other pressing needs related to public health and education.

Commissioner Leake said it was “unfair” of the Arts & Science Council to come and ask the Board to fund their budget.

Commissioner Harden spoke in support of the idea. She said it would have a transforming effect on the community.

Commissioner Harden said this would be an investment in the arts and education.

Commissioner Harden said more work needed to be done to educate the public on this matter.

Commissioner Jerrell said one of the major concerns he had regarding the polling data was that the majority of the respondents weren’t voters. Ms. Sarkar said the majority of the respondents were registered voters.

Commissioner Jerrell said it would be helpful to have the data showing the specifics on the respondents, such as voters versus non-voters, versus registered voters and voters. Ms. Sarkar said she would provide that information.

Commissioner Jerrell said there was a difference between being registered to vote and actually being a voter. Ms. Sarkar said the survey did ask if the respondent voted in the last election. She said that information would be provided also.

Commissioner Jerrell asked would another survey be done. Ms. Sarkar said she did not know.

Commissioner Jerrell asked if the survey asked how long the respondent had been a resident of Mecklenburg County. The response was no.

Commissioner Jerrell asked if the survey asked if the respondent participated in the last election when this type of matter was placed on the ballot and/or how they voted; and if so, how many changed their minds. The response was no, because they were not aware of it being on the ballot the last time. Ms. Sarkar reviewed the questions and responses to what was stated on the survey.

Commissioner Jerrell echoed Commissioner Harden’s comments and said this initiative could be a “game changer” for the community. He said, therefore, it was important to “get it right” this go around.

Commissioner Jerrell questioned the usefulness of the polling data presented. He said what needed to be known was specifically where voters and “likely” voters stood on this question.

Commissioner Cotham said she was a supporter of the arts; however, she spoke in opposition to the idea of having an increase in the local sales tax. Commissioner Cotham said she opposed this idea the last time it was brought up, years ago.

Commissioner Cotham said the County was already currently funding the Arts & Science Council.

Commissioner Cotham said the timing of this was also problematic, in light of revaluation.
Commissioner Cotham expressed concern and questioned why the Board wasn’t asked to provide input on the development of the survey questions.

Commissioner Cotham said she would like to see the Arts & Science Council raise the money they say they need another way.

Commissioner Scarborough noted her support of the Arts.

Commissioner Scarborough said the Board, Charlotte City Council, and the Board of Education should all support the Arts. She said a meeting of the entities on this subject should occur.

Commissioner Powell asked how long it took to complete the survey. The response was an average of 22 minutes.

Commissioner Powell said she had a “deep appreciation and respect” for the arts, but questioned how much of it was a government responsibility.

Commissioner Powell said she would need more information before making a decision and that she’d like to hear from more people.

Chair Dunlap said based on the comments, the Board, as well as, the public needed to be educated more on this subject.

Chair Dunlap said the question before the Board was whether it wanted to give the community the opportunity to vote yes or no on this matter.

Chair Dunlap said the only persons with a say would be those who participate in the election process by voting.

Chair Dunlap spoke in support of allowing the community the opportunity to decide this matter.

Chair Dunlap said it should be kept in mind that the additional sales tax would be paid by visitors to Mecklenburg County as well, and not just residents.

Chair Dunlap said if approved, funds would be used to fund other things and not just the arts.

County Manager Diorio said the poll was just the first step in the process. She noted that the last time a referendum was placed on the ballot to levy an additional quarter cents sales tax was in 2014. She said the education campaign was not well done or well-funded, which probably contributed to the failure of the referendum.

County Manager Diorio said determining who would govern and manage the funds was a huge matter of concern, given perceptions about the Arts & Science Council. She said that determination would be made on the front end.

County Manager Diorio said staff would provide further updates.

Commissioners Leake and Fuller questioned whether the Board had asked staff to move forward.

Chair Dunlap echoed County Manager Diorio’s comment that this was just the beginning of the process. He said the point at which the Board would need to make a decision would be forthcoming and not at this time. He said staff heard the concerns raised, per the discussion and would take that into consideration and provide additional information at a later date.
Commissioner Fuller questioned whether the Board had held a discussion regarding moving forward with the discussion of this matter. He said the Board had engaged in the discussion out of “politeness.”

Chair Dunlap said on many occasions the Board of County Commissioners had discussed matters without taking a vote on whether to hold that discussion. He said with respect to this issue, it was on the agenda for discussion only. He said the appropriate time for the Board to take action would come at a later date.

This concluded the discussion.

The Board received as information, the report from Mousumi Sarkar of Well World Solutions on the polling results performed in March 2019 on community perspective on a proposal to increase the local sales tax by a quarter (¼) cents to fund arts and culture, as well as other County programs. No action was taken or required.

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

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

19-5372 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information monthly department management reports for April 2019.

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.

19-5373 FEATURE DEPARTMENT/AGENCY PRESENTATION: CHARLOTTE MECKLENBURG LIBRARY

The Board received a presentation from Charlotte Mecklenburg Library CEO Lee Keesler regarding Library activities.

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

Comments

Commissioner Jerrell asked for updates on the Hickory Grove Branch Library and Plaza Midwood. He said the footprint of those branches was very small compared to other branches. Mr. Keesler said he wasn’t sure about the ability to expand at Hickory Grove but at Plaza Midwood they were landlocked.

Commissioner Cotham asked that in future reports At-large Commissioners be acknowledged and not just those representing districts.

Commissioner Cotham said a library was needed in Pineville. Mr. Keesler said those discussions were taking place.

Commissioner Harden, noted in Commissioner Rodriguez-McDowell’s absence and on her behalf, the need for a library in Mint Hill, which is in Commissioner Rodriguez-McDowell’s district. Mr. Keesler said the Town of Mint Hill had expressed that interest as well.
Commissioner Leake thanked Mr. Keesler for reading programs implemented in the Nations Ford Road area on the weekends and after-school, particularly, for families living in hotels/motels. Commissioner Leake suggested including pictures from those sites in future reports, if allowed to do so.

Commissioner Leake asked about the status of the West Boulevard library. Mr. Keesler said the more appropriate respondent to that question would be County staff.

Commissioner Leake said that was fine, she had no further questions.

Chair Dunlap shared with Mr. Keesler that there was community concern with respect to the long-term view of libraries in general. He said a comprehensive plan was needed and that the County Manager would probably be reaching out to him regarding that subject.

Chair Dunlap said there was lots of concern regarding the University City Library, a library for the Prosperity Village area and in Pineville. He said a long-term strategy was needed.

Chair Dunlap said he was glad to see the Library doing things “outside of the walls of the Library.”

Chair Dunlap thanked Mr. Keesler for the report and for all the work being done by the Library.

This concluded the discussion.

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

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

19-5368 AUDIT REVIEW COMMITTEE ANNUAL REPORT AND SELECTION OF INDEPENDENT AUDITOR (COMMISSIONER COTHAM)

The Board received the annual Audit Review Committee report from Commissioner Cotham, who chairs the Committee. The other committee members are Commissioners Fuller, Harden, and Scarborough and general public member Alex Vuchnich.

Commissioner Cotham was assisted by Finance Director Sarah Lyberg.

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

Comments

Chair Dunlap questioned whether consideration should be given to changing the County’s external auditor, in light of the number of years Cherry Bekaert, LLP had served in this role.

Finance Director Sarah Lyberg addressed the selection process.

Chair Dunlap said he would support the request to select Cherry Bekaert, LLP, but he strongly encouraged staff to work “extremely hard” going forward to find someone else that could do this type of work.
Motion was made by Commissioner Cotham, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to receive the annual report of the Audit Review Committee and approve the recommendation from the Audit Review Committee to appoint Cherry Bekaert, LLP as external auditor for three years beginning with the June 30, 2019 fiscal year end audit.

CONSENT ITEMS

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

19-5329 TAX REFUNDS

1) Approve refunds in the amount of $12,888.10 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 statewide vehicle tax system.

2) Approve refunds in the amount of $15,218.68 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 an estimated accrued interest of $348.30 that is included in the $15,218.68 refunds.

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

19-5330 LAND ACQUISITION - AUTEN NATURE PRESERVE

Authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 013-024-12 (+/-0.454 acres) to add to Auten Nature Preserve for $8,000.

19-5332 MINUTES

Approve Minutes of Regular meeting held April 2, 2019 and Closed Session held March 19, 2019.

19-5335 STORM WATER PROGRAM - FY19 HAZARD MITIGATION FLOODPLAIN ACQUISITION

1. Accept the Offer of Sale of Real Estate from Vicky Ann Hughes, owner of property located at 1101 Mockingbird Lane, Charlotte, NC (tax parcel 171-082-18), for $305,000;

2. Accept the Offer of Sale of Real Estate from Kristine Miller, owner of property located at 1109 Mockingbird Lane, Charlotte, NC (tax parcel 171-082-19), for $410,000;
3. Accept the Offer of Sale of Real Estate from Robert & Louise Hair, owners of property located at 701 Main Street, Pineville, NC (tax parcel 221-021-06) for $206,000; and

4. 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.).

19-5343 CONSTRUCTION CONTRACT- EXHIBIT PACKAGE AT LATTA PLANTATION NATURE PRESERVE VISITOR’S CENTER

Award a construction contract to Capitol Museum Services in the amount of $856,398 for the construction and installation of exhibits at the new Latta Plantation Nature Preserve Visitor’s Center located at 6345 Sample Road, Huntersville, NC 28078.

Note: The interactive exhibits are programmed to provide a wide range of visitor preferences and learning levels and will allow visitors to engage directly with nature. The centerpiece of the exhibits will be an 8,000-gallon indoor aquarium that will display freshwater lake species and represent the unique habitats within the preserve.

19-5358 2019 BOCC MEETING SCHEDULE

Amend 2019 Board of County Commissioners (BOCC) Meeting Schedule to change the start time of the May 14, 2019 Budget/Public Policy Meeting to 1:00 p.m.

19-5363 PUBLIC AUCTION FOR DISPOSAL OF SURPLUS EQUIPMENT

Adopt a resolution authorizing sale of surplus personal property by public auction on May 11, 2019 at 9:00 a.m. at 5550 Wilkinson Blvd, Charlotte, North Carolina.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
Resolution Authorizing Sale of Surplus Personal Property by Public Auction

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Mecklenburg County Board of Commissioners that the County Manager or her designee is authorized to sell the surplus property described on Exhibit A at public auction on the day of May 11, 2019 at 9:00 a.m. at 5550 Wilkinson Blvd, Charlotte, North Carolina, as per the terms and conditions in accordance with North Carolina G.S. 160A-270(b) and in compliance with County policies. The terms of the sale shall be net cash. The County Manager or her designee is directed to publish at least once and not less than ten (10) days before the date of the auction, a copy of this Resolution or a notice summarizing its content as required by North Carolina General Statute 160A-270(b).

Resolution recorded in full in Minute/Ordinance Book 48, Document #23.
Authorize the use of the Construction Management @ Risk (CM @ Risk) contract methodology for the Discovery Place Nature Museum Replacement Project as the best construction contracting delivery method for the project.

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

Chair Dunlap left the dais and was away until noted in the minutes. Vice Chair Powell chaired the meeting until noted in the minutes.

19-5328  GRANT APPLICATION - U.S. DEPARTMENT OF LABOR - RE-ENTRY PROJECTS (SHERIFF'S OFFICE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to approve submission of a grant application in the amount of $512,000 from the U.S. Department of Labor Employment and Training Administration for re-entry efforts for those returning from incarceration; and if awarded, recognize, receive and appropriate the grant funds.

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

19-5338  GRANT APPLICATION - PROVIDE VIOLENCE PREVENTION PROGRAMMING IN SCHOOLS

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to:

1. Affirm the submission of a grant application in the amount of up to $300,000 to the Project Safe Neighborhoods Task Force of the Western District of North Carolina to provide school-based violence prevention programs in Mecklenburg County; and

2. If awarded, recognize, receive and appropriate the grant funds and authorize one additional position in the Community Support Services Department, Prevention Intervention and Services Division: 1 Full time Information and Education Coordinator to provide neighborhood service coordination (annual market rate is $62,102).

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

Chair Dunlap returned to the dais.

19-5340  GRANT APPLICATION - PREVENTION OF DOMESTIC VIOLENCE AMONG YOUTH 2019

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to:

1. Approve submission of a renewal grant application, not to exceed $180,000, to the North Carolina Council for Women and Youth Involvement for prevention of domestic violence
and teen dating violence to support 1 full-time Information and Education Coordinator (annual market rate is $62,102); and

2. If awarded, recognize, receive and appropriate the grant funds.

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

*Chair Dunlap resumed chairing the meeting.*

**19-5346 GRANT APPLICATION - SR. HEALTH INSURANCE INFORMATION PROGRAM - MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS ACT**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to:

1. 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 $10,087; and

2. If awarded, recognize, receive and appropriate such funds.

*Note: The grant award will be distributed in FY19 and will be used to expand Medicare and Low-Income Subsidy Education, Counseling and Enrollment Services offered in the community between now and September 30, 2019.*

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

**19-5347 CONSTRUCTION MANAGER@RISK FOR NORTHERN REGIONAL RECREATION CENTER: SUBCONTRACTOR PREQUALIFICATIONS**

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to authorize the Subcontractor Prequalification procedure provided by Warton Smith/Edison Foard Construction for the Northern Regional Recreation Center.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this matter.

**19-5349 DEVELOPMENT AGREEMENT - DISCOVERY PLACE, INC.**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-1 with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, and Scarborough voting yes and Commissioner Powell voting no, to authorize the County Manager to negotiate and execute a Project Development Agreement between the County and Discovery Place, Inc. for the design and construction of a replacement building for the nature museum located on a portion of Tax Parcel 151-041-01 located at Freedom Park.

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

Commissioner Powell said her opposition had to do with where this item fell in the Capital Improvement Plan (CIP).
19-5360 BUDGET AMENDMENT - HEALTH DEPARTMENT (NET INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to recognize, receive, and appropriate changes in State and Federal funding as follows:

a. A net decrease in state/federal revenue and associated expenses in the amount of $147,715;

   Note:
   a. The Department received notification of decreased funding:
      i. $28,527 for Campus Safe Spaces and
      ii. $119,188 for Pregnancy Care Management

b. A net increase in state/federal revenue and associated expenses in the amount of $147,610; and

   Note:
   b. The Department received notification of increased funding:
      i. $127,500 for Breast and Cervical Cancer,
      ii. $252 for Minority AIDS Initiative and
      iii. $19,858 for Care Coordination for Children

c. An increase in other revenue and associated expenses in the amount of $550,000.

   Note:
   c. The Health Department has received additional funding through fees and a grant:
      An increase in the collection of Birth and Death Certificates fees requires an adjustment to increase other revenue in the amount of $50,000. This increase will help offset the cost of printing, transaction/finance charges and program supplies; and
      The AETNA Foundation awarded $500,000 to the Health Department for the Healthy Cities & Counties Challenge. These funds will be utilized for the Village Heart BEAT program.

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

19-5361 CAPITAL RESERVE EXPENDITURE REQUEST - HARRISBURG PARK SYNTHETIC TURF REPLACEMENT (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to approve expenditure of $445,021 to replace synthetic turf fields at Harrisburg Park.

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

19-5365 ARCHITECT SELECTION - DISCOVERY PLACE NATURE PROJECT

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to authorize the County Manager to negotiate fees and execute a contract with Liollio Architecture, for Architectural, Engineering and Landscape Architecture
APRIL 16, 2019

Services for the Discovery Place Nature Project; and in the event negotiations with this firm are unsuccessful, approve negotiations with the alternate firm of Little Diversified Architects.

Note: Discovery Place, Inc. currently operates a County-owned nature museum at 1658 Sterling Road at Freedom Park (known as the Charlotte Nature Museum). A project was included in the approved FY19-23 Capital Improvement Plan for replacement of the nature museum and the addition of several outdoor experiences on eight acres of land surrounding the museum. The total cost for this project is expected to be $32 Million with the County providing $16 Million (FY19-23 CIP) for design and construction of facilities and Discovery Place providing $16 Million for interior and exterior exhibits.

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

Commissioner Fuller said going forward, he would like to see some backup information for these types of items.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:21 p.m.

Janice S. Paige, Clerk

George Dunlap, 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 16, 2019.

ATTENDANCE

Present:  Chair George Dunlap and Commissioners
Patricia “Pat” Cotham, Trevor M. Fuller,
Susan B. Harden, Mark Jerrell, Vilma D. Leake,
Elaine Powell, and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Tyrone C. Wade
Clerk to the Board Janice S. Paige

Absent:  Commissioner Susan Rodriguez-McDowell

-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: 19-5328, 19-5338, 19-5340, 19-5346, 19-5347, 19-5349, 19-5360, 19-5361, and 19-5365.

STAFF BRIEFINGS - NONE

CLOSED SESSION

19-5333    CONSULT WITH ATTORNEY
19-5351    BUSINESS LOCATION AND EXPANSION
Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, 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 5:30 p.m. and came back into Open Session at 5:47 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, which was followed by introductions, invocation by Commissioner Jerrell, followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

19-5359 DONATION – MENTAL HEALTH FACES OF DIVERSITY MURAL

Motion was made by Commissioner Jerrell, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to recognize and receive the gift of the "Mental Health Faces of Diversity" mural from local artist Edwin Gil and Mental Health America (MHA) to be displayed in the Mecklenburg County courthouse.

Note: The "Mental Health Faces of Diversity" mural was commissioned in 2017 by local contemporary conceptual artist, Edwin Gil. The work highlights faces of mental health represented by local community members and is part of the international social art project, Faces of Diversity. The mural features likenesses of a young program participant, a MHA volunteer and a MHA donor - all personally affected by mental health concerns. It reflects the universality of mental health conditions, affecting every race, culture, and socio-economic group, gender and age.

Note: Mental Health America of Central Carolinas is a non-profit organization, founded in 1933 in Charlotte. MHA’s mission is promoting mental wellness through advocacy, prevention and education in Mecklenburg and Cabarrus Counties.

Mr. Gil is an art teacher at Providence Day School and an avid social activist, who uses his art to bridge cultures and diverse groups living in the U.S. Mr. Gil has overcome numerous obstacles to become one of America’s premier Latino Artists.
Mr. Gil, along with Mental Health America of Central Carolinas representatives Kathy Rogers, Executive Director, and Andrea Towner, Development Director were present and addressed the Board. They were introduced by Criminal Justice Services Director Sonya Harper.

Comments prior to the above vote:

Commissioner Fuller asked where in the courthouse would the mural be located. The response was the 8th Floor, the family court floor.

Commissioner Leake asked would there be a cost associated with this. The response was installation cost.

Commissioner Harden thanked Mr. Gil for his commitment to social justice.

PUBLIC APPEARANCE

19-5331 PUBLIC APPEARANCE

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

Edna Chirico, a former County Commissioner, extended an invitation to the Board to attend an Out Teach luncheon on May 10, 2019 at Governors’ Village STEM Academy, 7810 Neal Road, Charlotte, NC from 12:15-1:30 p.m. One of the purposes of the luncheon is to build an outdoor learning lab in just one day.

Note: Out Teach, formerly called REAL School Gardens, and before that, the REAL Schools Initiative, is a national teacher-development nonprofit working to ensure that all students, no matter their resources, have access to an engaging, hands-on education that transforms their lives. Its Mission, to equip teachers with the power of experiential learning outdoors to unlock student performance. “Experiential learning is proven to accelerate learning for all students; and outdoor classrooms provide countless ways to connect Math, Science, and Language Arts to the real world, adding relevance, purpose, and meaning to daily instruction. By combining proven professional training with exciting outdoor spaces, Out Teach empowers teachers to create unforgettable learning experiences and measurable results.”

The following persons spoke in support of more parks, greenways, recreation centers and programming at recreation centers, as well as, summer camps for adults with disabilities. They also addressed the benefits of having them.
Darlene Heater, Nancy Nicholson, Ruth Ann Grissom, Rufus Kearney (Park and Recreation Commission member), Blanche Penn (Park and Recreation Commission member), Paul Freestone (Park and Recreation Commission member), Maureen Gilewski (Charlotte East), Apryl Lewis, Irlanda Ruiz, Jessica Moreno, Abigail Coke, Dyrrele Osborne, Jacob Lineberger, Billy Shue (Charlotte Running Club), and Serita Russell (President of the Lake Arbor Association).

Note: Ms. Gilewski also spoke in support of affordable housing but asked that it not be concentrated in one area and that park land not be used for that purpose, particularly in low income areas. She said Charlotte East was opposed to the County’s possible sale of park land on Statesville Road for affordable housing.

Note: Ms. Coke, a student at UNC-Charlotte asked that emergency call boxes be placed in parks and in student living complexes off campus. She also asked that sidewalks in student living complexes off campus be extended to connect with greenway trails.

Note: The following persons signed up to speak but did not: Heidi Pruess, Rick Winiker, Peter Engles, and Doug Burnett, with the Park and Recreation Commission, and Pat Martinez.

Richard Kingsberry, a retired Leutinent Kernel, U.S. Army, and Board Chairman of the NC Military Veterans Hall of Fame, addressed the upcoming inductions honoring NC veterans. He said there were 736,000 military veterans that call N.C. home. Mr. Kingsberry said 361,000 North Carolinians served in WWII. Mr. Kingsberry noted a 44-member band that the U.S. Navy started in 1942 called the B-1 Band, a group of African American musicians and WWII Veterans that came out of N.C. A&T State University. He said the band was formed to boost morale and that members were recognized and honored by the U.S Navy for their service, talents and contributions. Mr. Kingsberry said the NC Military Veterans Hall of Fame would be doing the same. He said the goal of the NC Military Veterans Hall of Fame was to recognize and honor veterans born in N.C. and/or those with N.C. ties.

Nia Darby, secretary for the N.C. Military Veterans Hall of Fame Board of Directors, addressed the importance of recognizing and honoring veterans, as well as, the need to involve the youth in this process. She said today’s youth need to understand the impact of what veterans do for our country.

Diane Hall, from Salisbury, NC, addressed the upcoming induction of her late father into the NC Military Veterans Hall of Fame. She commended the N.C. Military Veterans Hall of Fame for its work and for honoring her father in this manner.
James Deal from Salisbury, NC, a WWII veteran said he was being inducted into the N.C. Military Veterans Hall of Fame this year. He thanked the N.C. Military Veterans Hall of Fame for selecting him.

Sandra Suba with the Daughters of the American Revolution from Salisbury, NC said their goal was to preserve history and to educate the next generation. She noted their partnership with the N.C. Military Veterans Hall of Fame and encouraged the County and the State to support their efforts.

David Broadie, one of the founders of the N.C. Military Veterans Hall of Fame, said inductions would take place on April 27, 2019. Twenty-nine (29) veterans will be inducted. Mr. Broadie addressed the impact of the N.C. Military Veterans Hall of Fame locally and on the state level. He said not only was the goal of the organization to recognize and honor veterans but to advocate for them as well. He said they also work on being seen in neighborhoods to create a positive energy to civilians to “reclaim the values” of what veterans fight for on foreign lands, “dignity and respect for what we have as our freedom.” He concluded by asking the Board to stand with them and support its mission.

APPOINTMENTS

19-5352 APPOINTMENTS

INFORMATION SERVICES AND TECHNOLOGY ADVISORY COMMITTEE

Motion was made by Commissioner Harden, seconded by Commissioner Scarborough and carried 6-2 with Commissioners Dunlap, Fuller, Harden, Jerrell, Powell, and Scarborough voting yes, and Commissioners Cotham and Leake voting no, to appoint Chemere Davis, Elyas Mohammed, and Jesse Newsom to the Information Services and Technology Advisory Committee to fill unexpired terms expiring February 28, 2021.

19-5326 NOMINATIONS/APPOINTMENTS

CITIZEN’S TRANSIT ADVISORY GROUP

Motion was made by Commissioner Fuller, seconded by Commissioner Powell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to reappoint Adam Pasiak to the Citizen’s Transit Advisory Group for a two-year term expiring April 30, 2021.
GROUNDWATER ADVISORY COMMITTEE

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to nominate and appoint Jennifer York as the Realtor representative to the Groundwater Advisory Committee to fill an unexpired term expiring July 31, 2021.

Note: She replaced Bertha Walker.

JUVENILE CRIME PREVENTION COUNCIL

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to nominate and appoint J’Ziya Perry as a Youth representative to the Juvenile Crime Prevention Council to fill an unexpired term expiring June 30, 2021.

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

Leigh Altman   by Commissioner Harden
Tonja Brooks   by Commissioner Fuller
Kimberly Sanders  by Commissioner Harden
Tysha Shaw       by Commissioner Harden

Note: An appointment will be made at the May 7, 2019 meeting.

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

Anthony Gonzalez  by Commissioner Powell
Marque Macon     by Commissioner Fuller
Pamela McCarter  by Commissioner Harden
Brian Peay        by Commissioner Leake
Danielle Young-Martin  by Commissioner Jerrell
Motion was made by Commissioner Scarborough, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to close the nominations.

*Note: An appointment will be made at the May 7, 2019 meeting.*

The following person was nominated for appointment consideration to the Juvenile Crime Prevention Council for the **Business Community slot**: Brianna Davis by Commissioner Jerrell.

Motion was made by Commissioner Scarborough, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to nominate and appoint Brianna Davis as the Business Community representative to the Juvenile Crime Prevention Council to fill an unexpired term expiring June 30, 2019.

*Note: She will replace Ryan Atkinson.*

Motion was made by Commissioner Scarborough, seconded by Commissioner Harden and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to reappoint Brenda Prince as the **Faith Community representative** to the Juvenile Crime Prevention Council to fill her unexpired term expiring May 30, 2021.

*Note: Brenda Prince was removed because of attendance but asked to be considered for reappointment.*

**WOMENS ADVISORY BOARD**

Motion was made by Commissioner Fuller, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to reappoint Corelutta Reid to the Women’s Advisory Board for a three-year term expiring April 30, 2022.

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

<table>
<thead>
<tr>
<th>Name</th>
<th>By</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brooke Adams</td>
<td>by Commissioner Harden</td>
</tr>
<tr>
<td>Kristin Buhlert</td>
<td>by Commissioner Leake</td>
</tr>
<tr>
<td>Katie Ferraioli</td>
<td>by Commissioner Jerrell</td>
</tr>
<tr>
<td>Suzanne Elsberry Schweikert</td>
<td>by Commissioner Fuller</td>
</tr>
</tbody>
</table>
APRIL 16, 2019

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to close the nominations.

Note: Appointments will be made at the May 7, 2019 meeting.

19-5369 CENTRALINA ECONOMIC DEVELOPMENT COMMISSION – PRIVATE SECTOR REPRESENTATIVE

Motion was made by Commissioner Harden, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to appoint Alan Kathman as the Board’s private sector representative on the Centralina Economic Development Commission for a three-year term expiring February 28, 2022.

Note: He will replace Robert Hillman.

PUBLIC HEARINGS

19-5350 PUBLIC HEARING: BUSINESS INVESTMENT PROGRAM GRANT - BARRDAY CORPORATION

Motion was made by Commissioner Scarborough, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to open the public hearing to receive comments on a proposed Business Investment Program grant to Barrday Corporation.

Note: Barrday Corporation is a leading advanced material solutions manufacturer currently headquartered in Ontario, Canada. Barrday has had a presence in Mecklenburg County since 2000 and employs 110 people. Barrday Corporation products can be found in a range of applications from defense to aerospace to energy production. Barrday Corporation has developed advancements in unidirectional (UD) products that has allowed them to expand hard and soft armor applications. Barrday is seeking to expand its UD capability and capacity to meet growing demand. Barrday Corporation has announced its intent to locate the UD expansion in Charlotte. Barrday Corporation also considered locating the investment in a facility located in Valkenswaard, Netherlands.
Barrday Corporation’s proposed project meets all the following grant guidelines for a five-year existing industry Business Investment Grant, specifically:

- A taxable investment of $3,490,000 to be completed in the next three years
- Creation of 25 new jobs with an average wage of $43,896 (which includes 19 textile knitting operator positions at 129% of the average for the Charlotte-Gastonia-Rock Hill M.S.A.).
- There is competition for this project from the Netherlands.

Peter Zeiler, Director of Economic Development, presented this matter to the Board.

Comments

Commissioner Leake said she was concerned about the salaries and would have preferred higher salaries.

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

Commissioner Harden asked Director Zeiler to address the training that would be covered by the state of NC, which he did.

Commissioner Jerrell asked if the compensation noted included benefits. *The response was no.*

Commissioner Jerrell said that would be good information to have going forward.

This concluded the discussion.

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

Motion was made by Commissioner Scarborough, seconded by Commissioner Powell and carried 5-2 with Commissioners Dunlap, Harden, Jerrell, Powell, and Scarborough voting yes, and Commissioners Cotham and Leake voting no, to close the public hearing on a proposed Business Investment Program grant to Barrday Corporation and adopt a resolution approving a Business Investment Program grant to Barrday Corporation for a total estimated amount of $54,186; and authorize the County Manager to negotiate and execute the contract.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION**

**APPROVING BUSINESS INVESTMENT PROGRAM GRANT FOR BARRDAY CORPORATION**
WHEREAS, Barrday Corporation is seeking to expand its unidirectional capacity and add four new production units in Mecklenburg County, NC; and

WHEREAS, the company evaluated sites in Valkenswaard, Netherlands; 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 March 6, 2019 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. The project will include a capital investment of approximately $3.49 million and will create 25 new jobs within five years at an average annual salary of approximately $43,896. The Business Investment Program grant is a 50% grant over 5 years, with an estimated total amount of up to $54,185. The grant will be subject to the County’s standard contract provisions, including compliance requirements for the company related to job creation targets and clawback provisions; and

WHEREAS, Mecklenburg County Board of Commissioners has determined that this grant will provide new employment, new taxable property and new economic activity within the County, now, therefore, be it

RESOLVED that the Board of County Commissioners does hereby approve the Business Investment Program grant and Economic Development grant as described above, and authorizes the County Manager to execute a contract for the same, with any necessary or helpful nonmaterial changes.

Resolution recorded in full in Minute/Ordinance Book 48, Document # 22.

Commissioner Fuller returned to the dais.

19-5362 PUBLIC HEARING - ZONING PETITION 2019-001C

Chairman Dunlap acknowledged the presence of the Zoning Committee of the Charlotte-Mecklenburg Planning Commission and its chair, John Fryday.

Mr. Fryday introduced members of the Zoning Committee that were present. He noted the Committee’s review process with respect to Zoning Petition 2019-001(c). He said the Committee would meet on April 30, 2019 at 5:30 p.m. at the Charlotte-Mecklenburg Government Center to discuss the petition, however, that discussion would not be a continuation of the public hearing. Further, that the April 30th meeting was open to the public.
Motion was made by Commissioner Fuller, seconded by Commissioner Powell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to open the public hearing on Zoning Petition 2019-001(C) for a change in zoning for approximately 3.42 acres located on the west side of Lancaster Hwy., north Providence Road West from NS (Neighborhood Services) to NS SPA (Neighborhood Services, Site Plan Amendment) - Petitioner: Ascent Real Estate Capital, LLC.

Note: The Charlotte Planning Design and Development Department received a rezoning petition (Petition 2019-001C) for property off Lancaster Highway. The site is located in the area that was designated as Pineville’s sphere of influence due to an annexation agreement with the City of Charlotte. The annexation agreement between the City of Charlotte and the Town of Pineville expired in August 2014. Neither municipality has extended their ETJ into this area. Therefore, Zoning authority lies with the Mecklenburg County Board of Commissioners and rezoning petitions in this area must be heard and decided on by the Board of County Commissioners.

Petition No. 2019-001C by Ascent Real Estate Capital, LLC is a request for a change in zoning for approximately 3.42 acres located on the west side of Lancaster Hwy., north Providence Road West from NS (Neighborhood Services) to NS SPA (Neighborhood Services, Site Plan Amendment).

John Kinley, Senior Principal Planner with the City of Charlotte’s Planning and Design Development Department, presented the request to the Board.

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

John Carmichael, representing the Petitioner, addressed the petitioner’s request.

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

Comments

Commissioner Leake expressed concern for traffic in the Steele Creek area, however, it was noted that Petition 2019-001(c) was not in the Steele Creek area.

Mr. Carmichael addressed traffic improvements in the area of the Petition, which was Lancaster Highway.

Commissioner Cotham asked was a traffic study done. The response was no, because it was not required.
Commissioner Cotham expressed concern for increased traffic in the area.

Commissioner Powell asked about the tree canopy that was planned and the storm water retention pond, which was addressed by Mr. Carmichael and Hattie Pavlechko-Reiter.

Commissioner Powell encouraged the petitioner to plant native trees.

Commissioner Fuller asked about traffic patterns, which was addressed.

Chair Dunlap noted that per a meeting with Pineville officials, the question was asked of them regarding their interest in annexing this area of the county; and the answer was still no.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to close the public hearing on the request for a change in zoning for approximately 3.42 acres located on the west side of Lancaster Hwy., north Providence Road West from NS (Neighborhood Services) to NS SPA (Neighborhood Services, Site Plan Amendment) - Petitioner: Ascent Real Estate Capital, LLC. and defer making a decision until a recommendation is received from the Planning Commission.

*Note: A recommendation is expected to be received from Planning Commission at the Board’s May 21, 2019 meeting.*

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

*The members of the Zoning Committee left the meeting at this time.*

**ADVISORY COMMITTEE REPORTS – NONE**

**MANAGER’S REPORT**

**19-5348 POLLING RESULTS FOR DEDICATED SALES TAX FOR ARTS & CULTURE AND OTHER USES**

Chair Dunlap called on County Manager Diorio to introduce Item 19-5348 Polling Results for Dedicated Sales Tax for Arts & Culture and Other Uses.

*Chair Dunlap left the dais and was away until noted in the minutes.*
Vice-Chair Powell presided until noted in the minutes.

County Manager Diorio noted the following: On February 12, 2019 the Board of County Commissioners received a report from the Arts and Science Council (ASC) proposing that the County consider placing a referendum on the ballot to levy an additional quarter cents sales tax. The sales tax would generate approximately $50 million per year. The ASC is proposing that $20 million be allocated to funding arts and cultural programs and institutions throughout the county and the remainder allocated to other purposes.

To gauge community sentiment for the proposal, the Charlotte Regional Business Alliance Foundation contracted with Well World Solutions to poll County residents. The poll included 1,000 residents, both land line and cell phone, in both English and Spanish. The poll included general questions about whether the respondent supported 1) an increase in the local sales tax, 2) allocating the additional sales tax for arts and culture, and 3) what other purposes might be appealing. Respondents were also asked about their thoughts on allocating the remaining $30 million to either public libraries, parks and green spaces, pre-kindergarten, or teacher pay. The poll also gauged community sentiment on whether the funds should be managed by a non-profit or government entity.

County Manager Diorio called on Mousumi Sarkar with Well World Solutions to present the report on the polling results.

The report covered the following:
- Purpose of the Survey
- How the Survey was Conducted
- Potential Referendum
- Initiatives

Chair Dunlap returned to the dais and resumed chairing the meeting.

- Support for Initiative; Etc.

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

Comments

Commissioner Fuller said four or five years ago a referendum was placed on the ballot to levy an additional quarter cents sales tax and that it failed. He said the challenge was people saying what they want versus what they’ll actually vote for. He said the survey results on page six of the presentation was representative of what was said years ago. He said the last time the
matter was presented to the public, they were informed of what it would be used for, which included teacher raises and it still failed with well over 60% of voters voting in opposition.

Commissioner Fuller said the polling data presented did not answer the real question, which was what can be done this time to get a different result. He said unfortunately, you can’t provide all of the specific intents for use on the ballot.

Commissioner Fuller said he would be supportive of the County directly funding the arts more.

Commissioner Fuller expressed concern for the timing of this proposed idea, in light of revaluation. He questioned whether taxpayers were willing to pay an additional tax, when they're anxious about the impact of revaluation. He said the survey didn’t ask whether they would be willing to vote for a tax increase.

Ms. Sarkar said she was not aware of the prior ask of the voters.

Ms. Sarkar said their findings showed that there was more support from non-voters than voters, which she said was not surprising. She questioned whether there was an educational campaign associated with the referendum ask the last time. She said educating the public was a key component.

Commissioner Fuller said what really mattered were responses from voters versus those that responded but do not vote.

Ms. Sarkar said at this point in the process, it was too early to say, if the effort would be successful this go around.

Commissioner Fuller said he was not persuaded to do this at this time.

Commissioner Leake said she had a problem with the Arts & Science Council coming to the County asking for more funding. She questioned how this would impact the “weakest of the weak.”

Commissioner Leake said she would like to see funding provided so that the music curriculum could be back in the schools.

Commissioner Leake said a lot of the Arts & Science Council activities were too expensive for the average person to attend.
Commissioner Leake said there were other pressing needs related to public health and education.

Commissioner Leake said it was “unfair” of the Arts & Science Council to come and ask the Board to fund their budget.

Commissioner Harden spoke in support of the idea. She said it would have a transforming effect on the community.

Commissioner Harden said this would be an investment in the arts and education.

Commissioner Harden said more work needed to be done to educate the public on this matter.

Commissioner Jerrell said one of the major concerns he had regarding the polling data was that the majority of the respondents weren’t voters. *Ms. Sarkar said the majority of the respondents were registered voters.*

Commissioner Jerrell said it would be helpful to have the data showing the specifics on the respondents, such as voters versus non-voters, versus registered voters and voters. *Ms. Sarkar said she would provide that information.*

Commissioner Jerrell said there was a difference between being registered to vote and actually being a voter. *Ms. Sarkar said the survey did ask if the respondent voted in the last election. She said that information would be provided also.*

Commissioner Jerrell asked would another survey be done. *Ms. Sarkar said she did not know.*

Commissioner Jerrell asked if the survey asked how long the respondent had been a resident of Mecklenburg County. *The response was no.*

Commissioner Jerrell asked if the survey asked if the respondent participated in the last election when this type of matter was placed on the ballot and/or how they voted; and if so, how many changed their minds. *The response was no, because they were not aware of it being on the ballot the last time. Ms. Sarkar reviewed the questions and responses to what was stated on the survey.*

Commissioner Jerrell echoed Commissioner Harden’s comments and said this initiative could be a “game changer” for the community. He said, therefore, it was important to “get it right” this go around.
Commissioner Jerrell questioned the usefulness of the polling data presented. He said what needed to be known was specifically where voters and “likely” voters stood on this question.

Commissioner Cotham said she was a supporter of the arts; however, she spoke in opposition to the idea of having an increase in the local sales tax. Commissioner Cotham said she opposed this idea the last time it was brought up, years ago.

Commissioner Cotham said the County was already currently funding the Arts & Science Council.

Commissioner Cotham said the timing of this was also problematic, in light of revaluation.

Commissioner Cotham expressed concern and questioned why the Board wasn’t asked to provide input on the development of the survey questions.

Commissioner Cotham said she would like to see the Arts & Science Council raise the money they say they need another way.

Commissioner Scarborough noted her support of the Arts.

Commissioner Scarborough said the Board, Charlotte City Council, and the Board of Education should all support the Arts. She said a meeting of the entities on this subject should occur.

Commissioner Powell asked how long it took to complete the survey. The response was an average of 22 minutes.

Commissioner Powell said she had a “deep appreciation and respect” for the arts, but questioned how much of it was a government responsibility.

Commissioner Powell said she would need more information before making a decision and that she’d like to hear from more people.

Chair Dunlap said based on the comments, the Board, as well as, the public needed to be educated more on this subject.

Chair Dunlap said the question before the Board was whether it wanted to give the community the opportunity to vote yes or no on this matter.

Chair Dunlap said the only persons with a say would be those who participate in the election process by voting.
Chair Dunlap spoke in support of allowing the community the opportunity to decide this matter.

Chair Dunlap said it should be kept in mind that the additional sales tax would be paid by visitors to Mecklenburg County as well, and not just residents.

Chair Dunlap said if approved, funds would be used to fund other things and not just the arts.

County Manager Diorio said the poll was just the first step in the process. She noted that the last time a referendum was placed on the ballot to levy an additional quarter cents sales tax was in 2014. She said the education campaign was not well done or well-funded, which probably contributed to the failure of the referendum.

County Manager Diorio said determining who would govern and manage the funds was a huge matter of concern, given perceptions about the Arts & Science Council. She said that determination would be made on the front end.

County Manager Diorio said staff would provide further updates.

Commissioners Leake and Fuller questioned whether the Board had asked staff to move forward.

Chair Dunlap echoed County Manager Diorio’s comment that this was just the beginning of the process. He said the point at which the Board would need to make a decision would be forthcoming and not at this time. He said staff heard the concerns raised, per the discussion and would take that into consideration and provide additional information at a later date.

Commissioner Fuller questioned whether the Board had held a discussion regarding moving forward with the discussion of this matter. He said the Board had engaged in the discussion out of “politeness.”

Chair Dunlap said on many occasions the Board of County Commissioners had discussed matters without taking a vote on whether to hold that discussion. He said with respect to this issue, it was on the agenda for discussion only. He said the appropriate time for the Board to take action would come at a later date.

This concluded the discussion.

The Board received as information, the report from Mousumi Sarkar of Well World Solutions on the polling results performed in March 2019 on community perspective on a proposal to
increase the local sales tax by a quarter (¼) cents to fund arts and culture, as well as other County programs. No action was taken or required.

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

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

19-5372 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information monthly department management reports for April 2019.

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.

19-5373 FEATURE DEPARTMENT/AGENCY PRESENTATION: CHARLOTTE MECKLENBURG LIBRARY

The Board received a presentation from Charlotte Mecklenburg Library CEO Lee Keesler regarding Library activities.

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

Comments

Commissioner Jerrell asked for updates on the Hickory Grove Branch Library and Plaza Midwood. He said the footprint of those branches was very small compared to other branches. Mr. Keesler said he wasn’t sure about the ability to expand at Hickory Grove but at Plaza Midwood they were landlocked.

Commissioner Cotham asked that in future reports At-large Commissioners be acknowledged and not just those representing districts.

Commissioner Cotham said a library was needed in Pineville. Mr. Keesler said those discussions were taking place.
Commissioner Harden, noted in Commissioner Rodriguez-McDowell’s absence and on her behalf, the need for a library in Mint Hill, which is in Commissioner Rodriguez-McDowell’s district. Mr. Keesler said the Town of Mint Hill had expressed that interest as well.

Commissioner Leake thanked Mr. Keesler for reading programs implemented in the Nations Ford Road area on the weekends and after-school, particularly, for families living in hotels/motels. Commissioner Leake suggested including pictures from those sites in future reports, if allowed to do so.

Commissioner Leake asked about the status of the West Boulevard library. Mr. Keesler said the more appropriate respondent to that question would be County staff.

Commissioner Leake said that was fine, she had no further questions.

Chair Dunlap shared with Mr. Keesler that there was community concern with respect to the long-term view of libraries in general. He said a comprehensive plan was needed and that the County Manager would probably be reaching out to him regarding that subject.

Chair Dunlap said there was lots of concern regarding the University City Library, a library for the Prosperity Village area and in Pineville. He said a long-term strategy was needed.

Chair Dunlap said he was glad to see the Library doing things “outside of the walls of the Library.”

Chair Dunlap thanked Mr. Keesler for the report and for all the work being done by the Library.

This concluded the discussion.

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

STAFF REPORTS & REQUESTS - NONE
COUNTY COMMISSIONERS REPORTS & REQUESTS

19-5368  AUDIT REVIEW COMMITTEE ANNUAL REPORT AND SELECTION OF INDEPENDENT AUDITOR (COMMISSIONER COTHAM)

The Board received the annual Audit Review Committee report from Commissioner Cotham, who chairs the Committee. The other committee members are Commissioners Fuller, Harden, and Scarborough and general public member Alex Vuchnich.

Commissioner Cotham was assisted by Finance Director Sarah Lyberg.

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

Comments

Chair Dunlap questioned whether consideration should be given to changing the County’s external auditor, in light of the number of years Cherry Bekaert, LLP had served in this role.

Finance Director Sarah Lyberg addressed the selection process.

Chair Dunlap said he would support the request to select Cherry Bekaert, LLP, but he strongly encouraged staff to work “extremely hard” going forward to find someone else that could do this type of work.

Motion was made by Commissioner Cotham, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to receive the annual report of the Audit Review Committee and approve the recommendation from the Audit Review Committee to appoint Cherry Bekaert, LLP as external auditor for three years beginning with the June 30, 2019 fiscal year end audit.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to approve the following item(s):
19-5329  TAX REFUNDS

1) Approve refunds in the amount of $12,888.10 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 statewide vehicle tax system.

2) Approve refunds in the amount of $15,218.68 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 an estimated accrued interest of $348.30 that is included in the $15,218.68 refunds.

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

19-5330  LAND ACQUISITION - AUTEN NATURE PRESERVE

Authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 013-024-12 (+/-0.454 acres) to add to Auten Nature Preserve for $8,000.

19-5332  MINUTES

Approve Minutes of Regular meeting held April 2, 2019 and Closed Session held March 19, 2019.

19-5335  STORM WATER PROGRAM - FY19 HAZARD MITIGATION FLOODPLAIN ACQUISITION

1. Accept the Offer of Sale of Real Estate from Vicky Ann Hughes, owner of property located at 1101 Mockingbird Lane, Charlotte, NC (tax parcel 171-082-18), for $305,000;

2. Accept the Offer of Sale of Real Estate from Kristine Miller, owner of property located at 1109 Mockingbird Lane, Charlotte, NC (tax parcel 171-082-19), for $410,000;
3. Accept the Offer of Sale of Real Estate from Robert & Louise Hair, owners of property located at 701 Main Street, Pineville, NC (tax parcel 171-082-22) for $206,000; and

4. 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.).

19-5343 CONSTRUCTION CONTRACT- EXHIBIT PACKAGE AT LATTA PLANTATION NATURE PRESERVE VISITOR’S CENTER

Award a construction contract to Capitol Museum Services in the amount of $856,398 for the construction and installation of exhibits at the new Latta Plantation Nature Preserve Visitor’s Center located at 6345 Sample Road, Huntersville, NC 28078.

Note: The interactive exhibits are programmed to provide a wide range of visitor preferences and learning levels and will allow visitors to engage directly with nature. The centerpiece of the exhibits will be an 8,000-gallon indoor aquarium that will display freshwater lake species and represent the unique habitats within the preserve.

19-5358 2019 BOCC MEETING SCHEDULE

Amend 2019 Board of County Commissioners (BOCC) Meeting Schedule to change the start time of the May 14, 2019 Budget/Public Policy Meeting to 1:00 p.m.

19-5363 PUBLIC AUCTION FOR DISPOSAL OF SURPLUS EQUIPMENT

Adopt a resolution authorizing sale of surplus personal property by public auction on May 11, 2019 at 9:00 a.m. at 5550 Wilkinson Blvd, Charlotte, North Carolina.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
Resolution Authorizing Sale of Surplus Personal Property by Public Auction

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Mecklenburg County Board of Commissioners that the County Manager or her designee is authorized to sell the surplus property described on Exhibit A at public auction on the day of May 11, 2019 at 9:00 a.m. at 5550 Wilkinson Blvd, Charlotte, North Carolina, as per the terms and conditions in accordance with North Carolina G.S. 160A-270(b) and in compliance with County policies. The terms of the sale shall be net cash. The County Manager or her designee is directed to publish at least once and not less than ten (10) days before the date of the auction, a copy of this Resolution or a notice summarizing its content as required by North Carolina General Statute 160A-270(b).

Resolution recorded in full in Minute/Ordinance Book 48, Document #23.

19-5366 CONSTRUCTION MANAGEMENT @ RISK CONTRACTING METHODOLOGY FOR COUNTY PROJECTS

Authorize the use of the Construction Management @ Risk (CM @ Risk) contract methodology for the Discovery Place Nature Museum Replacement Project as the best construction contracting delivery method for the project.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Chair Dunlap left the dais and was away until noted in the minutes. Vice Chair Powell chaired the meeting until noted in the minutes.

19-5328 GRANT APPLICATION - U.S. DEPARTMENT OF LABOR - RE-ENTRY PROJECTS (SHERIFF'S OFFICE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to approve submission of a grant application in the amount of $512,000 from the U.S. Department of Labor Employment and Training Administration for re-entry efforts for those returning from incarceration; and if awarded, recognize, receive and appropriate the grant funds.

Commissioner Leake removed this item from Consent for more public awareness.
19-5338 GRANT APPLICATION - PROVIDE VIOLENCE PREVENTION PROGRAMMING IN SCHOOLS

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to:

1. Affirm the submission of a grant application in the amount of up to $300,000 to the Project Safe Neighborhoods Task Force of the Western District of North Carolina to provide school-based violence prevention programs in Mecklenburg County; and

2. If awarded, recognize, receive and appropriate the grant funds and authorize one additional position in the Community Support Services Department, Prevention Intervention and Services Division: 1 Full time Information and Education Coordinator to provide neighborhood service coordination (annual market rate is $62,102).

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

Chair Dunlap returned to the dais.

19-5340 GRANT APPLICATION - PREVENTION OF DOMESTIC VIOLENCE AMONG YOUTH 2019

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to:

1. Approve submission of a renewal grant application, not to exceed $180,000, to the North Carolina Council for Women and Youth Involvement for prevention of domestic violence and teen dating violence to support 1 full-time Information and Education Coordinator (annual market rate is $62,102); and

2. If awarded, recognize, receive and appropriate the grant funds.

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

Chair Dunlap resumed chairing the meeting.
19-5346  GRANT APPLICATION - SR. HEALTH INSURANCE INFORMATION PROGRAM-
MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS ACT

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously
carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and
Scarborough voting yes, to:

1. 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
   $10,087; and

2. If awarded, recognize, receive and appropriate such funds.

Note: The grant awards will be distributed in FY19 and will be used to expand Medicare and
Low-Income Subsidy Education, Counseling and Enrollment Services offered in the community
between now and September 30, 2019.

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

19-5347  CONSTRUCTION MANAGER@RISK FOR NORTHERN REGIONAL RECREATION
CENTER: SUBCONTRACTOR PREQUALIFICATIONS

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously
carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and
Scarborough voting yes, to authorize the Subcontractor Prequalification procedure provided by
Warton Smith/Edison Foard Construction for the Northern Regional Recreation Center.

Commissioner Leake removed this item from Consent for more public awareness and clarity.
County Manager Diorio addressed this matter.

19-5349  DEVELOPMENT AGREEMENT - DISCOVERY PLACE, INC.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-1
with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, and Scarborough voting yes
and Commissioner Powell voting no, to authorize the County Manager to negotiate and
execute a Project Development Agreement between the County and Discovery Place, Inc. for
the design and construction of a replacement building for the nature museum located on a
portion of Tax Parcel 151-041-01 located at Freedom Park.
Commissioners Leake and Powell removed this item from Consent for more public awareness and clarity.

Commissioner Powell said her opposition had to do with where this item fell in the Capital Improvement Plan (CIP).

19-5360  BUDGET AMENDMENT - HEALTH DEPARTMENT (NET INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to recognize, receive, and appropriate changes in State and Federal funding as follows:

a. A net decrease in state/federal revenue and associated expenses in the amount of $147,715;

Note:
 a. The Department received notification of decreased funding:
 i. $28,527 for Campus Safe Spaces and
 ii. $119,188 for Pregnancy Care Management

b. A net increase in state/federal revenue and associated expenses in the amount of $147,610; and

Note:
 b. The Department received notification of increased funding:
 i. $127,500 for Breast and Cervical Cancer,
 ii. $252 for Minority AIDS Initiative and
 iii. $19,858 for Care Coordination for Children

c. An increase in other revenue and associated expenses in the amount of $550,000.

Note:
c. The Health Department has received additional funding through fees and a grant:
 An increase in the collection of Birth and Death Certificates fees requires an adjustment to increase other revenue in the amount of $50,000. This increase will help offset the cost of printing, transaction/finance charges and program supplies; and
 The AETNA Foundation awarded $500,000 to the Health Department for the Healthy Cities &
Counties Challenge. These funds will be utilized for the Village Heart BEAT program.

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

19-5361  CAPITAL RESERVE EXPENDITURE REQUEST - HARRISBURG PARK SYNTHETIC TURF REPLACEMENT (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to approve expenditure of $445,021 to replace synthetic turf fields at Harrisburg Park.

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

19-5365  ARCHITECT SELECTION - DISCOVERY PLACE NATURE PROJECT

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, to authorize the County Manager to negotiate fees and execute a contract with Liollio Architecture, for Architectural, Engineering and Landscape Architecture Services for the Discovery Place Nature Project; and in the event negotiations with this firm are unsuccessful, approve negotiations with the alternate firm of Little Diversified Architects.

Note: Discovery Place, Inc. currently operates a County-owned nature museum at 1658 Sterling Road at Freedom Park (known as the Charlotte Nature Museum). A project was included in the approved FY19-23 Capital Improvement Plan for replacement of the nature museum and the addition of several outdoor experiences on eight acres of land surrounding the museum. The total cost for this project is expected to be $32 Million with the County providing $16 Million (FY19-23 CIP) for design and construction of facilities and Discovery Place providing $16 Million for interior and exterior exhibits.

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

Commissioner Fuller said going forward, he would like to see some backup information for these types of items.
ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:21 p.m.

Janice S. Paige, Clerk

George Dunlap, Chair
The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 11:00 a.m. on Thursday, May 2, 2019.

ATTENDANCE

Present: Chair George Dunlap and Commissioners
Patricia “Pat” Cotham, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, Susan Rodriguez-McDowell, and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Tyrone C. Wade
Deputy Clerk to the Board Kristine Smith

Absent: None

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

-FORMAL SESSION-

The meeting was called to order by Chair Dunlap, followed by introductions, a moment of Silent in memory of those who lost their lives in the tragedy that occurred at UNC Charlotte, and the Pledge of Allegiance..

Chair Dunlap said the purpose of the meeting was to receive as information the County Manager’s Recommended Budget for FY2019-2020. He 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 May 14, 2019 at the Government Center in room 267 at 1:00 p.m. Chair Dunlap noted the Board will begin deliberations on Tuesday, May 28, at 8:00 a.m. at the Valerie Woodard Center, 3205 Freedom Drive, Suite 4009. The Board will hold a public hearing to receive comments at the Government Center in the meeting Chamber on Thursday, May 9th at 6:00 p.m. He gave details on signing up to speak at the Public Hearing. He stated that the Board is scheduled to adopt the FY2020 Budget at its June 6, 2019 Regular Meeting.

Commissioner Fuller arrived during Chair Dunlap’s ________________

Chair Dunlap then recognized County Manager Diorio.

County Manager Diorio presented her Recommended Budget for FY 2019-2020, which totaled $1.9 billion, an increase of $158 million (9.1%) over FY2019. This increase is from all revenue sources including property tax, sales tax, fund balance and other revenues.
The County Manager’s Budget highlights include:

- $125,000 to increase funding for the Breast and Cervical Cancer Control Program
- $424,000 for the Expansion of Prep Usage and Awareness, and funding to offer HIV testing in non-traditional locations
- $103,000 for the addition of an Environmental Health Specialist for pool inspections.
- $725,000 for six additional Senior Environmental Health Specialists and one Supervisor for Food and Facilities.
- $256,000 in funding for two School Health Nurse Supervisors and to cover the costs of School Health Nurse Certification and funding for two Medical Assistants for Vaccine Administration.
- Funding to implement a Hepatitis-A media campaign to bring awareness of the virus and the ways it can be prevented.
- $153,000 for the Homebound Meal Delivery Program.
- $391,000 to cover the costs for the Special Assistance Program
- $312,000 for kinship care provider payments.

A copy of the County Manager’s remarks is on file with the Clerk to the Board, as well as, a copy of the Recommended Budget for FY 2019-2020.

Budget Director Michael Bryant then presented the details of the County Manager’s Recommended Budget for FY 2019-2020.

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

Highlights of the County Manager’s Recommended Budget for FY 2019-2020
## Next Steps

<table>
<thead>
<tr>
<th>Date</th>
<th>Time &amp; Location</th>
<th>Meeting Type</th>
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<tbody>
<tr>
<td>May 9</td>
<td>6:00 PM</td>
<td>Budget Public Hearing</td>
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<td>CMGC Chamber</td>
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<td>May 14</td>
<td>1:00 PM – 5:00 PM</td>
<td>Budget Workshop – Detailed Overview of the Manager’s</td>
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<td>CMGC Rm. 267</td>
<td>Recommended Budget</td>
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<tr>
<td>May 28 &amp; 29</td>
<td>8:00 AM – 5:00 PM</td>
<td>Budget Straw Vote Workshop</td>
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<td>Valerie C. Woodard Center</td>
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<tr>
<td>June 4</td>
<td>6:00 PM</td>
<td>FY2020 Budget Adoption</td>
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<td>CMGC Chamber</td>
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This concluded the presentation.

No action was taken or required of the Board at this time.

ADJOURNMENT

Motion was made by Commissioner Leake seconded by Commissioner Scarborough and unanimously carried with Commissioners Dunlap, Cotham, Fuller, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 12:12 p.m.

Janie S. Paige, Clerk

George Dunlap, Chair
MAY 7, 2019

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 Tuesday, May 7, 2019. These Closed Session minutes are a part of the minutes of that meeting and should be read in that context.

ATTENDANCE

Present: Chair George Dunlap and Commissioners Patricia “Pat” Coatham, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, 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: None

Also Present: Assistant County Manager/Chief of Staff Derrick Ramos, Assistant County Managers Mark Foster, Leslie Johnson, and Anthony Trotman, Finance Director Sarah Lyberg, Jacqueline McNeil with Asset and Facility Management, and Tom Egan, Chair of the Historic Landmarks Commission

19-5405 LAND ACQUISITION- THE EXCELSIOR CLUB

The Board received an update on Property Acquisition - 921 Beatties Ford Road, Charlotte, NC, (Parcel ID-06906621), The Excelsior Club.

Tom Egan, Chair of the Historic Landmarks Commission (HLC) addressed this matter.

The following was noted:
On April 4, 2019 the Historic Landmarks Commission made an offer in the amount of $850,000 for all three lots based on the Board’s discussion of this matter in March.

The breakdown of the $850,000 was $200,000 from the Historic Landmarks Commission, $150,000 from The Foundation For the Carolinas, and the remainder from other sources.

Also, on April 4, 2019 the owner put up a For Sale sign for all three lots.

The owner was asking for $1.5 million.

The Historic Landmarks Commission’s offer was rejected.

Mr. Egan spoke with the property owners broker, Steve Robinson with New River Brokerage regarding the reason for the rejection, but no explanation or additional information was provided.

It was communicated to Mr. Egan by a fellow HLC member that the owner was “upset” with the HLC regarding the process.

An email was sent to the owner informing her that the HLC apologize if anything it did upset her. It was not their intent to do so; and that the HLC was still willing to assist in anyway it could.

The property owner was informed that the National Trust was interested in placing the property on its 11 most endangered properties’ list in NC, but no response was received from the owner. The property owner’s consent is needed for this to occur.

On April 8, 2019, the HLC met with NC State Senator Joel Ford and Ms. Jtanya Adams with Historic West End Partners to discuss a private group that they were aware of who would be willing to pay close to the $1.5 million. The HLC was asked to assist by putting in covenants on the Excelsior property.

It’s the HLC’s understanding that an offer was made by the private group, however, the status of that offer was unknown.

On April 12, 2019, the HLC met with City Councilman James Mitchell, Mattie Marshall, and Charles Thomas with the Knight Foundation, and others regarding the Excelsior Club. Councilman Mitchell said he knew of a group that was interested in making an offer close to the owner’s asking price. They were told, also, that the City was willing to contribute about $200,000. It’s unknown if the offer was made.

The HLC has not taken any further action.

The building can be legally demolished on June 12, 2019.

Comments

Chair Dunlap said at this point the County was out of any negotiations concerning the Excelsior Club. He said an offer of $850,000 was made and rejected.

Commissioner Fuller questioned whether the County needed to make a public statement
regarding this.

**County Manager Diorio** said if asked regarding the County’s efforts with respect to preserving the Excelsior Club, the response would be that the County tried to assist, and it was rejected.

**Commissioner Leake** said if a question was asked, any statement made should come from the Board’s Chair rather than individual Commissioners.

**Chair Dunlap** said a public statement was not needed, but, if asked about the County’s efforts, inform them that the County’s negotiations weren’t received favorably. He said all Board members were aware of the efforts made by the County.

This concluded the discussion. No action was taken or required.

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

Motion was made by Commissioner Scarborough, seconded by Commissioner Powell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to end Closed Session.
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 7, 2019.

**ATTENDANCE**

Present: Chair George Dunlap and Commissioners 
Patricia "Pat" Cotham, Trevor M. Fuller, 
Susan B. Harden, Mark Jerrell, Vilma D. Leake, 
Elaine Powell, Susan Rodriguez-McDowell, 
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: 19-5371, 19-5377, 19-5384, 19-5401, 19-5412, and 19-5414.

**STAFF BRIEFINGS**

**19-5424 PRIVATE AND PHILANTHROPIC FUNDING FOR PRE-K**

County Manager Diorio addressed the County’s public/private & philanthropic effort for MECK Pre-K to enroll all 4-year olds in kindergarten. The goal is to raise $6+ million in scholarships for college students at UNC Charlotte and Central Piedmont Community College to become pre-k teachers.

County Manager Diorio then called on Michael Marsicano, President and CEO of Foundation for the Carolinas, regarding private and philanthropic funding for Pre-K.

Mr. Marsicano thanked the Board for its efforts with respect to Pre-K. He said The Foundation for the Carolinas wanted to assist in those efforts. He said a meeting would take place on May 14, 2019 to discuss the topic. He then called on Charles Bowman with Bank of America.

Mr. Bowman spoke in support of Meck Pre-K and pledged the financial support of Bank of America in the amount $1 million.

The Board expressed sincere thanks to Mr. Bowman for the Bank’s generous donation and for being the first to step up and help with this effort.
Commissioner Fuller left the meeting and was away until noted in the minutes.

CLOSED SESSION

19-5380 CONSULT WITH ATTORNEY
19-5405 LAND ACQUISITION
19-5413 ECONOMIC DEVELOPMENT

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 Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Coham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to go into Closed Session for the following purpose(s): Land Acquisition, and Economic Development.

The Board went into Closed Session at 5:27 p.m. and came back into Open Session at 6:07 p.m.

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

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, which was followed by introductions, invocation by Commissioner Leake, followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

19-5436 RESOLUTION HONORING THE HEROES AND VICTIMS OF THE UNC-CHARLOTTE MASS SHOOTING (COMMISSIONER FULLER)

Chair Dunlap called on Commissioner Fuller to present a resolution honoring the heroes and victims of the UNC Charlotte Mass Shooting on April 30, 2019. Commissioners Harden, Rodriguez-McDowell, and Chair Dunlap co-sponsored the resolution.

Note: On April 30, 2019 a mass shooting occurred on the campus of UNC Charlotte resulting in the loss of lives, injuries to others, and trauma, not only to the UNC Charlotte family, but the entire community. The proposed resolution honors the heroes and victims of that mass shooting and commits to the development of a plan to address gun violence in all of Mecklenburg County.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Coham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a Resolution Honoring the Heroes and Victims of the University of North Carolina at Charlotte (UNC Charlotte) Mass Shooting and Committing to a Plan of Action to address Gun Violence in Our Community.

The following persons spoke regarding the resolution: Noah Caragena, Nikolai Mather, Elissa Miller, Melissa Martin, and Mary Fiorillo, with Real Change Now Charlotte; Andrew Fede; Cade Lee, Margaret Murphy, and Kristene Slade with March for Our Lives UNC Charlotte.
“Real Change Now Charlotte” is an organization formed by UNC Charlotte students in response to the mass shooting. They commented on how this type of incident should not be occurring and the escalation of gun violence in general. “We want to prevent gun violence in our community, our state, and our country.” They provided the Board a handout indicating their “Wants, Needs, & Demands,” as well as, individual pledge statements to be signed by each Commissioner acknowledging the concerns raised by “Real Change Now” and their partners and support of their efforts in addressing gun violence.

On April 10 at 5:40 p.m., a former student opened fire into classroom 216 in the Kennedy Building of UNC Charlotte. Two students, Ellis "Reed" Parker and Riley Howell, were killed. Emily Houpt, Drew Pescem, Ranil Al-Ramadhan, and Sean Delafo were injured. In response, Real Change Now Charlotte was formed. School shootings should not occur. The escalation of gun violence in our community should not occur. Of all the cities in North Carolina, Charlotte has the highest propensity for gun-related violence. We want to prevent gun violence in our community, our state, and our country. With the aforementioned in mind, we make the following demands...

We ask that you advocate at the state level for
Requiring permits for all guns, not just handguns. As such, we also ask that permit renewals be mandatory for all guns in North Carolina.
Limiting the number of guns and the amount of ammunition that can be purchased at one time.
Instituting mandatory waiting periods for both guns and ammunition purchases.
Requiring background checks in order to give a gun as a gift.
Banning high-capacity firearms and magazines.
Requiring licenses for all gun dealers in North Carolina.
Requiring the safe storage of guns.
Requiring that all lost or stolen firearms be reported to the police.
Considering and addressing toxic masculinity.

We demand that you
Refund donations from the National Rifle Association and refuse to accept any future donations from that organization.
Restrict guns on the grounds of public spaces such as academic institutions, government buildings, and parks.
Institute a permanent county-wide task force dedicated to preventing gun violence throughout the county.
We demand that this task force be committed to hyper-transparency and community engagement. We demand that members come from a variety of backgrounds, such as CMPD, the Sheriff’s Department, gun violence survivors, community and religious organizations, non-profits, teachers, and government representatives.
Create and implement Gun Violence Prevention Programs open to all community members, as well as fund Gun Violence Research Programs. We also demand that you work with City Council to expand funding for pre-existing organizations and programs that are doing such work.
Make a public statement of support for House Bill 454, which creates Extreme Risk Protective Orders that would restrict an individual’s access to guns if there is evidence they pose a risk to themselves or others.
Create a mandatory high school exit program to provide resources to those about to drop out of their academic institution.
We demand that this program provide an opportunity for students to express their dissatisfaction with their academic institution and provide them with school and community resources.
“March for Our Lives” UNC Charlotte is a non-partisan organization dedicated to enacting commonsense gun safety legislation and measures to prevent acts, like the one that occurred on the campus of UNC Charlotte on April 30. The following recommendations were offered with respect to what could be done locally to address the issue of gun violence:

- Provide County funding for gun violence research in the community
- County funding for gun violence research should include a study of youth gun violence
- Develop school mental health screening
- Increase the number of mental health professionals and counselors in public schools
- Increase focus needed on suicide risk protocol.

Comments

Commissioner Harden, a professor at UNC Charlotte and an alumnus, thanked fellow Board Members, the County Manager, and staff for their support and genuine concern for the horrific violence that took place on the campus of UNC Charlotte.

Commissioner Harden said what happened on April 30, “hit deep” for her. She said she was “holding the trauma and grief and felt the pain of the parents of the victims.” She said she’d listened to the “hurt” of the students and staff.

Commissioner Harden commended the University for its security measures and how the incident was handled, as well as, the efforts of First Responders.

In light of the violence that’s occurring everywhere, Commissioner Harden posed the question; “Does America love our children?” Commissioner Harden said children were dying “needlessly.”

Commissioner Harden noted in her remarks that this was not a political issue.

Commissioner Harden asked the Board to listen to the community and to act with respect to addressing the issue of gun violence in the community.

Commissioner Harden said she looked forward to working with the Board and the Sheriff to craft actions to address the gun crisis.
Commissioner Scarborough noted the Orangeburg Massacre that occurred on the campus of South Carolina State University, February 8, 1968. Commissioner Scarborough said she was on the campus at that time and therefore could relate very well to what the UNC Charlotte community was feeling. She pledged her support to do something to address the issue of gun violence in the community.

Betty Doster, Special Assistant to the Chancellor of UNC Charlotte for Constituent Services accepted the resolution with thanks on behalf of the University. She thanked the County, as well, for its longstanding partnership with the University.

A RESOLUTION HONORING THE HEROES AND VICTIMS OF THE UNC CHARLOTTE MASS SHOOTING AND COMMITTING TO A PLAN OF ACTION TO ADDRESS GUN VIOLENCE IN OUR COMMUNITY

WHEREAS, on April 30, 2019, the people of Mecklenburg County were shocked and saddened by the mass shooting that occurred at the University of North Carolina at Charlotte, resulting in the tragic deaths of two students and the injuries of four more during the last week of classes; and

WHEREAS the lives of students Riley Howell and Ellis Reed Parlier were taken from us far too soon, and the injuries suffered by students Sean Dehart, Drew Pescaro, Emily Houpt, and Rami Alramadhan were too much to bear; and

WHEREAS the extraordinary heroism of Riley Howell and the quick action by campus police and the Charlotte-Mecklenburg Police Department surely prevented further tragedy and saved lives; and

WHEREAS this incident has reverberated throughout the nation and the world because of the senseless gun violence on a college campus, and

WHEREAS, before this terrible shooting there have been at least 106 mass shootings this year, according to the Gun Violence Archive; and

WHEREAS, part of our healing as a community must be our conviction that we will do everything in our power to keep these tragedies from happening again; and

WHEREAS, the prevalence of gun violence presents a threat to public health, a matter that is squarely within the scope of responsibility of county government;

NOW, THEREFORE, be it hereby

RESOLVED, that the Mecklenburg Board of County Commissioners does hereby proclaim and establish April 30 of every year as a “DAY OF REMEMBRANCE” in Mecklenburg County to honor and recognize the heroes and victims of the 2019 UNC Charlotte mass shooting, and to allow residents and students to pay tribute to the people who were lost during this tragedy and bring awareness to gun violence in our community; and be it further

RESOLVED, that Mecklenburg Board of County Commissioners does hereby commit to developing and implementing a plan of action to address gun violence in our community, with specific steps and measurable goals, and will urge the North Carolina General Assembly to adopt gun violence prevention legislation to protect people across the State.

Resolution recorded in full in Minute/Ordinance Book 48, Document #24.

PUBLIC APPEARANCE

19-5378    PUBLIC APPEARANCE
MAY 7, 2019

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

Gail Adams addressed the need for low income housing and the work a non-profit organization she started, Housing Academy USA, was doing to address the issue. She noted the creation of a new program called Rent Matching Certification. She said under this program, 50% of a tenant’s rent is paid for them. Ms. Adams said fundraisers would be held to help raise funds for the program.

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

James Lee encouraged the UNC Charlotte family to be strong in this time of sorrow. He encouraged the students that spoke to continue to fight for change.

19-5371 PROCLAMATION - FOSTER CARE AWARENESS MONTH

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a Proclamation designating May 2019 as “Foster Care Awareness” Month in Mecklenburg County.

Chair Dunlap called on Commissioner Rodriguez-McDowell to read the proclamation.

Commissioners Jerrell, Leake and Rodriguez-McDowell removed this item from Consent for more public awareness.

19-5377 PROCLAMATION - OLDER AMERICANS MONTH
Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a Proclamation designating May 2019 as “Older Americans Month” in Mecklenburg County.

Chair Dunlap called on Commissioner Leake to read the proclamation.

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

APPOINTMENTS

Chair Dunlap recognized Commissioner Leake for a point of person privilege to acknowledge the passing of Peco McKoy, a former member of the Nursing Home Community Advisory Committee. It was noted that Mrs. McKoy passed away recently after a brief illness. She was in her 12th year of service on the Nursing Home Community Advisory Committee. It was noted that Mrs. McKoy served faithfully and was a valuable member of the Nursing Home Community Advisory Committee. It was noted as well that a Statement in Memory of Peco McKoy was prepared and signed by Chairman Dunlap, on behalf of the Board and was read at Mrs. McKoy’s funeral.

19-5364 APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to reappoint Tom Rothrock to the Adult Care Home Community Advisory Committee for the remainder of his term, expiring September 30, 2021.
Note: Mr. Rothrock was removed because of attendance but has assured the Board he would meet the requirement going forward. Mr. Rothrock has served faithfully since 2014.

JUVENILE CRIME PREVENTION COUNCIL

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

Leigh Altman   Commissioners Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell and Scarborough
Tonja Brooks   None
Kimberly Sanders   Commissioners Leake and Cotham
Tysha Shaw   None

Chair Dunlap announced the appointment of Leigh Altman to the Juvenile Crime Prevention Council as the Juvenile Defense Attorney representative to fill an unexpired term, expiring June 30, 2019.

Note: She replaced Colleen Mullan.

The vote was taken on the following nominees for appointment to the Juvenile Crime Prevention Council for a General Public Slot:

Round One

Anthony Gonzalez  Commissioners Dunlap, Harden, Powell, Rodriguez-McDowell and Scarborough
Marque Macon  Commissioner Fuller
Pamela McCarter   None
Brian Peay   Commissioners Cotham, Jerrell, and Leake
Danielle Young-Martin   None

Note: There was uncertainty regarding the first Round of voting, so a second vote was taken.

Round Two

Anthony Gonzalez  Commissioners Dunlap, Fuller, Harden, Powell, Rodriguez-McDowell and Scarborough
Brian Peay   Commissioners Cotham, Jerrell, and Leake

Voting Ceased

Chair Dunlap announced the appointment of Anthony Gonzalez to the Juvenile Crime Prevention Council as a General Public representative to fill an unexpired term, expiring June 30, 2019.

Note: He replaced Jana Savory.

WOMEN’S ADVISORY BOARD

The vote was taken on the following nominees for appointments to the Women’s Advisory Board:
Chair Dunlap announced the appointment of Kate Ferraioli to the Women’s Advisory Board to fill an unexpired term, expiring April 30, 2021 and Suzanne Elsberry Schweikert to fill an unexpired term expiring November 30, 2021.

*Note: They replaced Chantia Carter and Michelle Ferlauto.*

**PUBLIC HEARINGS — NONE**

**ADVISORY COMMITTEE REPORTS**

**19-5370 AIR QUALITY COMMISSION ANNUAL REPORT**

The Board received as information the Air Quality Commission Annual Report.

Peter McGrath, Chair of the Air Quality Commission and Marcus Hackler, Vice Chair, gave the report.

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

Comments

Commissioner Leake addressed abandoned and junked vehicles throughout District Two. She also noted environmental issues in the Brook Hill community, including the presence and use of kerosene.

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

Chair Dunlap thanked the presenters for the report.

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

**COUNTY COMMISSIONERS REPORTS & REQUESTS**

**19-5357 CLEAN AIR CAROLINA’S “CLEARING THE AIR IN THE HISTORIC WEST END” REPORT (COMMISSIONER POWELL)**

Chair Dunlap called on Commissioner Powell to introduce the presentation from Clean Air Carolina.

Commissioner Powell introduced Ron Ross, President of the Northwood Estates Community Organization & Clean AirKeeper and Calvin Cupini, Program Manager, with Clean Air Carolina to present Clean Air Carolina’s “Clearing the Air in the Historic West End” Report.

*Note: Clean Air Carolina was founded in 2003 by a group of passionate volunteers determined to improve the quality of Mecklenburg County’s air. Their mission is to ensure cleaner air quality.*
for all North Carolinians through education and advocacy and by working with its partners to reduce sources of pollution. The “Clearing the Air in Historic West End” report was developed by Clean Air Carolina and the Historic West End AirKeepers. The report was presented to the Board’s Environmental Stewardship Committee on March 12, 2019 and the committee voted to bring this information to the full Board for its awareness.

Report Highlights

- Citizen scientist and community leaders Mattie Marshall, William Hughes and Ron Ross have spent the past two years monitoring air pollution in the historically African American neighborhoods of Charlotte’s Historic West End (Beatties Ford Road Corridor) as part of Clean Air Carolina’s AirKeeper program.

- They partnered with Clean Air Carolina to create a Clean Air Corridor in the area.

- The Clean Air Corridor effort will use education and advocacy to mobilize citizens, businesses, churches, nonprofits and government agencies to reduce the pollution that currently affects dozens of neighborhoods.

- Residents of the Historic West End live with a longstanding legacy of industrial zoning and highway construction that continues to pollute the air in their neighborhoods.

- Addressing these longstanding hazards will improve public health and advance the goal of environmental justice.

- Environmental justice means no group of people should bear a disproportionate share of the negative environmental effects that result from operations or policies pursued by commerce, industry or government.

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

Vice-Chair Powell presided until noted in the minutes.

The report addressed the following areas with respect to creating a Clean Air Corridor:
- Passenger Vehicle Emissions
- Clean Construction
- Permitting and Zoning
- Use of Community Benefits Agreements
- Tree Planting
- Clean Air Advocacy

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

Comments

Commissioner Leake asked “where do we go from here.” She also asked that the report be shared with Charlotte City Council because this was an issue of concern for them as well. It was noted that the matter had been discussed with the City.

Commissioner Leake said the Board needed to do a better job at addressing air quality and especially on the Westside, District Two. She said this was not a new issue and it needed to be addressed and not just talked about.
Commissioner Harden expressed support of Clean Air Carolina’s efforts. She asked about the cost of the air monitor that was requested and that cost information be provided to the County.

The presenters said they would have to rely on the County’s Air Quality division to provide cost information.

Commissioner Powell asked that staff provide information to the Board at its May 14, 2019 meeting regarding the cost of an air monitor for the Historic West End area.

Commissioner Powell assured Commissioner Leake that the Environmental Stewardship Committee would pursue this issue to make sure something was done, with the Board’s support.

Commissioners Jerrell and Cotham expressed support of Clean Air Carolina’s efforts.

Commissioner Fuller addressed the importance of good air quality, as well as, water quality. He said these were critical issues, because they impact a person’s life expectancy. He said he hoped the discussion leads to action.

Chair Dunlap returned to the dais and resumed chairing the meeting.

Commissioner Scarborough also noted the need for action.

Chair Dunlap thanked the presenters for the report.

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

ADVISORY COMMITTEE REPORTS

19-5374 DOMESTIC VIOLENCE ADVISORY BOARD ANNUAL REPORT

The Board received as information the Domestic Violence Advisory Board’s Annual Report.

Neil Bloomfield, Chair of the Domestic Violence Advisory Board (DVAB) gave the report.

Highlights:

DVAB Recommendations:

A. Rental Subsidy – We recommend providing a rental subsidy to survivors of domestic violence who need financial assistance to secure stable permanent housing. Many survivors require ongoing support to locate and sustain their own permanent housing after leaving an abusive household and/or following an emergency stay at the Safe Alliance Clyde and Ethel Dickson Domestic Violence Shelter (“DV Shelter”). Due to high demand for emergency shelter, the DV Shelter does not have capacity to shelter survivors beyond an emergency stay.

B. Domestic Violence Advocate at the Salvation Army – We recommend funding a position to provide services to survivors of domestic violence that seek emergency shelter in homeless shelters other than the DV Shelter. We have seen a particular need for this at the Salvation Army Center of Hope homeless shelter for women and children, where survivors of domestic violence often seek shelter and receive assistance but not services targeted to their needs as survivors of domestic violence.
C. Outreach and Prevention Position for Community Support Services – We recommend funding a position within Mecklenburg County Community Support Services ("CSS") focused on outreach and prevention of domestic violence.

D. Monitoring for the Implementation of Strangulation Training – We recommend requiring 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.

“We make these recommendations in an effort to improve the services provided in our community. We believe they should be funded in addition to—not in replacement 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 Rodriguez-McDowell thanked the DVAB for their work. She said she looked forward to speaking with the County Manager and Assistant County Manager Trotman regarding the Family Justice Center to see how all of this fits in.

Commissioner Cotham noted her experience with victims of domestic violence and the importance of this issue.

Commissioner Leake posed the question of what could be done to change the mindset of people and the importance of getting this done at an early age.

Chair Dunlap asked if the Committee’s recommendations were shared with the County Manager and the response was yes.

Commissioner Fuller asked County Manager Diorio if any of the DVAB recommendations were included in her recommended budget and the response was no.

Chair Dunlap thanked Mr. Bloomfield for the report.

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

MANAGER’S REPORT

19-5425    NCACC COUNTY ASSEMBLY DAY AND LEGISLATIVE UPDATE

The Board received information regarding North Carolina Association of County Commissioners (NCACC) County Assembly Day and Legislative Update.

Starla Tanner, Legislative Liaison gave the update. The following was noted:

North Carolina Association of County Commissioners (NCACC) County Assembly Day

- The North Carolina Association of County Commissioners (NCACC) County Assembly Day was still taking place on May 8, 2019.
- The Mecklenburg Legislative Delegation, however, would not be available to meet with members of the Board as originally planned due to the anticipation of floor votes not being taken in the Senate or House for the remainder of the week since Republican leaders are attending a national meeting.
- Chairman Alexander expressed his desire to reschedule the Board’s visit and will work
to secure a new date.
• Thus, it was not necessary for the Board to attend.

Legislative Update

Mecklenburg County Specific Items that have been filed
• Seek Revised Public-Private Park Infrastructure Development Authority – SB 207 and HB 527 clarify that development agreements shall be on land owned, leased or to be transferred to the county. *(It’s anticipated that there will not be problem with getting this bill approved.)*

• Seek Re-establishment of the Mountain Island Lake Marine Commission – SB 471 and HB 526 re-establish the commission to work on water quality, shoreline issues and boating safety with regional stakeholders. *(It’s anticipated that there would be no movement on this bill in this session. Discussions will continue, however, with the other stakeholders around an informal collaboration with respect to safety and the environment on Mountain Island Lake. The bill will be revisited.)*

• Seek Increased Access to Magistrates in North Mecklenburg County – HB 317 authorizes additional magistrates to appropriately provide safer service to victims in the northern portion of the county and brings Mecklenburg’s average of 1 magistrate to 31,000 residents closer to the statewide average of 1 to 15,000. *(It’s anticipated that this bill will not be moving during the long session.)*

Statewide Support Items
• Support Legislation to Study Homestead Exemption Act Thresholds. *(This is being studied.)*
  o SB 657 increases the threshold and expands exemptions to disabled veterans, state and federal employees.

• Support a State School Bond. *(There are two versions currently and it’s not known at this time which will move forward.)*
  o SB 5 and HB 241 provide funding for school capital needs.

• Support Maintaining State Management of Alcohol and Beverage Commission. *(This was introduced last week. Staff is continuing to emphasize the need to keep this whole harmless for counties, which currently the bill does not.)*
  o HB 971 removes local control jeopardizing $6 million in yearly county funding.

• Support Funding and Implementation of Raise the Age Juvenile Justice Legislation. *(Staff is continuing to watch this.)*
  o House budget includes state implementation funding.

• Support Hepatitis A Vaccine Access from Pharmacies. *(This is moving along.)*
  o HB 388 expands access to local retail pharmacies.

• Support Raising the Age to Purchase Tobacco from 18 to 21. *(Staff is continuing to watch this.)*
  o House budget includes state implementation funding.

• Support Accurate Eviction Judgement Recording. *(This is moving along.)*
  o HB 880 includes provision to address accurate eviction judgement recording.

House Budget Bill has been sent over to the Senate. The House Budget includes:
• Additional funds for Pre-K, however, it uses federal TANF dollars, instead of State dollars
• Funding for continued Medicaid transformation
• Funding for expanding communicable diseases
MAY 7, 2019

- Funding for raise the age implementation
- Other things that pertain to county government

Staff will continue to monitor the Senate’s consideration of the House Budget, as well as, stay in communication with the Mecklenburg County Legislative Delegation.

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

Comments

Commissioner Leake asked about raising the age to purchase tobacco from 18 to 21. Ms. Tanner said the item did not have a specific bill attached to it. The House budget, however, did include additional funding for tobacco prevention, which included preventing the increase use of electronic cigarettes and those types of nicotine products.

Commissioner Leake said she continued to see persons smoking around the Government Center, but thought it was a smoke free area.

Commissioner Leake also inquired about smoking on high school campuses.

Ms. Tanner said she would follow up on both of those concerns.

Commissioner Leake asked about Hepatitis A Vaccine Access from Pharmacies. Ms. Tanner said the bill was introduced and had good support. It’s anticipated that it will continue to move in a positive manner.

Commissioner Powell asked Ms. Tanner to let the Board know how it could help with respect to HB 317 - Increased access to Magistrates in North Mecklenburg County, so that action can began for consideration of the matter. Ms. Tanner said different measures were tried on both the House and Senate sides and that the door wasn’t totally closed at this point, but almost.

County Manager Diorio said staff had exhausted all avenues available. She said unless the State agrees to fund the magistrates, the County did not have a mechanism to fund them on its own. She said there were constitutional issues involved that prohibit local entities from funding state judicial positions.

Chair Dunlap asked had the northern Towns been informed of this road block. The response was yes.

Chair Dunlap thanked Ms. Tanner for the update.

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

**DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE**

**STAFF REPORTS & REQUESTS - NONE**

**COUNTY COMMISSIONERS REPORTS & REQUESTS**

19-5411 LOCAL MANAGEMENT ENTITY (LME) / MANAGED CARE ORGANIZATION (MCO) UPDATE (COMMISSIONER RODRIGUEZ-MCDOWELL)

Commissioner Rodriguez-McDowell attended a meeting in Raleigh regarding Locally Management Entities/Managed Care Organizations (LME/MCO) and shared the results of that meeting. She serves on the North Carolina Association of County Commissioners’ LME/MCO
Committee. This a statewide committee requested by the N.C. Dept. of Health and Human Services. The following was noted:

- The committee is charged with creating regions for Medicaid transformation.
- Mecklenburg County’s LME/MCO was Cardinal.
- The committee has 14 voting members and four non-voting members.
- Four meetings are to occur between now and June. Two have taken place, thus far.
- She said she’d learned more about the process of how health and human services worked in NC. and that she had a greater appreciation for the plight of smaller counties.
- Medicaid transformation refers to a move from fee for service to managed care insurance coverage for Medicaid recipients.
- This was originally put into place by former Governor Pat McCrory in 2015 and was really a move toward privatization of Medicaid.
- The state has authorized insurance companies for standard plans for physical healthcare.
- The new piece that’s being worked on is for tailored plans that address a person’s mental healthcare, as well as, their physical healthcare.
- Persons that need mental or behavioral healthcare will be placed in the tailored plan for all of their healthcare needs; and the state will pay a per capita amount as opposed to a fee for each service incurred.
- The new tailored plans will most likely be offered by seven companies in seven regions that were created through mergers of insurance companies.

Commissioner Rodriguez-McDowell said she felt privatization of Medicaid was setting the State on a “wrong course.”

Commissioner Rodriguez-McDowell said all of this work was done to ensure that each of the non-profit insurance companies can survive financially for at least the next five years. She said after five years, the plan was that bidding would be opened up to for-profit insurance companies to compete with the non-profits. Commissioner Rodriguez-McDowell said she was concerned about that because it would not mean better care for Medicaid recipients, but rather, more profit for insurance companies.

Chair Dunlap addressed this and said Medicaid individuals who were healthy would be serviced by the standard plan and those with the greatest need by the tailored plan; which would cost more. He said that’s why the regular healthcare providers don’t want to deal with it.

Chair Dunlap said if the State doesn’t add additional dollars, then there won’t be enough money to service this population. He said this meant the State was setting up the LME’s/MCO’s for “failure.” He said when happens, they’ll be able to privatize it and give it to the other healthcare companies.

Chair Dunlap said another thing rapped up with this was Medicaid expansion or the lack there of and the viability of LME’s/MCO’s to continue to operate.

Commissioner Leake asked for clarification on Cardinals role, which was addressed by Chair Dunlap.

Chair Dunlap thanked Commissioner Rodriguez-McDowell for serving on the committee and for the report.

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

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the following item(s):

19-5354 FLEET AUCTION REVENUE

Recognize, receive and appropriate from the vehicle auction on January 12, 2019, revenue of $210,830.50 and appropriate $208,793.14 to the Fleet Reserve Fund and $2,037.36 to the Department of Social Services transportation unit.

Note: The Department of Social Services sold one vehicle for a net of $2,037.36 that was originally funded by the North Carolina Department of Transportation (NCDOT). Regulations require the sale proceeds from NCDOT funded vehicles be used by the DSS transportation unit. The remaining $208,793.14 would be appropriated to the Fleet Reserve Fund.

19-5375 DONATION OF FLOOD SENSORS TO MECKLENBURG COUNTY STORM WATER SERVICES

Receive up to 100 flood sensors from the U.S. Department of Homeland Security.

19-5379 MINUTES

Approve Minutes of Regular meeting held April 16, 2019.

19-5383 REVOLVING FUNDS FUNDING REQUEST - HISTORIC LANDMARKS COMMISSION

Recognize and appropriate $45,000 from the Historic Landmarks Commission Revolving Fund for due diligence costs for several properties that may include earnest money, facility assessment reports, environmental reports, and attorney fees.

Note: Due to the large number of historic property acquisitions for which due diligence must be performed this fiscal year, the Historic Landmarks Commission (HLC) needs to utilize funds from the HLC Revolving Fund. This request furthers the HLC’s mission of recommending the designation of properties for historic landmark designation and to secure the preservation of same through buying and selling endangered historic landmarks. Funding for due diligence includes funds for earnest money, facility assessment reports, environmental reports, attorney fees, and other related expenses for due diligence performed around historic property transactions.

19-5399 TAX REFUNDS

Approve tax refunds in the amount of $38,786.33, 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 an estimated accrued interest of $18.82 included in the $38,786.33 refunds.

A list of the taxpayer recipients is on file with the Clerk to the Board.
19-5403  MECKLENBURG COUNTY MATERIALS RECOVERY FACILITY HORIZONTAL AUTO-TIE FIBER BALER PURCHASE

Authorize the County Manager (or designee) to negotiate and execute a contract with Van DYK Recycling Solutions for the purchase and installation of a Horizontal Auto-Tie Fiber Baler in the amount of $891,969.00.

19-5404  EASEMENT DONATION - WALKER BRANCH GREENWAY

1. Authorize the County Manager to negotiate all documents necessary to accept the donation of a temporary construction easement (± 455 square feet) and a permanent greenway easement (± 1,682 square feet) on Tax Parcel 219-151-71 from James and Nancy Oram for the construction of Walker Branch Greenway;

2. Authorize the County Manager to negotiate all documents necessary to accept the donation of a temporary construction easement (± 59,687 square feet) on Tax Parcel 219-091-07 from the Steele Creek Athletic Association for the construction of Walker Branch Greenway; and

3. Authorize the County Manager to negotiate and execute a Special Provisions Addendum to the temporary construction easement with Steele Creek Athletic Association that outlines the construction and restoration expectations for the construction of Walker Branch Greenway.

TH I S  C O N C L U D E D  I T E MS  A P P R O V E D  B Y  C O N S E N T

19-5384  NCDOT GRANT FUNDING FOR MCALPINE CREEK GREENWAY

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes to:

1. Recognize, receive and appropriate three (3) North Carolina Department of Transportation (NCDOT) funding grants totaling $5,774,000, awarded by the Charlotte Regional Transportation Planning Organization (CRTPO) to help fund the construction of McAlpine Creek Greenway, Green Rea Rd. to Johnston Rd.;

2. Amend the Capital Budget Ordinance;

3. Commit to providing the funding for the required match; and

4. Authorize the County Manager to enter into a grant contract.

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

MECKLENBURG COUNTY, NORTH CAROLINA
FY 2019 AUTHORIZATION PARK AND RECREATION CAPITAL PROJECT ORDINANCE

The following ordinance was offered as an amendment to and restatement of FY2019 Authorization Park and Recreation Approved Capital Project Ordinance as adopted June 19, 2018

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG

249
MAY 7, 2019

COUNTY, NORTH CAROLINA, THIS THE 7th DAY OF MAY 2019:

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
- Irvins Creek Gwy-Idlewild Road to Lakeview Circle
- McAlpine Creek Gwy-Green Rea Road to Johnston Road
- McDowell Creek Gwy-Upper McDowell at NC76 to Chigrove 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, $40,162,857 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>$1,846,342</td>
</tr>
<tr>
<td>2019-2020</td>
<td>$13,273,734</td>
</tr>
<tr>
<td>2020-2021</td>
<td>$21,133,151</td>
</tr>
<tr>
<td>2021-2022</td>
<td>$3,909,630</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 Minute/Ordinance Book 48, Document #25.

19-5401 RIGHT-OF-WAY ABANDONMENT AT WILMORE CENTENNIAL PARK AT SOUTHEND

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to endorse a Right-of-Way Abandonment Petition with the Charlotte Department of Transportation requesting closure of an alley (+/- 0.09 acres) at Wilmore Centennial Park at Southend and approve acceptance of ownership of residual property into the adjacent park.

Note: At its November 20, 2018 meeting, the Board approved an exchange of property at Wilmore Centennial Park at Southend with Common Square, LLC in which Common Square proposed a mixed-use development to include office, residential, apartments, ground-floor retail, and hotel uses. The exchange involves the eventual conveyance of +/- 4,500 SF of County-owned property for the same amount of the developer’s property. In addition to the exchange of fee simple property, the County will obtain an access easement across the developer’s property from West Blvd. The County’s agreement with Common Square was subsequently assigned to Common Square Development, LLC (BOCC item 19-5198, March 6, 2019). To accomplish the planned development, the site is being rezoned from B-1 (Neighborhood Business) to TOD-MO (Transit Oriented Development - mixed use, optional). To facilitate its development, the developer proposes closing the alley that sits immediately south of the bulk of the County’s property and between South Tryon and Hawkins Streets. The permanent closure of the alley requires filing a Right-of-Way Abandonment Petition with the Charlotte Department of Transportation. Once a request to abandon right-of-way is granted,
the area that has been abandoned is divided, with owners on either side receiving an equal share of the property.

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

19-5412  BUDGET AMENDMENT - HEALTH DEPARTMENT (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Gotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize, receive, and appropriate an increase in federal revenue of $81,352 from the North Carolina Division of Public Health (NC DPH).

Note: In FY 17-18 the Maternal and Child Health Block Grant funding was reduced, which affected the Family Planning program. The NC DPH Healthy Mothers Health Child Program administers Federal funding for the state, and is restoring funds to the Family Planning program, that was otherwise lowered due to the FY 17-18 reduction in the Maternal and Child Health Block Grant funding.

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

Commissioner Leake requested a report on this program.

19-5414  STORM WATER PROGRAM - FY19 HAZARD MITIGATION FLOODPLAIN ACQUISITION CORRECTION

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Gotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the Clerk to the Board to change the minutes of the April 16, 2019 Regular meeting, with respect to the Storm Water Program FY19 Hazard Mitigation Floodplain Acquisition, to correct the tax parcel number associated with the Board’s acceptance and approval of the Offer of Sale of Real Estate from Robert & Louise Hair, owners of property located at 701 Main Street, Pineville, NC, for $206,000, to correctly reflect the parcel number as (tax parcel 221-021-06) and not (tax parcel 171-082-22) as stated in the information provided and approved by, the Board.

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

ADJOURNMENT

Motion was made by Commissioner Fuller, seconded by Commissioner Jerrell and unanimously carried with Commissioners Gotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:43 p.m.
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 21, 2019.

ATTENDANCE

Present: Chair George Dunlap and Commissioners Patricia "Pat" Cotham, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, 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: 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: 19-5406, 19-5408, 19-5420, 19-5421, 19-5433, 19-5440, 19-5443, 19-5444, 19-5445, and 19-5448.

STAFF BRIEFINGS

19-5402 DEED PROPERTY TO CHARLOTTE-MECKLENBURG HISTORIC LANDMARKS COMMISSION

The Board received as information an update on a Request for Qualifications and Proposals released by the County and the Charlotte-Mecklenburg Historic Landmarks Commission (HLC) for parcels in the Historic Camp Greene Neighborhood of Charlotte.

County Manager Diorio and Jacqueline McNeil with Asset and Facility Management gave the update. The following was noted:

- This involves a proposed adapted re-use of the Historic Dowd House and former Fire Station 10.
- Staff has worked on this matter for quite some time.
- Community meetings were held regarding this.
- The Request-for-Proposal process was addressed.
- The proposed use for the property was addressed.
- Staff has now received push-back from the community.
- In light of the push-back from the community, staff has decided not to move forward at
Comments

Commissioner Harden asked was this a part of the Historic Landmarks Commission’s recent report to the Board. The response was probably not.

Commissioner Powell asked was this something that the former Board approved moving forward with. The response was no and that a vote was not required for the RFP process.

Chair Dunlap asked was this being provided to the Board for information purposes only. The response was yes.

Commissioner Leake said if the community did not want to move forward at this time, then no further action should be taken at this time.

Commissioner Fuller asked what the community’s concerns were. The response was that some were opposed to the County selling the property and some were okay with it.

Chair Dunlap noted how the neighborhood had changed over the years, which he said could also, be a factor.

Commissioner Powell asked that the Park and Recreation Commission be informed of any future meetings with the community. Ms. McNeil said prior to receiving the community push-back, the plan was to take the matter to the Park and Recreation Commission.

Commissioner Leake requested a list of those in attendance at the community meetings that were held, if available.

Commissioner Leake said a follow up meeting with the community should be held at some point.

County Manager Diorio said the community association was meeting tonight, May 21st and the expectation was that staff would receive information from that meeting. Per any additional information received, another community meeting could possibly be held.

Commissioner Cotham asked that the Board be informed of any future meetings with the community.

CLOSED SESSION

19-5434 LAND ACQUISITION (ITEM WAS REMOVED FROM THE AGENDA)
19-5428 CONSULT WITH ATTORNEY

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to go into Closed Session for the following purpose(s): Consult with Attorney.

The Board went into Closed Session at 5:41 p.m. and came back into Open Session at 5:59 p.m.

Note: It was the Consensus of the Board to move the proclamations up on the agenda from Consent to Awards/Recognition, Items 19-5406 Proclamation -- International Internal Audit Awareness Month and 19-5448 Joint Proclamation - Mecklenburg Declaration of Independence Week.
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, which was followed by introductions, invocation by Commissioner Leake, followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

19-5406   PROCLAMATION -- INTERNATIONAL INTERNAL AUDIT AWARENESS MONTH

Motion was made by Commissioner Cotham, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a proclamation designating May 2019 as International Internal Audit Awareness Month in Mecklenburg County.

The proclamation was read by Commissioner Cotham, chair of the Board’s Audit Review Committee, and received by Joanne Prakapas Director of Internal Audit.
Motion was made by Commissioner Harden, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a joint proclamation designating May 20 - 24, 2019 as "Mecklenburg Declaration of Independence Week" in Mecklenburg County/City of Charlotte in commemoration of the signing of the Mecklenburg Declaration of Independence on May 20, 1775.

The proclamation was read by Commissioner Harden.
Steve Rundle on behalf of Charlotte Mecklenburg Climate Leaders addressed climate change and emission goals.

Note: Sarah Haley signed up to speak but had to cancel.

APPOINTMENTS

CENTRAL PIEDMONT COMMUNITY COLLEGE BOARD OF TRUSTEES

The following persons were nominated for appointment consideration to the Central Piedmont Community College Board of Trustees:

Michael Evans    by Commissioner Cotham
Lucia Zapata Griffith by Commissioner Jerrell

Note: Per Board policy, an appointment will be made following interviews of those nominated by an ad hoc committee of the Board, appointed by the Board Chair. The appointment will be scheduled to occur no later than the Board’s June 18, 2019 meeting.

GROUNDWATER ADVISORY COMMITTEE

Motion was made by Commissioner Scarborough, seconded by Commissioner Cotham and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to nominate and appoint Richard Pomerantz to the Groundwater Advisory Committee as the Health Professional representative for a three-year term expiring July 31, 2022.

LIBRARY BOARD OF TRUSTEES

Motion was made by Commissioner Scarborough, seconded by Commissioner Cotham and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to reappoint Ailen Arreaza to the Library Board of Trustees for a four-year term expiring June 30, 2023.

The following person was nominated for appointment consideration to the Library Board of Trustees:

Melissa McGuire    by Commissioner Harden

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to close nominations for appointment consideration to the Library Board of Trustees.

Note: Per Board policy, an appointment will be made following interviews of those nominated by an ad hoc committee of the Board, appointed by the Board Chair. The appointment will be scheduled to occur no later than the Board’s June 18, 2019 meeting.

NURSING HOME COMMUNITY ADVISORY COMMITTEE
Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to nominate and appoint William Hudson, Kelly McKinnon, Janice Robinson and Sharrone Robinson to the Nursing Home Community Advisory Committee for one-year terms expiring May 30, 2020.

Motion was made by Commissioner Leake, seconded by Commissioner Powell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to reappoint Kay Roderick to the Nursing Home Community Advisory Committee for a three-year term expiring May 30, 2022.

Note: Even though Ms. Roderick has served the normal term limit, her continued service is vital, because she’s assisting the Ombudsman with training new members.

SMALL BUSINESS AND ENTREPRENEURSHIP ADVISORY BOARD

The following persons were nominated for appointment consideration to the Small Business and Entrepreneurship Advisory Board:

Russell Alexander Martin  by Commissioner Powell
Shalinda Williams   by Commissioner Rodriguez-McDowell

Note: An appointment will occur at the June 4, 2019 meeting.

PUBLIC HEARINGS

19-5447 PUBLIC HEARING: ASSESSMENT FOR STREET IMPROVEMENTS - HEARTHSTONE SUBDIVISION

Motion was made by Commissioner Scarborough, seconded by Commissioner Rodriguez-McDowell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to acknowledge receipt of certification that notice of the public hearing was mailed by first-class mail to all property owners in the Hearthstone Subdivision; and to open the public hearing to receive comments with respect to the request for a special assessment for street improvements in the Hearthstone Subdivision.

Note: Property owners in the Hearthstone Subdivision located in the unincorporated area of Mecklenburg County are requesting a Special Assessment for street improvements. County governments in North Carolina are not responsible for constructing or maintaining roads. The North Carolina Department of Transportation (NCDOT) and incorporated cities and towns are responsible for street construction and maintenance. NCDOT only performs maintenance on streets built to their standards. The North Carolina General Statutes (N.C.G.S. 153A-205 and other provisions in Article 9 of Chapter 153A) do allow for county governments to make special assessments within unincorporated areas within the county for the costs of improving streets to bring them up to NCDOT standards so road maintenance can be assumed by NCDOT. In the typical special assessment, the costs of the street repairs are paid by the county at the time of the repairs and the County recovers the costs through an assessment applied to all properties along the street that is improved.

Property owners on Tatting Road, Bards Court and Carding Place in the Hearthstone Subdivision are requesting a Special Assessment to bring these streets up to NCDOT standard. The section of the subdivision where these roads are located was completed in 1983. NCDOT did not accept Bards Court, Carding Place and a portion of Tatting Road for
maintenance at that time. In the interim, the streets have deteriorated. NCDOT currently has a contract to repave the remainder of the subdivision. NCDOT has agreed to make the necessary repairs to bring these roads up to an acceptable standard in exchange for payment in the amount of $38,398.62. Thereafter, NCDOT will assume maintenance of these roads.

The petitioning property owners on Bards Court, Carding Place and Tatting Road circulated a petition requesting a special assessment. All the property owners benefitting from the street repairs signed the petition (100% participation). Section 153A-205 requires a minimum 75% property owner participation. The property owners have requested that the special assessment have a 4% interest applied on all unpaid cost with 5 annual installments. The last assessment the County performed for street improvements was in 2010 and it used 4% as the interest rate for unpaid costs. The North Carolina General Statutes allow from 0 to 8% interest and up to 10 annual installments.

No one appeared to speak.

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to close the public hearing on the request for a special assessment for street improvements in the Hearthstone Subdivision and adopt the Final Assessment Resolution for Street Improvements in the Hearthstone Subdivision.

WHEREAS, North Carolina General Statutes Section 153A-185 allows counties to make special assessments against benefited property within the county for all or part of the costs of constructing, reconstructing, extending, or otherwise building or improving roadways; and

WHEREAS, property owners whose properties abut directly on the following roadways: Bards Court, Carding Place and a section of Tatting Road from west of Butter Churn Lane to its end all located in the Hearthstone Subdivision which is located off of Tilley Morris Road in the southeastern area of unincorporated Mecklenburg County, petitioned the County on February 21, 2019 to bring these roadways up to North Carolina Department of Transportation (NCDOT) paved subdivision roadway standards; and

WHEREAS, the NCDOT has agreed to complete the required repairs to bring the named streets above within NCDOT’s standard during a repaving project scheduled for the Hearthstone Subdivision for an amount not to exceed $38,398.62; and

WHEREAS, one hundred percent (100%) of the property owners owning one hundred percent (100%) of the front footage of the parcels on the following roadways: Bards Court, Carding Place and a section of Tatting Road from west of Butter Churn Lane to its end, have agreed to a special assessment and will share the cost according to the amounts shown on the attached petition for street improvements; and

WHEREAS, the basis for the assessment will be one hundred percent (100%) of the County’s payment to the NCDOT to construct the improvements to the following roadways: Bards Court, Carding Place and a section of Tatting Road from west of Butter Churn Lane to its end, the total amount to be divided by all of the properties benefitting from the improvements according to the amounts shown on the attached petition; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner may pay the total apportioned property share or will be assessed annually at a rate of four percent (4%) interest over five (5) consecutive years for their portion of the cost of the project; now, therefore, be it

RESOLVED, that the Mecklenburg County Board of Commissioners, having received comments at a public hearing on May 21, 2019, funds the property owners’ cost of the construction of the roadway improvements.
on the assessment as set forth herein, pursuant to the procedures specified herein, and as required by G.S. 153A-185, G.S 153A-190, G.S. 153A-191, and G.S. 153A-205.

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #26.

ADVISORY COMMITTEE REPORTS

19-5438 ADULT CARE HOME AND NURSING HOME COMMUNITY ADVISORY COMMITTEES ANNUAL REPORT

The Board received as information the Adult Care Home and Nursing Home Community Advisory Committees Annual Report.

Lindsay Tice, Adult Care Ombudsman and Hillary Kaylor, Nursing Home Ombudsman gave the report and addressed questions.

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

Comments

Commissioners thanked the presenters for the report and all of the work that’s done by both committees.

Commissioner Leake also asked about the number of visits made to facilities. She also shared her personal experience of having been in a nursing home temporarily.

Commissioner Cotham asked the County Manager to consider whether the stipend provided to those serving on the committees needed increasing.

The Ombudsmen said they would be happy to meet with any Commissioner at any time. They encouraged Commissioners to share any concerns they hear from their constituents.

19-5450 REZONING PETITION 2019-001C - PETITIONER ASCENT REAL ESTATE CAPITAL, LLC

The Board received recommendation from the Planning Commission on rezoning request - Petition #2019-001(C) for a change in zoning for approximately 3.42 acres located on the west side of Lancaster Highway north Providence Road West from NS (Neighborhood Services) to NS SPA (Neighborhood Services, Site Plan Amendment) - Petitioner: Ascent Real Estate Capital, LLC; and take appropriate action.

John Kinley, Senior Principal Planner with the City of Charlotte Planning and Design Development Office informed the Board of the Planning Commission’s recommendation, which was to approve the request and adopt the consistency statement noted in their recommendation.

A copy of the Planning Commission’s recommendation is on file with the Clerk to the Board.
Motion was made by Commissioner Scarborough, seconded by Commissioner Cotham and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a resolution approving Petition #2019-001(C) for a change in zoning for approximately 3.42 acres located on the west side of Lancaster Highway north Providence Road West from NS (Neighborhood Services) to NS SPA (Neighborhood Services, Site Plan Amendment) - Petitioner: Ascent Real Estate Capital, LLC; and adopt the consistency statement noted in the Planning Commission’s recommendation and included in the Board’s agenda, as the Board’s own consistency statement.

Statement of Consistency:
The property is within a portion of the unincorporated area of Mecklenburg County and was previously designated as in the Sphere of Influence of the Town of Pineville. Neither Pineville or Charlotte have accepted extraterritorial zoning jurisdiction for the property. Therefore, no adopted plans specifically addressing future land use recommendations exist. The petition is inconsistent with the adjacent single family detached and attached residential uses; however, the proposal with an institutional use is more compatible with the surrounding uses and zoning than the previously approved petition. 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 building heights are limited to 1 story and 35 feet, five feet less than base height in the surrounding residential zoning.
- The buffer abutting the single family neighborhoods has been increased providing more transition between the uses.
- The proposed daycare, an institutional use, will provide a service to people living in the area.
- The proposed office square footage has been reduced and commits to architectural standards that ensure building design is more consistent with the predominately residential character of the area.
- The site is not part of an existing residential subdivision and is located on Lancaster Highway, a major thoroughfare not conducive to single family detached development.
- The site provides a mixture of uses; and the proposed uses are reasonable and similar to existing uses in either direction along Lancaster Highway.

COUNTY ZONE CHANGE

Petitioner:  Ascent Real Estate Capital, LLC

A RESOLUTION AMENDING THE MECKLENBURG COUNTY ZONING REGULATIONS

MAP AMENDMENT NO. ___

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the Mecklenburg County Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from NS (neighborhood services) to NS SPA (neighborhood services, site plan amendment).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

Section 3. That this ordinance shall become effective upon its adoption.

Resolution recorded in full in Minute Book 48-A, Document #27.

MANAGER’S REPORT
MAY 21, 2019

19-5417    LAND USE AND ENVIRONMENTAL SERVICES AGENCY (LUESA) FEE ORDINANCE CHANGES

Dave Canaan, Storm Water Services Division Director addressed the proposed LUESA Fee Ordinance Changes and addressed questions from Board members.

Notes: By Interlocal Agreements, LUESA - Storm Water Services division provides Land Development services on behalf of the towns in Mecklenburg County. The services may vary from Town to Town. Generally, the services are comprised of performing plan review, permitting and inspection services for land development activities, such as, erosion control, storm water, transportation, zoning, etc. The Interlocal Agreements state that the County may charge fees to offset the costs incurred in providing these services on behalf of the Towns. Beginning July 1, 2019, the Town of Huntersville will provide all of these services themselves.

In preparation for the FY20 budget, Storm Water Services developed a time/expense tracking system, 100% cost recovery hourly rate model and Land Development fee model. The output from the system and models indicate that the fees currently being charged do not cover the expenses incurred by Storm Water Services. The towns and LUESA - Storm Water Services recommend revisions to the LUESA Fee Ordinance to achieve the following goals:

- County recover 100% of its costs and minimize subsidies
- Set fees to attain a Land Development Reserve Goal to fund pre-paid services by FY22
- Successfully transition Land Development Services to the Town of Huntersville while maintaining flexibility to address future unknowns.

Storm Water staff met with the Real Estate and Building Industry Coalition (REBIC) and the Land Development Committee of the Charlotte Homebuilders Association twice during the FY20 budget process. While these two groups expressed concern over the significant fee increases, they did support phasing in the fee increases over a two-year period. On April 9, LUESA staff presented the proposed fee changes during the Budget/Public Policy meeting of the Board of County Commissioners. Based on feedback from these meetings, the fee increases are proposed to be phased in over two years. Two exceptions for phasing in the fees are those that prevent bad behavior (Bond Default Letter, Re-Inspection and Re-Review fees) and the fees that relate to attaining the Land Development Reserve Goal. Phasing in most of the fees over two years will allow:

- Additional time to collect expense data to check against some of the assumptions in the hourly rate and fee models
- Time to ensure that the data being collected from the different sources is accurate
- Time to implement changes to the time/expense tracking system, hourly rate model and fee model based on findings from Internal Audit (if necessary)

An informal Budget Committee consisting of the five Town Managers and the Storm Water Services Division director has endorsed the above goals and proposed fee increases. The Charlotte-Mecklenburg Storm Water Advisory Committee also supports the above goals and the proposed increases associated with Floodplain Development Permit Fees.

Motion was made by Commissioner Scarborough, seconded by Commissioner Cotham and carried 8-1 with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, and Scarborough voting yes and Commissioner Powell voting no, to adopt a revised Land Use and Environmental Services Agency (LUESA) Fee Ordinance.

Note: This matter will require a second reading at the Board’s June 4, 2019 meeting, because the vote was not unanimous. Upon the second reading, the vote does not have to be unanimous for approval, only a majority vote in favor.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS
The Board received as information monthly department management reports for May 2019.

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.

The Board received a verbal update from the Medical Examiner Dr. Thomas Owens on activities in the Medical Examiner’s Office. The following topics were covered:

- Overview of the functions of the Medical Examiner’s Office
- Applicable Statutes
- Cooler Capacity/Storage
- Changes at the State Level
- Current Community Projects
- Update on Mass Fatality Planning/VIP System

Board members thanked Dr. Owens for his report.

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

CONSENT ITEMS

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Gotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the following item(s):

19-5419 STORM WATER PROGRAM - FY HAZARD MITIGATION FLOODPLAIN ACQUISITION

1. Accept the Offer of Sale of Real Estate from Steve Hinannt & Martha Lowrance, owners of property located at 1001 Mockingbird Lane, Charlotte, NC (tax parcel 171-082-14), for $290,000; and
2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to use the structure 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.)
Approve Minutes of Regular meeting held May 7, 2019.

19-5430 EASEMENT CONVEYANCE - NOVANT HEALTH, INC.

1. Authorize the County Manager to negotiate all documents necessary to convey a permanent access easement (±0.117 acres) to Novant Health, Inc. at the Valerie C. Woodard Center (Tax Parcel 067-142-04) for access to its adjacent property for a future health clinic; and
2. Recognize $6,850 in revenue for the payment of the access easement.

Note: Novant Health, Inc. is constructing a health clinic on property adjacent to the County’s Valerie C. Woodard Center on Freedom Drive in west Charlotte. Novant intends to have its main entrance off Freedom Drive but recognizes that many of the residents visiting the County’s property are also likely to patronize their clinic. Having direct access from the County’s property to Novant’s property will eliminate the need to access the property from Freedom Drive for many customers. In its agreement with Novant, the County is reserving the right to terminate the easement should, in the future, the use be converted into one that is deemed incompatible with County functions.

19-5432 TAX REFUNDS

1) Approve refunds in the amount of $9,498.58 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 statewide vehicle tax system.

2) Approve refunds in the amount of $7,937.79 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.

19-5435 LEASE AMENDMENT - RETAIL TENANT AT GOVERNMENT DISTRICT PARKING DECK

A) Authorize the County Manager to negotiate and execute a first lease amendment with John and Hresanthe Georgopoulos, owners of Little Village Grill, to amend the Rent Commencement for Little Village Grill, located at 901 East Fourth Street, Suite A (Tax Parcel 125-043-04); and

B) Authorize the County Manager to negotiate and execute any subsequent amendments to the Lease Agreement.

Note: Under the Lease Agreement, Rent Commencement or the obligation to pay rent is the date that is the earlier of (i) one hundred and eighty days (180) following Lease Commencement and (ii) the date the Tenant opens for business. Under the current lease, the Rent Commencement date should be May 25, 2019. The intent of the period between the Lease Commencement and Rent Commencement is to allow the Tenant opportunity to sufficiently upfit the suite prior to opening for or doing business. However, due to significant delays in the permitting process and upfit of the restaurant, the Tenant has requested additional time to
open for business. The County Manager will negotiate a lease amendment consistent with the following: Rent Commencement - Rent Commencement will be amended to the date that is the earlier of (i) August 1, 2019 or (ii) the date that the Tenant opens for business.

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

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

**19-5408 MECKLENBURG COUNTY SOLID WASTE COMMUNITY RECYCLING GRANT AWARD**

Motion was made by Commissioner Leake, seconded by Commissioner Rodriguez-McDowell and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Affirm the submission of a grant application in the amount of up to $20,000 from the North Carolina Department of Environmental Quality (DEQ) to purchase one Marathon RJ-250SC-34 Yard Signature Series Roll Off Self-Contained Compactor; and
2. Recognize, receive and appropriate a grant award of $8,000 from DEQ for the purchase and installation of a new self-contained recycling compactor.

Commissioners Leake and Rodriguez-McDowell removed this item from Consent for more public awareness and clarity.

Commissioner Fuller returned to the dais.

**19-5420 ABANDONMENT OF LAINE ROAD MAINTENANCE BY NCDOT DIVISION OF HIGHWAYS**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a resolution requesting the abandonment of maintenance by NCDOT for a portion of Laine Road.

Note: The property owner has petitioned Mecklenburg County to close a 0.828-acre portion of public right-of-way for Laine Road in an unincorporated part of the County. The right-of-way was recorded; however, the corresponding portion of Laine Road was never constructed to North Carolina Department of Transportation (NCDOT) standards. Reportedly, the parcels will be combined and redeveloped. North Carolina General Statute 153A-241 specifies that a county may permanently close any public road or easement within the county except public roads or easements for public roads under the control and supervision of NCDOT.

NCDOT informed the petitioner on January 15, 2019 that the portion of public right-of-way for Laine Road petitioned to be closed was under their control and supervision. Currently Laine Road (State Road #1627) is in the State’s secondary system. Ms. Wendy Taylor, District Engineer for the North Carolina Department of Transportation, notified the petitioner that the North Carolina Board of Transportation must receive a resolution from the Mecklenburg Board of County Commissioners supporting the abandonment of state control and supervision of the portion of Laine Road.

General Statute 136-63 states that the Mecklenburg Board of County Commissioners may request the North Carolina Board of Transportation to abandon any road in the secondary system when the best interest of the people will be served. 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 Laine 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 have no objection to the abandonment of the right-of-way. Once NCDOT maintenance is abandoned, an action item will be submitted requesting the approval of the Board of County Commissioners to set a public hearing for the abandonment of the 0.828-acre portion of public right-of-way for Laine Road.

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

MECKLENBURG COUNTY
BOARD OF COMMISSIONERS

RESOLUTION REQUESTING THE NCDOT DIVISION OF HIGHWAYS
ABANDON A PORTION OF LAINE ROAD

WHEREAS, pursuant to North Carolina General Statute 136-63, the Mecklenburg Board of County Commissioners may, on its own motion or on petition from a group of citizens, request the North Carolina Board of Transportation to change or abandon any road in the secondary system when the best interest of the people will be served thereby; and

WHEREAS, a petitioner has requested that a 0.828-acre portion of public right-of-way for Laine Road (SR #1627), a road in the secondary system under the control and supervision by the North Carolina Department of Transportation, be abandoned as shown on the attached Exhibit A map; and

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

WHEREAS, by letter dated January 15, 2019, Ms. Wendy Taylor, District Engineer for the North Carolina Department of Transportation, notified the petitioner that the North Carolina Board of Transportation must receive a resolution from the Mecklenburg Board of County Commissioners supporting the abandonment of state control and supervision, for purposes of upkeep and maintenance, of the portion of Laine Road, as shown on the attached Exhibit A map; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency has determined that in its opinion the abandonment of the 0.828-acre portion of public right-of-way for Laine Road (SR #1627), subsequent to the abandonment of state control and supervision by the North Carolina Board of Transportation, as shown on the attached Exhibit A map, would not deprive any individual owning land in the vicinity of said public right-of-way of reasonable ingress and egress to their property, and would not be contrary to the public interest;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to North Carolina General Statute 136-63, the Mecklenburg Board of County Commissioners does hereby request that the North Carolina Board of Transportation abandon the control and supervision of the portion of Laine Road, as shown on the attached Exhibit A map, for purposes of upkeep and maintenance, with such resolution being effective only upon receipt by the North Carolina Board of Transportation of a certified copy of the resolution from the Clerk to the Board of County Commissioners.

Resolution recorded in full in Minute Book 48-A Document #28.

19-5421 BUDGET AMENDMENT - DSS: FY19 LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (REVENUE DECREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-

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McDowell, and Scarborough voting yes, to reduce Low-Income Home Energy Assistance Program (LIHEAP) federal revenue in the amount of $1,398,950.

Note: The North Carolina Division of Social Services (NC DSS) allocates federal revenue to assist eligible low-income households with one lump sum payment to apply toward heating expenses. Households may apply for this benefit until March 31. Reduction is due to fulfillment of all applications submitted and approved. Remaining budget amount will reflect projected expenditures.

Commissioners Jerrell, Leake, and Rodriguez-McDowell removed this item from Consent for more public awareness and clarity.

19-5433 GRANT FUNDING - OLDER REFUGEE ASSISTANCE PROGRAM (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize, receive and appropriate additional Refugee Assistance Services to Older Refugee grant funds in the amount of $25,000.

Commissioners Jerrell, Leake, and Rodriguez-McDowell removed this item from Consent for more public awareness and clarity.

Commissioner Leake asked could this program be made available at other locations.

19-5440 TRANSFER OF FUNDS FOR A CAPITAL PURCHASE - DEPARTMENT OF SOCIAL SERVICES (DSS)

Motion was made by Commissioner Leake, seconded by Commissioner Powell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the transfer of $56,500 from contractual services to capital outlay in the General Fund (0001) Department of Social Services fiscal year 2018-2019 operating budget for the purchase of a vehicle in the Senior Nutrition Program.

Commissioners Leake, and Rodriguez-McDowell removed this item from Consent for more public awareness and clarity.

Commissioner Leake requested information on the number of persons currently being served, broken out by race and gender.

19-5443 CONSTRUCTION MANAGEMENT @ RISK CONTRACTING METHODOLOGY FOR COUNTY PROJECTS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the use of the Construction Management @ Risk (CM@Risk) contract methodology for the Northeast Community Resource Center and West Community Resource Center as the best construction contracting delivery method for the project.

Note: With the Construction Management at Risk (CM@Risk) project delivery method, the construction manager assists the County with scheduling, constructability, and budget...
control prior to construction and the CM@Risk is accountable for delivering the project on schedule and within budget during construction.

Commissioners Leake, and Rodriguez-McDowell removed this item from Consent for more public awareness and clarity.

19-5444 GRANT APPLICATION - THE CITY OF CHARLOTTE EMERGENCY SOLUTION GRANT

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

Approve the submission of a grant application in the amount of up to $73,316 to the City of Charlotte to expand SOAR (SSI/SSDI Outreach, Access, and Recovery) services within the emergency shelter environment; and

If awarded, recognize, receive and appropriate the grant funds awarded; and

If awarded, approve one additional full time Case Coordinator position in the Community Support Services Department, Homeless Services Division to help connect more families to SSA income, and Medicaid benefits (annual market rate is $46,750).

Note: The SOAR project assesses, prioritizes, and submits claims for disability at the Social Security Administration (SSA). Collaboration between the state of North Carolina Disability Determination Services, the local SSA, hospitals and community providers, and CSS SOAR project increases the access and expedites the disabilities claims process. By increasing capacity and connecting more families to SSA income, and Medicaid benefits, Emergency Solution Grant funds would decrease the waiting time between SOAR referrals and connect more individuals and families within the shelter to entitlement income. Obtaining income for shelter clients opens greater housing opportunities and stability. It also improves health outcomes, decreases criminal justice involvement, and increases hospital reimbursements within the community. CSS is currently the only agency accepting low-barrier SOAR referrals from multiple sources and the HMIS. The City of Charlotte Emergency Solution Grant will expand SOAR services within the emergency shelter environment. Application to the City of Charlotte is due May 22, 2019. The funding decision will be made in June 2019. If awarded, the grant period will run from July 2019 through June 2020.

Commissioners Leake, and Rodriguez-McDowell removed this item from Consent for more public awareness and clarity.

19-5445 BUDGET AMENDMENT - CRIMINAL JUSTICE SERVICES - JUVENILE CRIME PREVENTION COUNCIL (JCPC) (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize, receive, and appropriate $2,104 from the North Carolina Department of Public Safety Juvenile Community Programs (NCDPS).

Note: The NCDPS Community Programs has awarded a Mecklenburg County JCPC program with discretionary funding. Developing Adolescents Strengthening Homes (D-A-S-H) Strengthening Families was awarded $2,104 to fund the addition of a refrigerator and warming plates to better serve meals to the families in the program. These funds will also provide funding to begin a two-year study on resilience of the families, before and after participating in the program.
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Commissioners Leake, and Jerrell removed this item from Consent for more public awareness and clarity.

**ADJOURNMENT**

Motion was made by Commissioner Scarborough, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, 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.

Janice S. Paige, Clerk

George Dunlap, Chair
The Board of Commissioners of Mecklenburg County, North Carolina, met in a Special Budget Workshop Session at the Valerie Woodard Conference Center, 3205 Freedom Drive, Suite 4009, Charlotte, NC. on Tuesday, May 28, 2019 at 8:00 a.m.

ATTENDANCE

Present: Chair George Dunlap and Commissioners Patricia “Pat” Cotham, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, 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: None

FY2019 - 2020 BUDGET DELIBERATION

The meeting was called to order by Chair Dunlap at 9:00 a.m., which was followed by introductions and the Pledge of Allegiance to the flag.

Note: Prior to this the Board had breakfast.

Note: The purpose of the meeting was for the Board to begin its deliberation on the County Manager’s FY19-20 Recommended Budget and to take straw votes.

Chair Dunlap turned the meeting over to County Manager Diorio, who turned it over to Budget Director Michael Bryant.

Budget Director Bryant outlined the format for proceeding and the agenda topics to be discussed. He then called on Finance Director Sarah Lyberg to share the results of the land bond study.

Land Bond Study

The following topics were covered:
- Land Bonds
- Land Bonds Costs/Challenges
- Land Banking-When is it Effective
- Average Land Value Increases
- Land Banking: Current State & Opportunities
- Capital Improvement Plan Process

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

Comments

Commissioner Fuller asked was it correct that staff’s assessment, per the study, was that land banking should be done as a part of the capital improvement process and not as a separate bond
Commissioner Fuller asked for clarity on tax losses referenced in the report, which was explained.

Commissioner Fuller asked about the availability of land, per the map included in the report, which was addressed.

Commissioner Harden expressed concern regarding the development community and its ability to move quickly versus the slowness and cumbersomeness of government. She said the County’s plans were good, but the time it takes to fully execute those plans was too long.

Commissioner Harden questioned what other options were available for the County to improve the land purchase process.

Commissioner Harden said a review of the current Capital Improvement Plan was needed, especially with there being new members on the Board.

Commissioner Powell asked for clarity on the stricter rules referenced in the report. It was explained that unlike in the past, in order to have a land bond referendum, a wholistic plan was now required to be in place in advance; and that currently the County didn’t have the needed specifics for the type of plan required.

Commissioner Powell said the Park and Recreation Master Plan had recommendations for land acquisition but had not been fully acted upon.

Commissioner Powell echoed Commissioner Harden’s comments regarding the need to review the current Capital Improvement Plan.

Chair Dunlap asked if an analysis had been done regarding the impact of taking property off of the tax rolls by purchasing them, prior to the County having a specific plan for the property.

Finance Director Lyberg said staff would look for other mechanisms to do land banking other than through a land bond.

Commissioner Leake commented on the map included in the report and those areas where there was less annual growth versus more annual growth.

Commissioner Leake questioned why more land purchases weren’t being made in the low growth areas, where the land cost was cheaper, specifically on the westside.

**Technical Adjustments**

Budget Director Bryant reviewed technical adjustments to the County Manager’s Recommended Budget.

*Hope Haven*

It was noted that funds for Hope Haven would be placed in restricted contingency, in light of recent financial constraints, a projected $1.2 million deficit in their FY20 budget, and the resignation of its CEO.

The County Manager was recommending that the funds be placed in restricted contingency and released contingent upon Hope Haven providing the County a detailed recovery plan for moving forward and to demonstrate that they have the capacity to execute the plan; as well as, have a process underway for obtaining a new CEO.

Comments
Commissioner Fuller asked was it known what caused Hope Haven’s $1.2 million deficit. The response was no specifics were known at this time, only that it was not a matter of fraud or misappropriation of funds.

Commissioner Fuller said he would like to know the reason for the deficit.

Commissioner Leake asked how many years the County had supported Hope Haven. It was noted that staff would get that information.

Commissioner Leake said she’d also like to get a copy of Hope Haven’s budget for the last two years.

Commonwealth Charlotte
It was noted that the agency did not meet the General Accepted Accounting Principles (GAAP) as required, per County Finance’s review of their audit. In light of this, funding was being denied, even though it was originally recommended.

Comments

Commissioner Harden asked had Commonwealth Charlotte been notified of the denial and the reason why. The response was not yet, because County Finance’s determination was made late last week.

Commissioner Harden asked was there an appeals process. The response was no.

Chair Dunlap asked about their ability to reapply, which was addressed.

Commissioner Fuller asked why the status of their audit was not known before being recommended for funding. The response was that it was a timing issue.

Director Bryant said the requirements and deadlines were made clear to all grant applicants.

Commissioner Fuller expressed concern that Commonwealth Charlotte was not informed in advance of the meeting, rather than finding out in this manner. He asked that staff do a better job going forward, with respect to notifying grant recipients when a change occurred.

Commissioner Leake echoed Director Bryant’s comments regarding the County’s process and staff’s outreach to grant applicants.

Commissioner Jerrell suggested the process be reviewed to avoid this type of occurrence going forward.

Director Bryant said staff would take all comments into consideration and review the schedules associated with the process.

Commissioner Scarborough asked if grant applicants received a checklist outlining the requirements. The response was yes.

Director Bryant said in light of Commonwealth Charlotte’s disqualification, $50,000 was now available for straw vote consideration.

Director Bryant reviewed the follow-up questions responses.

A copy of the Q & A response is on file with the Clerk to the Board.
STRAW VOTES

Budget Director Bryant reviewed the rules of engagement for Straw Voting.

It was noted that Straw Vote motions did not require a second and could be made by any Commissioner, including the Chairman.

A copy of the FY2019-20 BOCC Straw-Vote Spreadsheet is on file with the Clerk to the Board.

Chair Dunlap presented the following and asked was there a motion:

To approve the County Manager’s FY2019-2020 Recommended Budget with the following changes:

- Eliminate fund balance appropriation to the Historic West End totaling $125,000
- Appropriate fund balance in the amount of $125,000 for the Shiloam School
- Appropriate fund balance in the amount of $2,000,000 for land acquisition
- Increase Park Operations by $1,000,000
- Increase Recreation Programming by $19,000 in Park & Recreation (Sr Program at Congregate Meal sites)
- Increase Recreation Programming by $15,000 in Park & Recreation (Senior Trips)
- Increase Recreation Programming by $75,000 in Park & Recreation (park summer camps)
- Increase property tax revenue by $102,470
- Reduce Senior Administration, County Manager’s Office by $91,483 (Eliminate (1) Sr Asst to County Manager)
- Reduce IT Security Services by $144,171 in ITS (Eliminates a Tech Analyst I and a Tech Analyst II)
- Reduce Food & Facilities Sanitation by $80,138 in Public Health (Eliminates (1) Env Health Specialist)
- Reduce Public Health Clinics by $42,703 in Public Health (Eliminates (1) Medical Assistant)
- Reduce Property Tax Collections by $40,401 in Tax Collector (Eliminates (1) Deputy Tax Collector)
- Reduce Human Resources Management by $42,271 in Human Resources (Eliminates (1) HR Consultant)
- Reduce Real Estate Management by $55,363 in Asset & Facility Management (Eliminates (1) RE Coord)
- Reduce Employee Compensation by $385,000 in Non-Departmental (Reduces salary increases)
- Reduce Unrestricted Contingency by $125,000

Motion was made by Commissioner Leake, seconded by Commissioner Rodriguez-McDowell, to approve the motion as outlined by Chair Dunlap.

Comments

Commissioner Scarborough asked would any of these changes have an adverse effect on the residents of Mecklenburg County. Chair Dunlap said what was being proposed would enhance services.

Commissioner Cotham spoke in opposition to the proposed motion. Commissioner Cotham said her opposition stemmed from what she felt was a lack of transparency on the Board’s part. She said she felt the proposed changes had been discussed and agreed upon without the
Commissioner Cotham said she informed Chair Dunlap and fellow Board members of her disappointment in the process that was being followed.

Commissioner Cotham said there were things in the County Manager’s Recommended Budget she liked and things that were very thoughtful in many ways. She said she appreciated staff’s work on the budget, but because she felt the Board had not been transparent throughout the entire process, she would not support the motion.

Chair Dunlap responded to Commissioner Cotham’s comments as summarized below.

Chair Dunlap said the Board’s actions had been very transparent, dating back to the Board’s retreat in January, which he said Commissioner Cotham did not attend.

Chair Dunlap said budget discussions had taken place at several Budget/Public Policy meetings, many of which he said Commissioner Cotham either arrived late or left early.

Chair Dunlap acknowledged that dialogue had taken place amongst Commissioners, which he said was typical, in order to reach agreement.

Chair Dunlap said nothing illegal or inappropriate was done. He said all emails sent were available to the media. He said Commissioner Cotham didn’t like the process and chose not to participate.

Chair Dunlap said a lot of public engagement had taken place regarding the proposed budget, including, discussions that individual Commissioners had with their constituents at town hall meetings and other settings.

Chair Dunlap asked County Attorney Wade to comment on Commissioner Cotham’s assessment that something “underhanded” had taken place.

County Attorney Wade said the question posed to him was whether email correspondences constituted an official meeting. He said statutorily for something to be constituted as an official meeting there must be a majority of the body present; the body must convene for the purpose of conducting a hearing or to participate in deliberations or vote upon or transact county business.

County Attorney Wade said per what he’d heard today, there seemed to have been conversations between the Chair and individual Commissioners and unless there’s a majority, the Board cannot take action unless there’s a majority. Thus, conversation standing alone would not constitute an official meeting.

Commissioner Cotham thanked County Attorney Wade for his opinion, but noted that she had checked with other attorneys regarding this issue.

Commissioner Cotham said in response to Chair Dunlap’s comments that her intent today was to focus on the process and not to get into the exchanges between she and Chair Dunlap. She said for her it was about being transparent from the beginning to the end.

Commissioner Cotham acknowledged speaking with Chair Dunlap regarding the proposed budget and that she indicated to him that she was not happy about a proposed tax increase.

Commissioner Fuller asked Chair Dunlap to explain the process that was followed and why.

Chair Dunlap said the purpose was to gain consensus. He said he had dialogue with fellow
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Board members on various occasions regarding their thoughts on the proposed budget. He said per those exchanges, a list was put together and provided to the County Manager for her review.

Chair Dunlap said the County Manager was asked for input as to where cuts could be made to accomplish the requests and address the concerns of Board members.

Chair Dunlap said he asked the County Manager to determine where cuts could be made because she was in a better position to do so than individual Commissioners.

Chair Dunlap said that input lead to the motion before the Board.

Commissioner Fuller acknowledged that it was a different process but that he was okay with the process used.

Commissioner Powell echoed Chair Dunlap’s sentiments that the process had been very transparent.

Commissioner Rodriguez-McDowell, likewise said she felt the process had been very transparent. She thanked the budget staff for their work and taking time with her as a new Commissioner to answer questions. She said she thought it had been a collaborative process. She thanked Chair Dunlap for his leadership.

Commissioner Leake said nothing had been done “undercover.” She complimented Chair Dunlap on his leadership throughout the budget process and overall leadership.

Commissioner Jerrell said he was a supporter of process improvements. He said, “collaboration was not a lack of transparency.” He applauded Chair Dunlap for his leadership and the work of all of his “colleagues.”

Commissioner Jerrell complimented the County Manager and her team for their work. He said no one received everything they wanted and that the process was “transparent and fair.”

Commissioner Powell asked about the elimination of positions in Asset and Facility Management (AFM) and Information Technology (IT). It was noted that the AFM position was not associated with acquisition of greenways.

Information Technology Director Keith Gregg addressed the elimination of a Tech Analyst I and Tech Analyst II position.

Budget Director Bryant reviewed the proposed changes. It was noted the proposed changes would not have an impact on the County Manager’s Recommended Budget tax rate.

Director Bryant also noted for the Board’s awareness that the Commonwealth Charlotte audit was received on May 16th which was after the deadline of May 10th, which contributed to the delay.

Commissioner Leake asked Director Bryant to review those agencies where funding was being provided to support education, that was in addition to funding provided to Charlotte Mecklenburg Schools (CMS).

Commissioner Jerrell asked Director Bryant to review proposed funding for Park and Recreation.
Commissioner Powell said although no additional funding was provided to CMS above what was recommended by the County Manager, she asked that CMS look into the importance of instruction enhancement and support of IB and Advance Placement teachers at West Charlotte High School and others where parents had expressed concern. She also ask CMS to increase the work hours for teacher assistants to 40 hours a week.

Commissioner Powell noted the receipt of emails from constituents regarding school matters, which was why she was highlighting these concerns.

Commissioner Powell noted further that once the funding allocation was provided from the County to Charlotte Mecklenburg Schools, it was CMS’ decision as to how the funds would be allocated and spent. She encouraged the public to reach out, as well, to members of the Board of Education and the Superintendent regarding their concerns.

Chair Dunlap reminded the Board that the official vote on the FY19-20 Budget would take place at the June 4th meeting, thus there would still be an opportunity to express any concerns regarding the budget.

Commissioner Cotham asked that it be noted in the record that if the proposed budget was approved, she would not accept the 5.5 % salary increase for employees and Commissioners.

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

Motion was made by Commissioner Leake, seconded by Commissioner Rodriguez-McDowell and carried 8-1 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, and Commissioner Cotham voting no, to approve the County Manager’s FY2019-2020 Recommended Budget with the following changes:

- Eliminate fund balance appropriation to the Historic West End totaling $125,000
- Appropriate fund balance in the amount of $125,000 for the Shiloam School
- Increase property tax revenue by $102,470
- Reduce Senior Administration, County Manager’s Office by $91,483 (Eliminate (1) Sr Asst to County Manager)
- Reduce IT Security Services by $144,171 in ITS (Eliminates a Tech Analyst I and a Tech Analyst II)
- Reduce Food & Facilities Sanitation by $80,138 in Public Health (Eliminates (1) Env Health Specialist)
- Reduce Public Health Clinics by $42,703 in Public Health (Eliminates (1) Medical Assistant)
- Reduce Property Tax Collections by $40,401 in Tax Collector (Eliminates (1) Deputy Tax Collector)
- Reduce Human Resources Management by $42,271 in Human Resources (Eliminates (1) HR Consultant)
- Reduce Real Estate Management by $55,363 in Asset & Facility Management (Eliminates (1) RE Coord)
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• Reduce Employee Compensation by $385,000 in Non-Departmental (Reduces salary increases)
• Reduce Unrestricted Contingency by $125,000

BUDGET ORDINANCE DIRECTIVE

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 8-1 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, and Commissioner Cotham voting no, to direct staff to prepare a FY 2019-2020 Budget Ordinance based on the County Manager’s FY 2019-2020 Recommended Budget as amended by actions taken by the Board at today’s meeting on May 28, 2019, for a budget total of $1,898,618,653.00 and a County tax rate of 61.69 cents.

ADJOURNMENT

There being no further business to come before the Board, Chair Dunlap declared the meeting adjourned at 10:47 a.m.

Janice S. Paige, Clerk

George Dunlap, 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 4, 2019.

ATTENDANCE

Present: Chair George Dunlap and Commissioners Patricia "Pat" Cotham, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, 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: 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: 19-5429, 19-5441, 19-5452, 19-5457, 19-5458, 19-5462, 19-5467, 19-5472, 19-5475, 19-5476, and 19-5484.

STAFF BRIEFINGS - NONE

CLOSED SESSION

19-5456 CONSULT WITH ATTORNEY

19-5479 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 Scarborough, seconded by Commissioner Powell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to go into Closed Session for the following purpose: Business Location and Expansion.

The Board went into Closed Session at 5:19 p.m. and came back into Open Session at 6:00 p.m.

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

- FORMAL SESSION -
JUNE 4, 2019

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

POINT OF PERSONAL PRIVILEGE
Chair Dunlap took a point of personal privilege to comment on what he said was an “allegation” made by a fellow colleague, alleging that “back room dealings” had taken place and “illegal meetings” with respect to the budget process; and that there was a “violation of the Opens Meeting Law.” Chair Dunlap said he was speaking on behalf of himself and fellow colleagues.

Chair Dunlap said the following:

- Commissioner Cotham was the fellow colleague that made the allegation.
- Commissioner Cotham shared incorrect information with the media.
- The media moved forward with running the story without speaking to any other Commissioners first.
- The Board did not violate the Opens Meeting Law, which the County Attorney confirmed.
- The Board was transparent during the entire budget process, beginning with the Board’s Annual Retreat in January, which Commissioner Cotham decided not to attend.
- The Board held a series of meetings regarding the budget following the Board’s Retreat, some of which Commissioner Cotham either was absent, arrived late or left early.
- The Board was pleased with the County Manager’s Recommended Budget, but felt there were some things that needed a “boost,” about six items.
- His leadership style was about seeking collaboration, so that “everyone wins.”
- He spoke with every member of the Board regarding the budget.
- Some Board members were okay with the County Manager’s Recommended Budget and some wanted changes.
- He gathered everyone’s feedback and shared that information with the County Manager.
- The County Manager was asked by Chair Dunlap to review the information and to determine where cuts to her recommended budget could occur to accomplish the requests of those Commissioners desiring a change in what was recommended.
- He said the County Manager was the best person to make those determinations, rather than the Board.
- He shared with the full Board at a prior meeting that he would send Board members an email informing them of the information that was assembled, per Board member feedback and where the cuts came from.
- Further, that he would put the information in the form of a motion.
- His email to Board members was forwarded to the media by Commissioner Cotham.
- Commissioner Cotham said she responded to his email, but he never received it.
- Commissioner Cotham’s response was sent to other Commissioners, one of whom, forwarded it to him.
- After receiving the email from Commissioner Cotham, via another Board member, he responded and said “Pat for you, the media, and anybody you blind copied, this is my response, therefore, there will not be a need for them to call me. My response is in this response.”
- His response to Commissioner Cotham’s email was not included in anything reported by the media.
- This resulted in a public records request for emails of Board members to see if there was anything there regarding “back room” negotiations.
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- The allegation made by Commissioner Cotham was very disturbing for fellow Board members, because everything that had taken place was done in “good faith.”
- The Board was committed to doing what was “right, what was fair.”
- Board members were disappointed in the position the media took. The fact that they did not reach out to any other Commissioners prior to running their story.
- He said this was not unusual for the media, because they had a history of supporting Commissioner Cotham and her “antics.”
- He said if you read the articles, they had a “tendency of labeling primarily people of color and they perpetuate racism and stereotypes.”
- Chair Dunlap questioned whether Commissioner Cotham was really concerned about transparency; and asked Commissioner Cotham if she would be willing to open up her email immediately upon request and share information that she may have sent or received regarding her tenure as Board chair, relative to transparency.
- Chair Dunlap said under Commissioner Cotham’s chairmanship, the former county manager was fired publicly.
- He said leading up to the firing of the former county manager, Commissioner Cotham, then Chair, shared information with only five Commissioners regarding that matter. He said the other four Commissioners had no idea of what was going to take place. Further, that he was scheduled to be absent from that meeting.
- He said Commissioner Cotham encouraged the media to attend that meeting.
- Chair Dunlap said Commissioner Cotham continually tries to “undermine” the leadership of the Board when she has not been the leader.
- He said Commissioner Cotham corresponded with Cardinal Innovations when the County was trying to prevent MeckLink from going over to Cardinal.
- He asked Commissioner Cotham if she was willing to disclose those emails and correspondence between those agencies. (There was no response.)

Chair Dunlap said he was making a public records request to receive that information so that he would know which emails were being sent, how much money was spent, which attorneys were hired and how much attorneys were paid. He requested email, texts, and other communications that would “lead this community to know the truth about what happened.”

Chair Dunlap closed by saying “this Board believes in transparency” and that “this Board” had been more transparent than any board in the “history of Mecklenburg County.” He said for the first time ever, prior to the beginning of the budget process, the public was allowed to come into the process and inform the Board of what they wanted to see in the budget. In addition, surveys were conducted and other things to solicit citizen input, which culminated into a public hearing. He said individual Commissioners also conducted town hall meetings and attended other events to solicit public input. Also, that a second public hearing was held to receive citizen input.

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

Commissioner Cotham asked to be recognized to speak in response to Chair Dunlap’s comments.

Chair Dunlap consented to Commissioner Cotham’s request to speak.

Commissioner Cotham said the following:

- She was not expecting to be “blasted” by the Chair at tonight’s meeting.
- She “categorically reject most of what the Chairman said.”
- In her second email response to the Chair, after he’d responded with a “sharp tone,” she said that it was not about her, that it was “about the people.”
JUNE 4, 2019

- She said her focus was on “the people” and the Chair’s focus was on her.
- She said the “people” did not get to hear the discussions, nor did she.
- She did not get the opportunity to vote on the changes.
- She did not know where some of the changes came from, nor did the public.
- This was a lack of transparency.
- She had no regret for what she did; that she did the “right thing.”
- She said the process was not “good government.”
- She said she did not make it about herself.
- She said her focus was on “the process.”

Commissioner Cotham said she would vote no on the budget, even though there were a lot of things in the budget that she liked; but it was the principle of the matter.

- She said she could not support a process that was not open.
- She said the public had a right to hear the discussion and to hear Commissioners make their case for the changes they wanted.

Commissioner Cotham said she was “looking out for the people.”

- She said she’d been categorized as the “black sheep of the group,” but that the people knew what kind of person she was.
- She said she and the Chair disagree, but that the Board needed to do its job; and that the straw vote process was a part of that job; and it was not done as it should have been.

She thanked Chair Dunlap for recognizing her to speak.

Chair Dunlap said “when you impugn the integrity of your eight colleagues and the media not give them an opportunity to respond, you did this. Yes, it is about you because you made those comments. You alleged that there were some back room deals going on.”

This concluded the Chair’s point of privilege. (Again, the above was not inclusive of every comment but was a summary.)

AWARDS/RECOGNITION

19-5465 ORDER OF THE HORNET INDUCTION OF DALE MULLENNIX (COMMISSIONER HARDEN)

Motion was made by Commissioner Harden, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to induct Dale Mullennix into the Mecklenburg County Order of the Hornet.

Prior to the above vote, Mr. Mullennix was introduced by Commissioner Harden, who sponsored his induction and read the Order of the Hornet.

Mr. Mullennix thanked the Board for recognizing him in this manner and for the County’s partnership with the Urban Ministry Center.

Commissioners thanked Mr. Mullennix for all of his years of dedicated service to the community.

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 Dale Mullennix reflects the honor, strength, and fierce American patriotism that so stung Lord Cornwallis, he was recommended for membership in the Order of the Hornet

Note: Dale Mullennix has been the Executive Director for the Charlotte, NC-based Urban Ministry Center (UMC) since its inception in 1994. The UMC is an interfaith organization dedicated to ending homelessness, one life at a time. Under Mullennix’s leadership, the Center runs a number of creative outreach ministries, for example:

- Room In The Inn, which invites faith-based organizations in the area to open their doors in cold-weather months to provide shelter and meals to homeless neighbors.
- SABER, one of the most recognized substance use treatment centers in Charlotte.
- Enrichment programs include the ArtWorks 945 Studio, cooking classes, a soccer team, a gospel choir, and an organic garden.

Mr. Mullennix has been a consistent advocate for innovation and involvement. He has brought together more than 150 faith communities, thousands of donors, businesses, and volunteers across Charlotte to participate in the Center’s mission. He and his team were the first in the area to adopt the research-based “Housing First Strategy,” which prioritizes placing those living on the streets in stable housing before determining what other services are needed.

In 2012 the UMC opened Moore Place, an 85-unit apartment building that provides housing and on-site social services to those experiencing chronic homelessness. The UMC now houses over 300 formerly homeless individuals and provides services on four campuses and through scattered site housing.

Mr. Mullennix has been recognized over the years for his commitment and dedication to helping those in need, for example, in 2015 he was named Charlottean of the Year by Charlotte magazine and in 2018 awarded the Order of the Longleaf Pine in 2018. Most recently, he helped lead a successful merger with the Men’s Shelter of Charlotte. After twenty-five years of dedicated service as the Executive Director of the Urban Ministry Center, he is retiring effective June 17, 2019.

Mr. Mullennix has a Master of Divinity from the Southern Baptist Theological Seminary in Louisville, KY. He served as Associate Pastor at Myers Park Baptist Church in Charlotte until selected to lead the UMC in 1994. Mullennix is married to the Reverend Jane Summey and they have two children.

PUBLIC APPEARANCE

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

James Lee complimented Chair Dunlap for his leadership and integrity. He said the current Board has the opportunity to “fix” a lot of things in the community for those in need. He urged the Board to move forward and to put any disagreements or disappointments it may have
behind them. He said, “everyday one wakes up was an opportunity to get it right.” He urged the Board not to be divided and to do the business of the County.

Nancy Carter, a former Charlotte City Council member, and a current member of the Soil and Water Conservation District addressed Sustainable Energy. She said the Soil and Water Conservation District voted to support the City of Charlotte’s Sustainable Energy Action Plan.

She encouraged the County to develop a sustainable energy action plan. She encouraged the County to work with the City on this issue to become a national leader in this area by developing defined goals and plans. She encouraged the County to build upon its existing efforts, the County’s Environment Leadership Policy passed in 2004 and the Environmental Sustainability Plan. She further encouraged the County to purchase clean energy vehicles and elaborated on the benefits of doing so.

Tina Katsanos addressed climate change and environmental health impacts on adults and children, specifically, those with asthma. She also addressed the impact of pollen on one’s health. She asked the Board to consider appointing a task force to address the issue of climate change and to develop an action plan around this issue.

Leo Amon, an elementary school student and the son of Ms. Katsanos, addressed climate change and the pollen “apocalypse.” He said action was needed “now.” He addressed his asthma condition and how he regrets disturbing his classmates because of his coughing. He said, “if nothing was done, everyone was going to die, but it would not be naturally.”

Tera Long addressed climate change and the impact of this one’s health. She encouraged the Board to support efforts for clean energy, clean air, clean water, and green jobs. She also expressed support for teachers and habitat for humanity.

Crystal Pemberton, a Yale graduate, and Erin Howell, co-founders of what they said would be known as the Great Opportunity Boarding Institute for Girls (GOBIG), spoke as advocates for “school choice.” They said every family should have “equitable” access to a great education opportunity. GOBIG would be the first tuition free, all girls, public charter boarding school in N.C. The only one in the U.S. that would serve elementary age students. The curriculum would focus on developing an independent and collaborative entrepreneurial mindset in their scholars through STEM, Science, Technology, Engineering, and Mathematics.

James Doyle, a physician, addressed climate change. He noted recent reports regarding the topic. He said the issue was getting worse and that an action plan was needed.

William Hickman and Charles Mandizha registered to speak but were not present.

**APPOINTMENTS**

**19-5464 MECKLENBURG EMS AGENCY (MEDIC) BOARD APPOINTMENT**

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to appoint Saad Ehtisham, President and Chief Operating Officer, Novant Health Presbyterian Medical Center, to the Mecklenburg EMS Agency Board to fill the unexpired term of Paula Vincent, as a Novant Health representative, term expiring December 2019.

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.

19-5471 APPOINTMENTS

SMALL BUSINESS AND ENTREPRENEURSHIP ADVISORY BOARD

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

Russell Alexander Martin  Commissioner(s) Dunlap, Fuller, Powell, Rodriguez-McDowell, and Scarborough

Shalinda Williams  Commissioner(s) Cotham, Harden, and Jerrell

Chair Dunlap announced the appointment of Russell Alexander Martin to the Small Business and Entrepreneurship Advisory Board to fill an unexpired term expiring June 30, 2019 and a subsequent three-year term expiring June 30, 2022.

Note: He replaced Chris Clark.

19-5480 NOMINATIONS/APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate and appoint Marque Macon to the Adult Care Home Advisory Committee for a one-year term expiring June 4, 2020.

JURY COMMISSION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to reappoint Carla Brafford to the Jury Commission for a two-year term expiring June 30, 2021.

Note: Per state statute the Jury Commission shall consist of three members. One member of the commission shall be appointed by the senior regular resident superior court judge, one member by the clerk of superior court, and one member by the board of county commissioners. Members must be qualified voters of the county and can serve unlimited terms. Must be a resident of Mecklenburg County. The Jury Commission generally meets twice a year.
PLANNING COMMISSION

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to reappoint John Ham to the Planning Commission for the remainder of his term, expiring June 30, 2019, and a subsequent three-year term expiring June 30, 2022.

Note: Mr. Ham was removed because of missing three consecutive meetings but has assured the Board he would meet the requirement going forward.

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

Emmitt Butts by Commissioner Jerrell
Peter Kelly by Commissioner Harden
Unithia McGruder by Commissioner Fuller

Note: Per Board policy, an appointment will be made following interviews of those nominated by an ad hoc committee of the Board, appointed by the Board Chair. The appointment will be scheduled to occur no later than the Board’s July 2, 2019 meeting.

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to close the nominations.

Commissioners Leake and Rodriguez-McDowell volunteered to serve on the Ad Hoc Committee. Two additional Commissioners will be needed.

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS

19-5474  JUVENILE CRIME PREVENTION COUNCIL ANNUAL REPORT & PROPOSED FUNDING ALLOCATION PLAN

The Board received the annual report of the Juvenile Crime Prevention Council and proposed funding allocation plan.

Terri Stowers, chair of the Juvenile Crime Prevention Council gave the report.

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

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1) Receive as information the Juvenile Crime Prevention Council Annual Advisory Committee Report;

2) Recognize, receive and appropriate FY20 Department of Public Safety - Division of Juvenile Justice funds in the amount of $1,415,682.00; and
3) Approve FY20 funding allocation plan as recommended by the Mecklenburg County Juvenile Crime Prevention Council in the amount of $1,065,682.00.

Note: The difference between the amount of FY20 Department of Public Safety - Division of Juvenile Justice funds received, and the amount approved for the FY20 Funding Allocation Plan was $350,000. The Juvenile Crime Prevention Council (JCPC) originally recommended $350,000 in JCPC funds be approved for the development of temporary shelter care programming for justice involved youth with Thompson Child and Family Focus, however, this amount was excluded because of uncertainty regarding the matching funds needed by Thompson. A subsequent action item will be brought to the Board for allocation of the $350,000 at a later date.

Chair Dunlap thanked Ms. Stowers for the report.

MANAGER’S REPORT

19-5466 MECKLENBURG COUNTY SOLID WASTE FEE ORDINANCE FY2020

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve revisions to the Mecklenburg County Solid Waste Fee Ordinance for fiscal year 2020.

Note: Annually, LUESA Solid Waste proposes to change the Mecklenburg County Solid Waste Fee Ordinance by revising certain fees in the Solid Waste Program to respond to inflation and contract service fees charged to Mecklenburg County. These changes include, but are not limited to:

1. Continued implementation of the incremental multi-year fee plan developed in FY2017;
2. No increase to the volumetric fees for residential customers who use County Drop-Off Centers, and a decrease of Yard Waste from $8.50 to $8;
3. Increase fees for non-residential/out of county customers who use County Drop Centers from $50 to $65 annually;
4. Incorporate necessary fees to cover the costs associated with accepting, processing, and transporting waste materials to their final disposal point.
5. Fees contained in this ordinance will be effective July 1, 2019.

The Residential Solid Waste Availability Fee is proposed to increase from the current $27.50 per year to $33.50 per year. This increase is due to collapses in the Recycling Market and equates to .50 cents per month for each residential property. This will allow our community to continue recycling in the same manner as we have for the past several years. The Availability Fee is included in the FY 2020 Operating Budget request and is separate from the Mecklenburg County Solid Waste Fee Ordinance.

Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 29.

19-5488 PRIVATE AND PHILANTHROPIC FUNDING FOR PRE-K

The Board received information from Michael Marsicano, President and CEO, Foundation for the Carolinas, regarding private and philanthropic funding for Pre-K.

Mr. Marsicano informed the Board of other donations that had been pledged for the County’s Universal Pre-K and Degree Granting Programs for Teachers. Thus, reaching the County’s goal.
of raising $6.2 million. These funds will be used to finance scholarships for students at the bachelor and associate degree level, so that teachers placed in the Pre-K classrooms are highly qualified. The list of contributors are as follows:

Corporate Charlotte and Philanthropic Families Rally
In support of Universal Pre-K and Degree Granting Programs for Teachers

Albemarle Corporation  Foundation For The Carolinas  Novant Health
Atrium Health  Ingersoll Rand  Pricewaterhouse Coopers
Bank of America  Howard R. Levine Foundation  Charlotte Merchants
Barings, LLC  Leon Levine Foundation  Foundation
John M. Belk Endowment  Merancas Foundation  Coca Cola Consolidated
Brighthouse Financial  Duke Energy  C.D. Spangler Foundation
Wells Fargo

Commissioners expressed sincere thanks to Mr. Marsicano for all of his great work on making this happen.

County Manager Diorio was thanked as well.

19-5509 SMALL BUSINESS LOAN PROGRAM

Finance Director Sarah Lyberg presented the proposed Small Business Loan Program Ordinance.

Note: The Fiscal Year 2019-2020 Budget Ordinance includes funding for the establishment of the Small Business Loan Program. The Small Business Loan Program Fund ordinance will establish a separate fund to account for the activities of this program.

Comments

Commissioner Powell asked was this something the County could legally do and about oversight. County Attorney Wade said yes and that there would be oversight. He said the details would come at a later date.

Chair Dunlap, who initiated this idea years ago, expressed how grateful he was to see this come to fruition.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the Small Business Loan Program Ordinance.

MECKLENBURG COUNTY, NORTH CAROLINA
SMALL BUSINESS LOAN PROGRAM

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE FOURTH DAY OF JUNE 2019:

WHEREAS, Mecklenburg County has decided to create a Small Business Loan Program funded by a transfer of $3,250,000 from the General Fund together with any other available funds, including earnings on such funds;

NOW, THEREFORE, BE IT ORDAINED that the Small Business Loan Fund is hereby established as follows:

Section I. The purpose of this Small Business Loan Fund is to hold and account for revenue as specified above and for use for providing funds for small business loans.
Section II. The County Director of Finance is authorized to receive and place into the Small Business Loan Fund the specified revenues.

Section III. That $3,250,000, General Fund balance transfer, is hereby appropriated for the purposes specified above.

Section IV. This Small Business Loan Fund will remain in place until terminated by the Board of County Commissioners.

Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 30.

19-5510 RENTAL SUBSIDY PROGRAM

Finance Director Sarah Lyberg presented the proposed Rental Subsidy Program Ordinance.

Note: The Fiscal Year 2019-2020 Budget Ordinance includes funding for the establishment of the Rental Subsidy Program. The Rental Subsidy Program Fund ordinance will establish a separate fund to account for the activities of this program.

Comments

Commissioner Powell asked was this something the County could legally do. County Attorney Wade said yes.

Commissioner Powell said consideration needed to be given to developing policies with a goal for self-sufficiency as well.

Commissioner Jerrell, who emphasized the need for this type of program after taking office, said this was something he heard over and over again when campaigning.

Commissioner Jerrell thanked staff for making this come to fruition.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the Rental Subsidy Program Fund Ordinance.

MECKLENBURG COUNTY, NORTH CAROLINA
RENTAL SUBSIDY PROGRAM

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE FOURTH DAY OF JUNE 2019:

WHEREAS, Mecklenburg County has decided to create a rental subsidy program funded by transfers from other funds together with any other available funds, including earnings on such funds;

NOW, THEREFORE, BE IT ORDAINED that the Rental Subsidy Program Fund is hereby established as follows:

Section I. The purpose of this fund is to hold and account for revenue as specified above and held for use for providing funds for rental subsidies.

Section II. The County Director of Finance is authorized to receive and place into the Rental Subsidy Program Fund the specified revenues.

Section III. That $11,000,000 of transfers from other funds is hereby appropriated for the purposes specified above.
Section IV. This Rental Subsidy Program Fund will remain in place until terminated by the Board of County Commissioners.

Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 31.

19-5470 FISCAL YEAR 2019-2020 BUDGET ORDINANCE ADOPTION

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-1 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes and Commissioner Cotham voting no, to adopt the Fiscal Year 2019-2020 Mecklenburg County Budget Ordinance as included in the Board’s agenda, which reflects a property tax rate of 61.69 cents.

Note: Approval of the Budget Ordinance adopts a balanced operating budget of expenditures and revenues for the period of July 1, 2019 through June 30, 2020 as required by the Local Government Budget and Fiscal Control Act. The Budget Ordinance results in a total budget of $1.99 billion and a property tax rate of 61.69 cents. It reflects the tax rate for the following Law Enforcement Service Districts: Charlotte = 17.81 cents; Cornelius= 13.32 cents; Davidson = 14.32 cents; Huntersville = 15.84 cents; Mint Hill = 15.58 cents; and Pineville at 16.37 cents. Also, the following reflects the tax rates for the fire service districts for the following Extra Territorial Jurisdictions (ETJs): Charlotte = 6.67 cents; Cornelius = 3.62 cents; Davidson = 6.50 cents; Huntersville = 4.10 cents; and, Mint Hill = 7.00 cents.

Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 32.

Prior to the above vote, Commissioners, with the exception of Commissioner Cotham, spoke in support of the budget and noted the great things that would be occurring as a result of the FY19-20 budget.

Commissioner Cotham noted for the record that even though she felt there were some good things in the budget, she could not vote in support of the FY19-20 Budget, because she felt the budget process was not transparent. She said also, that she would not accept the FY19-20 pay raise for Commissioners.

19-5478 ACCELERATED GREENWAY PLAN

The Board received as information the plan to accelerate greenway projects to achieve 30 miles of completed greenways by 2023.

Bert Lynn, Park and Recreation Division Director of Capital Planning gave the report.

Note: Mecklenburg County Park and Recreation Department has been tasked to develop a strategy to complete construction of 30 miles of greenway by the end of 2023. The report addressed the Department’s strategy which included completion of projects under construction and design, moving remaining projects forward and initiating new projects.

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

Chair Dunlap thanked Division Director Lynn for the report.

19-5468 CAPITAL PROJECT ORDINANCES
Finance Director Sarah Lyberg presented the capital project ordinances noted below.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:


MECKLENBURG COUNTY, NORTH CAROLINA
FY 2020 AUTHORIZATION LAND ACQUISITION
CAPITAL PROJECT ORDINANCE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 4th DAY OF June 2019.

Section I. That for the purpose of providing funds, together with any other available funds, for providing land for present and future park and recreation needs including open space purposes and the acquisition of improvements thereon and interests in such real property, $8,600,000 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 $8,600,000

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

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

Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 33.


MECKLENBURG COUNTY, NORTH CAROLINA
FY 2018 AUTHORIZATION PARK AND RECREATION
CAPITAL PROJECT ORDINANCE

The following ordinance was offered as a second amendment to and restatement of FY2018 Authorization Park and Recreation Approved Capital Project Ordinance as adopted June 19, 2018 and amended May 7, 2019

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 4th DAY OF JUNE 2019:

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's 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

319
JUNE 4, 2019

Plum Creek Gwy-South Bailey Road to South Prong Rocky River Gwy
Torrence Trib#2-Cats Park and Ride to Rosewood Meadow Drive

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, $40,162,858 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:

- 2018-2019 fiscal year $1,218,356
- 2019-2020 fiscal year 7,649,120
- 2020-2021 fiscal year 15,867,385
- 2021-2022 fiscal year 11,427,997
- 2022-2023 fiscal year 4,000,000

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

Ordinance recorded in full in Minute/Ordinance Book 48-A, Document #34.


MECKLENBURG COUNTY, NORTH CAROLINA
FY 2018 AUTHORIZATION PARK AND RECREATION CAPITAL PROJECT ORDINANCE

The following ordinance was offered as an amendment to and restatement of FY2018 Authorization Park and Recreation approved Capital Project Ordinance as adopted December 19, 2017

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 4th DAY OF JUNE 2019:

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

Stewart Creek Greenway

Including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, $4,990,248 is hereby appropriated.

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

Proceeds from Sale of Bonds, Pay-As-You-Go/Other County Funds and $250,000 contribution from Lakewood Community Development Corporation:

- 2017-2018 fiscal year $50,000
- 2018-2019 fiscal year 652,500
- 2019-2020 fiscal year 843,848
- 2020-2021 fiscal year 2,983,319
- 2021-2022 fiscal year 460,581
These will be the maximum amounts of cash available to pay project expenses per fiscal year unless the Director of Finance determines that an additional amount of cash can be made available during a fiscal year or years.

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

Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 35.


MECKLENBURG COUNTY, NORTH CAROLINA FY 2018 AUTHORIZATION PARK AND RECREATION CAPITAL PROJECT ORDINANCE

The following ordinance was offered as an amendment to and restatement of FY2018 Authorization Park and Recreation approved Capital Project Ordinance as adopted on March 20, 2018

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 4th DAY OF June 2019:

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 $ 1,000,000
2018-2019 fiscal year 1,750,000
2019-2020 fiscal year 11,450,000
2020-2021 fiscal year 15,850,000
2021-2022 fiscal year 1,950,000

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

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

Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 36.

MECKLENBURG COUNTY, NORTH CAROLINA
FY 2018 AUTHORIZATION PARK AND RECREATION
CAPITAL PROJECT ORDINANCE

The following ordinance was offered as an amendment to and restatement of FY2018 Authorization Park and Recreation Approved Capital Project Ordinance as adopted June 20, 2017:

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 4th DAY OF JUNE 2019:

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

Little Sugar Creek Gwy Polk Site to SC State Line
Northern Towns Regional Recreation Center
Pearle Street Neighborhood Park Improvements
Eastway Regional Recreation Center
David B. Waymer Recreation Center Renovations

Including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefore, $99,827,481 is hereby appropriated.

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

Proceeds from Sale of Bonds, Pay-As-You-Go/Other County Funds:

2017-2018 fiscal year $5,052,099
2018-2019 fiscal year 26,717,776
2019-2020 fiscal year 36,039,520
2020-2021 fiscal year 30,184,783
2021-2022 fiscal year 1,833,303

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.

Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 37.


MECKLENBURG COUNTY, NORTH CAROLINA
FY 2020 AUTHORIZATION PARK AND RECREATION
CAPITAL PROJECT ORDINANCE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 4th DAY OF JUNE 2019:

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

Briar Creek Greenway (Central to Commonwealth to Monroe) Paw Creek
Briar Creek/Little Hope Greenway-Keystone Court Caldwell Station Tributary
Irwin Creek Greenway Long Creek (III)
McIntyre Creek Greenway Reedy Creek
JUNE 4, 2019
Sugar Creek Greenway (BG Parkway to McDowell Farms Dr) Walker Branch/Hoover Creek
Ezell Farms Community Park Mallard Creek Greenway

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, $67,305,475 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:

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<tr>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
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<tr>
<td>2019-2020</td>
<td>$1,426,172</td>
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<td>2020-2021</td>
<td>$9,604,013</td>
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<td>2021-2022</td>
<td>$29,921,717</td>
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<tr>
<td>2022-2023</td>
<td>$23,440,768</td>
</tr>
<tr>
<td>2023-2024</td>
<td>$2,912,805</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 Minute/Ordinance Book 48-A, Document # 38.


MECKLENBURG COUNTY, NORTH CAROLINA
FY 2017 AUTHORIZATION SCHOOL FACILITIES CAPITAL PROJECT ORDINANCE

The following ordinance was offered as an amendment to and restatement of FY2017 Authorization School Facilities Capital Project Ordinance as adopted February 19, 2019:

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 4th DAY OF JUNE 2019:

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

Land Acquisition $30,500,000
(3 new elementary schools, 1 new high school, Shamrock Gardens ES, Briarwood ES)

Design/Preconstruction $10,750,000
(Collinswood Language Academy K8, Harding HS, EC Specialty, Montclaire ES, new K8 – South, New K8 – North)

Construction Cost $239,070,534
(Nations Ford Sterling Steel Creek Relief, South Meck/Ardrey Kell/Myers Park, K-8 Language Immersion Magnet South, K-8 Language Immersion Magnet School-North, Shamrock Gardens Elementary School Replacement)

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, 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, $280,320,534 is hereby appropriated.

Section II. That it is estimated that the revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:
Proceeds from Sale of Bonds, Pay-As-You-Go/Other County Funds:

- 2016-2017 fiscal year: $33,250,000
- 2018-2019 fiscal year: $8,000,000
- 2019-2020 fiscal year: $38,274,966
- 2020-2021 fiscal year: $78,709,192
- 2021-2022 fiscal year: $67,569,660
- 2022-2023 fiscal year: $52,453,083
- 2023-2024 fiscal year: $2,063,633

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

*Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 39.*


**MECKLENBURG COUNTY, NORTH CAROLINA**

**FY 2020 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 4th DAY OF JUNE 2019:

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

- CTE Upgrades Phase One
- New ES-Hidden Valley/Newell/JW Grier Academy Relief
- East Mecklenburg High School Renovation
- New ES-Bain/Lebanon Rd/Piney Grove Relief
- Sharon Elementary School Renovation/Addition
- West Mecklenburg High School Renovation/Addition

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, $102,151,974 is hereby appropriated.

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

Proceeds from Sale of Bonds, Pay-As-You-Go/Other County Funds:

- 2019-2020 fiscal year: $4,982,099
- 2020-2021 fiscal year: $23,996,563
- 2021-2022 fiscal year: $39,169,647
- 2022-2023 fiscal year: $31,597,358
- 2023-2024 fiscal year: $2,406,307

These will be the maximum amounts of cash available to pay project expenses per fiscal year unless the Director of Finance determines that an additional amount of cash can be made available during a fiscal year or years.
Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as permanent financing, if any, is arranged at which time repayment, if required, will be made: and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 40.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

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

19-5463 SELECTION OF NACO VOTING DELEGATE AND ALTERNATE (CHAIR DUNLAP)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, Harden, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to select Chair Dunlap as the County's voting delegate for the 2019 National Association of Counties (NACo) 84th Annual Conference to be held July 12-16 in Clark County, Las Vegas, Nevada. 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.

Commissioner Leake nominated Commissioners Jerrell and Rodriguez-McDowell to serve as alternates, depending upon, if either goes to the conference.

Commissioners Jerrell and Rodriguez-McDowell were uncertain as to whether they would be attending.

Chair Dunlap said a decision regarding the alternate would be made at a later date, based on who plans to attend, Commissioners Jerrell and Rodriguez-McDowell, or others.

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

19-5473 NAMING APPLICATION - PEDESTRIAN BRIDGE AT QUEENS SPORTS COMPLEX AT MARION DIEHL PARK TO "JERRY AND IRENE BLACKMON BRIDGE AND TRAILS" (COMMISSIONER HARDEN)

Motion was made by Commissioner Harden, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Dunlap, Fuller, Harden, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve naming the pedestrian bridge connecting Little Sugar Creek Greenway to the Queens Sports Complex at Marion Diehl Park the "Jerry and Irene Blackmon Bridge and Trails" and schedule a public hearing on July 2, 2019 at 6:30 p.m. to receive public comment on the proposed naming.

Note: John G. "Jerry" Blackmon is a long-time public servant, U.S. Veteran, and beloved community leader. He served on the Mecklenburg County Commission from 1984 - 1990 and the NC State Legislature from 1991 - 1996. While on the commission, Mr. Blackmon was an early champion for the development of greenways. His generous contributions supported the
development of the greenway system at the Queens University Sports Complex at Marion Diehl Park.

Mr. Blackmon was born on December 23, 1928 in Asheville, NC. He graduated from York High School in 1946. At the age of 17, he enlisted in the U.S. Navy. In 1950, he entered the University of South Carolina, where he met and married his wife of 66 years, Irene Herty. He graduated in 1954 with a degree in Mechanical Engineering.

Mr. Blackmon has participated in many civic and community activities, has held positions of leadership and received numerous awards and honors as listed in the naming application. Mr. Blackmon was inducted into the Mecklenburg County Order of the Hornet on December 3, 1990.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Dunlap, Fuller, Harden, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the following item(s):

19-5442 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;

2) If awarded, recognize, receive and appropriate grant funds and authorize the County Manager to execute a contract to implement grant scope of work as specified in Mapping Activity Statement; and

3) Authorize the carry-forward of unspent funds for the duration of the grant.

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 fourteenth 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.

19-5446 RECORDS RETENTION AND DISPOSITION- NEW RETENTION SCHEDULE MODEL FOR LOCAL GOVERNMENTS

Approve the Records Retention and Disposition Schedule General Records Schedule for Local Government Agencies dated March 1, 2019 and authorize the Board Chairman and Clerk to sign the approval documents.

Note: The Archives Division of the Government Records Section of the Department of Natural and Cultural Resources (DNCR) promulgates retention schedules, which establishes the minimum retention periods for the categories of records listed in the schedules. The (DNCR) Archives and Records Section, has Advised that beginning in 2019 all local records retention schedules will be updated on an annual basis. March 1 is the first update. These annual updates will include any updates to the General Records Standards as well as any scheduled updates to specific Program Records Standards. Subsequent updates will be issued on January 1 of each year. The new General Records Schedule for Local Government Agencies (General Schedule)
The new General Schedule includes nine categories of records. Once a local government adopts the new General Schedule, it supersedes all previous agency specific schedules for those categories. For those categories that are not covered by the new General Schedule, the most recently signed agency schedule will continue to apply for that program until a separate update is issued.

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

19-5453 STORM WATER PROGRAM - FY19 HAZARD MITIGATION FLOODPLAIN ACQUISITION

1) Accept the Offer of Sale of Real Estate from James & Tiffany Guy, owners of property located at 1009 Mockingbird Lane, Charlotte, NC (tax parcel 171-082-15), for $415,000;

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: 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.).

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>
<thead>
<tr>
<th>TAX PARCEL ID</th>
<th>STREET ADDRESS</th>
<th>CITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>17108214</td>
<td>1001 MOCKINGBIRD LANE</td>
<td>CHARLOTTE</td>
</tr>
<tr>
<td>17108215</td>
<td>1009 MOCKINGBIRD LANE</td>
<td>CHARLOTTE</td>
</tr>
<tr>
<td>14920336</td>
<td>1300 DREXEL PLACE</td>
<td>CHARLOTTE</td>
</tr>
<tr>
<td>17109105</td>
<td>5721 WEDGEWOOD DRIVE</td>
<td>CHARLOTTE</td>
</tr>
<tr>
<td>01509115</td>
<td>8018 GILEAD ROAD</td>
<td>HUNTERSVILLE</td>
</tr>
<tr>
<td>22102106</td>
<td>701 MAIN STREET</td>
<td>PINEVILLE</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
JUNE 4, 2019

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 48-A Document # 41.

19-5455 MINUTES

Approve Minutes of Regular meeting held May 21, 2019 and Special Meeting held May 28, 2019.

19-5460 LOCAL HEALTH DEPARTMENT RECORDS RETENTION AND DISPOSITION SCHEDULE

Approve the updated Local Health Departments Records Retention and Disposition Schedule in accordance with State requirement dated March 1, 2019.

Note: In accordance with regulations set by the NC Department of Health and Human Services and the Department of Natural and Cultural Resources - Division of Archives and Records, local health departments are required to store and dispose of records possessing administrative, fiscal, legal, research or reference value. The records retention and disposition schedule is a tool for the employees of local government agencies across North Carolina to use when managing the records in their offices. It lists records commonly found in agency offices and gives an assessment of their value by indicating how long those records should be retained. This schedule is also an agreement between the Mecklenburg County Health Department and the State Division of Archives of North Carolina. The schedule must be approved by the governing body and signed by the Chairman of the Board of County Commissioners. The updated schedule was adopted by the State on March 1, 2019.

A copy of the retention schedule is on file with the Clerk to the Board.
19-5461 TAX REFUNDS

Approve tax refunds in the amount of $619.29 as statutorily required to be paid, as requested by the County Assessor.

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

19-5485 NOTICE OF PROPOSED ADOPTION OF REVISED BOARD OF HEALTH RULES GOVERNING THE CONTROL OF RABIES AND ZOONOSES

Instruct the Clerk to the Board to publish a notice of proposed adoption of revised Board of Health Rules Governing the Control of Rabies and Zoonoses to be considered by the Board on June 18, 2019 at 6:30 p.m. or as soon as the agenda permits.

Note: The County's current Ordinance is not consistent with the state statute and duplicates services. Additionally, the County will no longer need the Ordinance as currently written regarding animal holding facilities permits; licensing and records; standards as these are now covered by Dept of Agriculture rules. The current Ordinance will be recommended for repeal upon adoption of the proposed rules.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner Jerrell returned to the dais.

19-5429 CONSTRUCTION CONTRACT - DAVID B. WAYMER, SR. RECREATION CENTER

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to award a construction contract to Hoss Contracting, Inc. in the amount of $2,190,669 for the renovation of David B. Waymer, Sr. Recreation Center.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

Commissioner Cotham returned to the dais.

19-5441 BUDGET AMENDMENT - SHERIFF'S OFFICE SPECIAL REVENUE FUND (REVENUE AND EXPENSE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes to:

1. Recognize, receive and appropriate $242,300 from Inmate Commissary revenue to the Sheriff's Office Special Revenue Fund;

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

2. Recognize, receive and appropriate $62,220 from Vocational Facility telephone revenue
to the Sheriff’s Office Special Revenue Fund;

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

3. Recognize, receive and appropriate $184,905 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 $127,315 from Seized Assets to the Sheriff’s Office Special Revenue Fund.

Note: Funds are generated from seized assets and will allow the Sheriff’s Office to enter into contracts and expend money in accordance with the Special Revenue Fund ordinance.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

19-5452 ENGINEER SELECTION - GRADY COLE CENTER

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to negotiate fees and execute a contract with RMF Engineering, Inc. for design services for the Electrical System Modifications and Heating, Ventilating, Air Conditioning System Replacement at the Grady Cole Center. In the event negotiations with RMF Engineering, Inc. are unsuccessful, approve negotiations with the alternate firm of Optima Engineering, PA.

Commissioners Jerrell and Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio and Director of Assets and Facility Management, Mark Hahn addressed this item.

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

Vice-Chair Powell chaired the meeting until noted in the minutes.

19-5457 DUKE ENERGY LIGHTING SERVICE CONTRACT - SPORTSPLEX AT MATTHEWS

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve a 10-year contract with Duke Energy at $115.48 per month to provide walkway lighting at the entrance/exit of the fieldhouse at the Sportsplex at Matthews.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.
JUNE 4, 2019

AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Coham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve expenditure of $60,000 from the Golf Course Capital Reserve fund for renovations to the picnic pavilion at Sunset Hills Golf Course.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

19-5462 CRIMINAL JUSTICE SERVICES GRANT POSITION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Coham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the creation of one Grant Manager position (annual market rate is $55,851) funded with existing MacArthur Foundation grant funds in the Criminal Justice Services Department.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

Commissioner Leake requested additional information on the amount of the grant and the recipients.

19-5467 GRANT APPLICATION - BUREAU OF JUSTICE ASSISTANCE BULLETPROOF VEST PROGRAM (SHERIFF’S OFFICE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Coham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to affirm submittal of a grant application up to $95,184, for reimbursement of 50% of the purchase cost of bulletproof vests and if awarded, recognize, receive and appropriate the grant funds.

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

Chair Dunlap returned to the dais.

19-5469 LAND USE AND ENVIRONMENTAL SERVICES AGENCY (LUESA) FEE ORDINANCE CHANGES (SECOND READING)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-2 with Commissioners Coham, Dunlap, Fuller, Harden, Jerrell, Leake and Scarborough voting yes and Commissioners Powell and Rodriguez-McDowell voting no, to adopt an Ordinance Revising the Land Use and Environmental Services Agency (LUESA) Fee Ordinance.

Commissioner Powell removed this item from Consent in order to vote no.

Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 42.

Chair Dunlap resumed chairing the meeting.
Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the FY2019 Annual Action Plan for Mecklenburg County’s Community Development Block Grant (CDBG) program of the U.S. Department of Housing and Urban Development (HUD), and recognize receive and appropriate awarded funds.

Note: As an entitlement community, Mecklenburg County receives an annual share of federal Community Development Block Grant funds. In order to receive this funding, the County must submit an Annual Action Plan to HUD, which describes the funding levels and activities to be undertaken during the upcoming program year to address the priority needs and objectives as outlined in the Consolidated Plan.

The 2019 Annual Action Plan includes the funding application for CDBG funds in the amount of $765,102. The Plan reflects the County’s continued efforts and commitment to address public facility and infrastructure improvements, sustaining affordable owner-occupied housing and needs for childcare 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

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

Commissioner Leake said she’d like to receive additional information regarding CDBG.

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

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to negotiate and execute a Memorandum of Agreement between the County and Town of Cornelius for the operation and maintenance of the Caldwell Station Creek Greenway within the Town of Cornelius pursuant to the Interlocal Cooperation Agreement between the County and Town dated June 3, 2014.

Note: On June 3, 2014, the County and Town of Cornelius entered into an Interlocal Cooperation Agreement for land acquisition, construction and maintenance of the Caldwell Station Creek Greenway which runs from Hwy 21 to Hwy 115 in Cornelius. To assist the Town with fulfilling the requirements of a grant it obtained from the North Carolina Department of Transportation, the County committed to purchasing land needed for the greenway. Additionally, the County
committed to other future activities including maintenance of the greenway upon its completion. Now that construction of the greenway is complete, the County and Town need to enter into an agreement governing the operations and maintenance of the greenway. The major terms of the Memorandum are:

Term - Ten (10) years with automatic renewals for twelve (12) months following the initial term.

Operations - The County will be responsible for responding to the public’s concerns regarding operations and maintenance of the greenway. The Town shall have no obligations related to day-to-day operations or maintenance of the greenway.

Programming - All requests for recreational programming on the greenway shall be submitted to and approved by the County.

Maintenance - The County shall be responsible for all routine maintenance, repair and upkeep on the greenway.

Town Improvements - The Town shall be responsible for all improvements it installs on the greenway.

Park Ranger Service - The County shall provide park ranger service on the greenway in a manner consistent with other greenways owned and maintained by the County.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

Commissioner Leake requested information on the number of greenways on the Westside and how much was being spent.

19-5476 MEMORANDUM OF AGREEMENT AND GREENWAY DONATION - PLUM CREEK GREENWAY

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Authorize the County Manager to negotiate and execute a Memorandum of Agreement between the County and Town of Cornelius for operation and maintenance of the portion of greenway referred to as "Plum Creek Greenway" located in the Town of Cornelius; and

2. Accept the donation of permanent greenway easement on Tax Parcel 007-281-13 from the Town of Davidson for construction and maintenance of greenway trail on "Plum Creek Greenway."

Note: The County, Town of Cornelius, and Town of Davidson have partnered together to extend greenway trail along South Prong River. The trail has yet to be named and is informally referred to as "Plum Creek Greenway". It is included in the Fiscal Year 2019 - 2023 Capital Improvement Plan and is designed as a half-mile trail with portions of the trail in the Towns of Cornelius and Davidson. The trail will begin at South Bailey Road across from W.A. Hough High School and run northward to existing greenway trail. Included in the project is donation of a greenway easement by the Town of Davidson on Town-owned property. The exact acreage of the easement being donated by the Town will be based on a forthcoming survey. The partnership included the Town of Cornelius funding and completing all construction drawings, specifications, cost estimates, and permits to standards suitable for the County's bidding process. The County is responsible to manage and provide funds for all bidding and contract management for construction of the greenway. Construction is set to begin Fall, 2019. Following completion of the greenway, the County is responsible for operations and maintenance of the greenway. The major terms of the Memorandum are:

Term - Ten (10) years with automatic renewals for twelve (12) month following the initial term.

Operations - The County will be responsible for responding to the public's concerns regarding operations and maintenance of the greenway. The Town shall have no obligations
related to day-to-day operations or maintenance of the greenway.
Programming - All requests for recreational programming on the greenway shall be submitted to and approved by the County.
Maintenance - The County shall be responsible for all routine maintenance, repair and upkeep on the greenway.
Town Improvements - The Town shall be responsible for all improvements it installs on the greenway.
Park Ranger Service - The County shall provide park ranger service on the greenway in a manner consistent with other greenways owned and maintained by the County.

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

19-5484  FY 2019-2020 JCPC-ENDORSED LEVEL II DISPOSITIONAL ALTERNATIVE PROGRAMS GRANT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Approve the submission of a grant application for funding in the amount of $200,000 to the North Carolina Department of Public Safety; and

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

3. If awarded, establish two (2) Criminal Justice Case Manager positions (annual market rate is $45,430) in Criminal Justice Services for the grant period.

Note: Criminal Justice Services Re-Entry Services Unit will deliver a vocational services program for Level II and select Level I juveniles, age 15 and above, with high risks and/or high needs. The program will include delivery of employment retention skills building curriculum, job training and/or job placement for up to 100 juveniles under the supervision of the 26th Judicial District Juvenile Court. The Criminal Justice Case Manager positions will be responsible for vocational counseling, group facilitation and education/vocational development, as well as contracted community supports.

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

Commissioner Leake said she’d like to receive more information about the grant.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:49 p.m.

Janice S. Paige, Clerk
George Dunlap, Chair
ATTENDANCE

Present: Chair George Dunlap and Commissioners
Patricia "Pat" Cotham, Trevor M. Fuller,
Susan B. Harden, Mark Jerrell, Vilma D. Leake,
Elaine Powell, 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: 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: 19-5459, 19-5477, 19-5491, 19-5492, 19-5503, 19-5504, 19-5505,

STAFF BRIEFINGS

19-5525 CLERK TO THE BOARD POSITION

The Board received information regarding the retirement of the Clerk to the Board and the recruitment plan for her successor.

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

Note: Janice S. Paige, Clerk to the Board of County Commissioners will be retiring at the end of this year, 2019 with 33 years of dedicated service to Mecklenburg County. She has a total of 35 years of local government service, having worked for the City of Lancaster, S.C. prior to coming to the County. The Clerk to the Board is an appointed position made by the Board of County Commissioners.

Assistant County Manager/Chief of Staff Ramos said the Board would be asked at the July 2, 2019 meeting to establish a Board Ad Hoc Interview Committee, who would interview potential candidates and make a recommendation for appointment consideration to the full Board.
Assistant County Manager/Chief of Staff Ramos said the recruitment process would begin this month with the goal of having someone in place by the fall. The incoming Clerk would work alongside the current Clerk until her retirement. It was noted that the double slotting of the position would allow time for the incoming Clerk to be trained by the existing Clerk on County’s policies, procedures, and systems used by the Clerk’s Office. The incoming Clerk would assume full responsibilities for the Clerk’s Office upon the existing Clerk’s retirement.

Commissioner Leake asked that Johnson C. Smith University be contacted regarding the recruitment for the position.

Commissioner Powell asked was it possible for the existing Clerk to participate in the interview process. County Manager Diorio said it was possible but not a recommended best practice.

Chair Dunlap said it could be intimidating for the candidate.

Chair Dunlap said he would have the names of those who would serve on the ad hoc committee by the next Regular meeting, July 2.

CLOSED SESSION

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): 105-091-19, 105-091-21, and 105-091-27; 107-231-04 and 107-231-06; and 009-111-20, 009-111-27, and 009-111-33.

Motion was made by Commissioner Scarborough, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, 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 Land Acquisition.

The Board went into Closed Session at 5:15 p.m. and came back into Open Session at 5:47 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, which was followed by introductions, invocation by Commissioner Powell, followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

Motion was made by Commissioner Scarborough, seconded by Commissioner Powell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to move up on the Agenda, Item 19-5522 Dedicated Sales Tax for Arts & Culture and Other Uses as suggested by Chair Dunlap.

Note: This was suggested in light of the number of persons present in the audience regarding
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AWARDS/RECOGNITION

19-5521 JOINT PROCLAMATION - LEA TOLBERT DAY

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a Joint Proclamation declaring June 18, 2019, as Lea Tolbert Day in Charlotte/Mecklenburg County.

Note: Lea Tolbert is retiring after 30 years of service with Crisis Assistance Ministry and thus, to the community. This is the longest any Crisis Assistance Ministry employee has served in the agency’s 44-year history. Crisis Assistance Ministry is Charlotte-Mecklenburg’s Lead Agency for eviction prevention, utility assistance, and the basic needs in life for those in need.

Commissioners Fuller and Leake removed this item from Consent for more public awareness. Commissioner Fuller read the proclamation.

Ms. Tolbert thanked the Board for recognizing her.
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PUBLIC APPEARANCE

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

Sarah Haley, Aldair Hernandez-Riviera, Allen Smith, and Rob Kidwell addressed climate change and the impacts of it on the environment and one’s health. They suggested the Board take some form of action to address this issue, sooner rather than later.

Brenda Anderson addressed an ADA (American With Disabilities Act) concern as it relates to her use of special transportation services provided by the Department of Social Services. Ms. Anderson said she was being transported to a doctor’s appointment on two occasions by transportation providers contracted by the Department of Social Services and on both
occasions her safety was at risk. On one of those occasions she fell out of her wheelchair. Ms. Anderson said she filed a complaint but the response to her complaint was not acted upon in a timely manner. Ms. Anderson said she still wanted an answer as to what caused her to fall out of her wheelchair, was it a “lack of safety straps or lack of safety monitoring of the medical transport vans.” Ms. Anderson said since her complaint another disabled person had fallen out of their wheelchair due to the lack of straps. Ms. Anderson said she was asking the Board to look into this matter.

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

James Lee addressed the need for affordable housing. He also said the Brooklyn Village project should honor the history of the area.

Lilly Taylor registered to speak but was not present.

COUNTY COMMISSIONERS REPORTS & REQUESTS

19-5522 DEDICATED SALES TAX FOR ARTS & CULTURE AND OTHER USES (CHAIR DUNLAP)

Chair Dunlap introduced the agenda item regarding a proposal to increase the local sales tax by a quarter (¼) cents to fund arts and culture, as well as other County programs and consideration to place a referendum on the November 5, 2019 ballot; and governance model.

Note: The sales tax would generate approximately $50 million per year. The Board will have to determine which model will provide the best support for the arts community as well as transparency and control over the dollars.

On February 12, 2019 the Board of County Commissioners received a report from the Arts and Science Council (ASC) proposing that the County consider placing a referendum on the ballot to levy an additional quarter cents sales tax. The ASC proposed that $20 million of the $50 million that would generated, be allocated to funding arts and cultural programs and institutions throughout the county and the remainder allocated to other purposes. To gauge community sentiment for the proposal, the Charlotte Regional Business Alliance Foundation contracted with Well World Solutions to poll County residents.

On April 16, 2019 the Board received as information, the results of the poll by Well World Solutions. No action was taken or required at that time. Chair Dunlap indicated that the appropriate time for the Board to take action would come at a later date. Thus, the matter was placed on the June 18, 2019 agenda for further discussion and action.

The following persons appeared to speak in support of placing the matter on the ballot and the benefits to be gained from levying an additional quarter (¼) cents local sales tax:

Bart Landess, Catawba Land Conservancy and Carolina Thread Trail; Candance Taylor Anderson; Carroll Gray; Kathryn Hill, President/CEO of Levine Museum of the New South; Kieth Cockrell; Linda Reynolds, Children’s Theatre of Charlotte; Ashley Joseph; Charles Bowman, Bank of America; Douglas Singleton, The Charlotte Ballet; Dana Lumsden; Francisco Alvarado; Bryan Wilson, Artist; Stacy Utley, Artist; Patrice Gopo, Writer; Carlos Cruz, Professor at UNC-Charlotte; Jim Dunn, Atrium Health; Lonnie Davis, Jazzarts Charlotte; and Denise Sutton.

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

The following person spoke in opposition: Sam Spencer.
Mr. Spenser said there were other needs that these funds could be used for. He said it should be looked at from a long-term perspective. He said others should be heard from as well.

Erlene Lyde registered to speak but was not present.

Comments

Commissioner Jerrell noted the following:
- The decision for the Board was whether to move forward with placing this matter on the ballot.
- The decision would impact everyone.
- Thought should be given as to how this would impact “the least of us.”
- There should be accountability for this.
- The “least of us” need to have access to the arts.
- This is worthwhile to do, but the aforementioned items should be kept in mind.

Commissioner Scarborough spoke in support of the proposal and addressed the importance of arts and culture. She note that her son was a teacher of the arts.

Commissioner Cotham noted the following:
- She’s supportive of the arts.
- She’s concerned, however, about the impact of an additional sales tax on those in need.
- She’s concerned about the timing of the request, in light of revaluation.
- She did not support this type of proposal in 2014.
- She’s concerned about the affordability of this for everyone.

Commissioner Powell noted the following:
She values the arts and culture.
She’s struggling, however, with this proposal.
She doesn’t support the current proposed distribution of the tax.
She’d like to see more allocated for parks and education.
She’d like more dialogue to take place regarding the proposed distribution of the tax.

Commissioner Fuller noted the following:
- Arts and culture are an intricate part of having a good quality of life.
- The economic impact of arts and culture was noted.
- The question before the Board was a “business” one.
- Other community needs should be kept in mind, as well.
- More time was needed to discuss this matter, including, other possible uses, such as Pre-K.
- The question on the ballot would only ask for a vote of yes or no for the sales tax increase. He said there would be no language regarding use of the funds generated.
- There has to be a linkage between the ballot question and the proposed uses for the revenue generated.
- The objective needs to be making the public aware of what it will be used for.
- If it’s public dollars, the governance should be with the government.
- It may be best to decide on the governance model later because some may use it to “derail” the process.
- He’s supportive of placing it on the ballot to let the voters decide.

Commissioner Leake noted the following:
This would help the Arts & Science Council (ASC) fund their programs; and questioned if this was right to do for the ASC and not others.

The County's role was in the areas of Health and Human Services.

Many of her constituents can't afford to participate in the ASC Arts & Culture events.

The ASC's budget and salaries were referenced.

Education would be her #1 recipient with respect to the distribution of the funds.

The process should be “fair.”

She loves the arts, personally, however, the process needs to be “equitable for the weakest of the weak.”

Commissioner Rodriguez-McDowell noted the following:

This was a conflicting issue for her.

She supports education and the arts.

The arts is a form of education.

She regrets that others weren’t presence to speak.

Balance was needed.

Arts can be a tool for achieving “equity.”

She’d like to see a balance in the distribution of the funds.

Whatever was decided upon would still impact the low income more.

Everyone should have access to the arts, regardless of their income.

She supports placing the matter on the ballot for the voters to decide.

Commissioner Harden noted the following:

Passage of this measure would be “transformational” for the community.

It’s an investment in teachers and in “our children.”

Chair Dunlap noted the following:

The “least of us” would have the opportunity to have access to the arts.

The question was whether the Board was going to allow the voters the opportunity to say yes or no to a proposed increase in the sales and use tax.

He spoke in support of placing the matter on the ballot to allow the voters to decide.

Commissioner Rodriguez-McDowell suggested the distribution be changed as follows:

Arts & Culture 40% rather than 49%

Education 20% rather than 16%

Parks & Greenways 40% rather than 30%

Commissioner Leake said she was uncomfortable with trying to make a decision at tonight’s meeting.

Commissioner Fuller said he wanted to know at the June 25 meeting, how the proposed distribution was determined and by whom.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-1 with Commissioners Cotham, Dunlap, Fuller, Harden, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes and Commissioner Jerrell voting no, to defer further discussion of this matter until the Board’s June 25, 2019 Budget/Public Policy meeting.

Chair Dunlap said if anyone had additional questions to share them with the County Manager, prior to the June 25th meeting.

Chair Dunlap asked County Manager Diorio to describe the governance models, which was done.
This concluded the discussion.

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

**APPOINTMENTS**

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

19-5410 NOMINATIONS/APPOINTMENTS

**ALCOHOLIC BEVERAGE CONTROL BOARD**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to reappoint Kenneth Carrick, Carl Daniel, and Monifa Drayton to the Alcoholic Beverage Control Board for three-year terms expiring June 30, 2022.

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

**CHARLOTTE WATER ADVISORY COMMITTEE**

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and carried 7-0 with Commissioners Cotham, Dunlap, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to reappoint Barbara Bleiweis to the Charlotte Water Advisory Committee as the Neighborhood Leader representative for a three-year term expiring June 30, 2022.

**HISTORIC LANDMARKS COMMISSION**

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

Robert Barfield by Commissioner Powell
Brian Clarke by Commissioner Leake

*Note: An appointment will occur at the July 2, 2019 meeting.*

**HUMAN RESOURCES ADVISORY COMMITTEE**

Motion was made by Commissioner Leake, seconded by Commissioner Powell and carried 7-0 with Commissioners Cotham, Dunlap, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to reappoint Jennifer Golynsky, Christine Schmid, and Jeremy Stephenson to the Human Resources Advisory Committee for three-year terms expiring June 30, 2022.

*Commissioner Harden returned to the dais.*

**JUVENILE CRIME PREVENTION COUNCIL**

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-
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McDowell and Scarborough voting yes, to reappoint Leigh Altman (JDA), Beverly Dorn Steele (GP), Wanda Douglas (GP), Anthony Gonzalez (GP), and Kevin Poirier (GP) to the Juvenile Crime Prevention Council for two-year terms expiring June 30, 2021.

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

Kathy Pate by Commissioner Powell
Brian Peay by Commissioner Rodriguez-McDowell

Note: An appointment will occur at the July 2, 2019 meeting.

The following persons were nominated for appointment consideration to the Juvenile Crime Prevention Council for the Non-Profit Slot:

Kendra King by Chair Dunlap
Helene Scott Santos by Commissioner Leake
Tysha Shaw by Commissioner Powell

Note: An appointment will occur at the July 2, 2019 meeting.

PARK AND RECREATION COMMISSION

Motion was made by Commissioner Jerrell, seconded by Commissioner Scarborough and failed 7-1 with Commissioners Cotham, Dunlap, Fuller, Jerrell, Powell, Rodriguez-McDowell and Scarborough voting yes, and Commissioner Leake voting no, to reappoint Alesha Brown, Brian Cox, Paul Freestone, Ann Harrison, and Blanche Penn to the Park and Recreation Commission for three-year terms expiring June 30, 2022.

Note: It takes a unanimous vote for persons to be reappointed.

Commissioner Powell nominated Alesha Brown, Brian Cox, Paul Freestone, Ann Harrison, and Blanche Penn for reconsideration at the next meeting.

Appointments will occur at the July 2, 2019 meeting.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to nominate and appoint Charles Kitchen to the Park and Recreation Commission as the South Region 1 representative for a three-year term expiring June 30, 2022.

PUBLIC ARTS COMMISSION

The following persons were nominated for appointment consideration to the Public Arts Commission for the Community Slot:

Susan Tompkins by Commissioner Harden
Irene Vogelsong by Commissioner Rodriguez-McDowell

Note: An appointment will occur at the July 2, 2019 meeting.

REGION F AGING ADVISORY COMMITTEE
Motion was made by Commissioner Scarborough, seconded by Commissioner Powell and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to reappoint Jeannie Fennell to the Region F Aging Advisory Committee for a Delegate slot for a two-year term expiring June 30, 2021.

STORM WATER ADVISORY COMMITTEE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to reappoint William Cornett to the Storm Water Advisory Committee as the General Contractor representative for a three-year term expiring June 30, 2022.

WOMEN’S ADVISORY BOARD

No action taken. Matter will be placed on the July 2, 2019 Agenda.

19-5513 APPOINTMENTS

CENTRAL PIEDMONT COMMUNITY COLLEGE BOARD OF TRUSTEES

Commissioner Jerrell presented the Board’s Ad Hoc Appointment Interview Committee Recommendation for appointment consideration to the Central Piedmont Community College Board of Trustees. The committee members were Commissioners Jerrell (Chair), Leake, Powell, and Harden. The committee recommended the appointment of Michael Evans.

Commissioner Fuller returned to the dais.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to appoint Michael Evans to the Central Piedmont Community College Board of Trustees for a four-year term expiring June 30, 2023.

Note: He will replace Wilhelmania Rembert, who will have served two consecutive terms.

LIBRARY BOARD OF TRUSTEES

Commissioner Jerrell presented the Board’s Ad Hoc Appointment Interview Committee Recommendation for appointment consideration to the Library Board of Trustees. The committee members were Commissioners Jerrell (Chair), Leake, Powell, and Harden. The committee recommended the Board re-open nominations.

It was the consensus of the Board to reopen nominations and direct the Clerk to continue to advertise for additional applicants and notify Lee Keesler, Chief Executive Officer, Charlotte Mecklenburg Library.

Note: The matter will come back to the Board for consideration at the August 7, 2019 meeting.

PUBLIC HEARINGS
Note: As more fully explained in the Resolution, Charlotte Education Services, LLC, a North Carolina liability company (the “Borrower”), which is wholly owned by Charlotte Education Foundation d/b/a Queen City STEM School (the “Foundation”) 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 Charter School Revenue Bonds (Queen City STEM School Project) Series 2019 (the “Bonds”), in an aggregate principal amount not to exceed $8,000,000 and loan the proceeds thereof to the Borrower for the following purposes: (a) finance, refinance or reimburse the costs of acquisition of an approximately 5.74-acre site located at 9026 Mallard Creek Road, Charlotte, Mecklenburg County, North Carolina (which site will be owned by the Borrower and leased to the Foundation) and the two buildings located thereon, consisting of a 9,487 square foot building containing classrooms and a 20,280 square foot building containing a gymnasium, kitchen, classrooms and offices, at which the Foundation will operate a new campus of the Queen City STEM School (the “School”) for grades 6-12 which will be referred to as the Queen City STEM School - Secondary, and renovate, equip and furnish the buildings at this campus (the cost of acquisition, renovation and equipping estimated not to exceed $6,000,000),

(b) finance, refinance or reimburse the costs of renovations, capital improvements and equipment and furniture purchases at the Foundation’s existing school campus located at 8701 Mallard Creek Road, Charlotte, Mecklenburg County, North Carolina (which is owned by the Borrower and leased to the Foundation) at which the Foundation operates the existing campus of the Queen City STEM School - Elementary for Kindergarten through 5th grade (estimated not to exceed $500,000),

(c) fund related costs of the Project and certain reserve funds, and

(d) pay costs of issuance of the Bonds (collectively, the “Project”).

Queen City STEM School 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, Queen City STEM School 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.

At 9:15 p.m., the Chairman announced that the Board would proceed to hold a public hearing and would hear anyone who wished to be heard on the proposed issuance by the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the “Authority”), of its Charter School Revenue Bonds (Queen City STEM School Project) Series 2019 (the “Series 2019 Bonds”), in an aggregate principal amount not to exceed $8,000,000, the proceeds of which will be loaned to Charlotte Education Services, LLC, a North Carolina limited liability company (the “Borrower”), the sole member of which is Charlotte Education Foundation, d/b/a Queen City STEM School, a North Carolina nonprofit corporation (the “Foundation”).

The proceeds of the Series 2019 Bonds will be used to (a) finance, refinance or reimburse the costs of acquisition of an approximately 5.74-acre site located at 9026 Mallard Creek Road, Charlotte, Mecklenburg County, North Carolina (which site will be owned by the Borrower and
leased to the Foundation) and the two buildings located thereon, consisting of a 9,487 square foot building containing classrooms and a 20,280 square foot building containing a gymnasium, kitchen, classrooms and offices, at which the Foundation will operate a new campus of the Queen City STEM School (the “School”) for grades 6-12 which will be referred to as the Queen City STEM School - Secondary, and renovate, equip and furnish the buildings at this campus (the cost of acquisition, renovation and equipping estimated not to exceed $6,000,000), (b) finance, refinance or reimburse the costs of certain renovations, capital improvements and equipment and furniture purchases at the Foundation’s existing school campus located at 8701 Mallard Creek Road, Charlotte, Mecklenburg County, North Carolina (which is owned by the Borrower and leased to the Foundation) at which the Foundation operates the existing campus of the Queen City STEM School – Elementary for kindergarten through 5th grade (estimated not to exceed $500,000), (c) fund related costs of the Project and certain reserve funds, and (d) pay costs of issuance of the Bonds (collectively, the “Project”).

On June 11, 2019, a notice of public hearing was published in The Charlotte Observer, a copy of the affidavit of publication being attached, setting forth a general, functional description of the type and use of the Project to be financed or refinanced, the maximum principal amount of the Series 2019 Bonds, the initial owner and operator of the Project and the location of the Project, among other things.

Motion was made by Commissioner Vilma D. Leake, seconded by Commissioner Mark Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Harden, Fuller, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to open the public hearing.

The names, addresses and testimony of the persons who were present and who offered comments on the proposed issuance of the Series 2019 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 Ella B. Scarborough moved that the public hearing be closed. The motion was seconded by Commissioner Vilma D. Leake and was unanimously adopted.

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

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS CHARTER SCHOOL REVENUE BONDS (QUEEN CITY STEM SCHOOL PROJECT) SERIES 2019 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $8,000,000

WHEREAS, Charlotte Education Services, LLC, a North Carolina limited liability company (the "Borrower"), the sole member of which is Charlotte Education Foundation, d/b/a Queen City STEM School, a North Carolina nonprofit corporation (the "Foundation"), has requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the "Authority"), issue its Charter School Revenue Bonds (Queen City STEM School Project) Series 2019 (the "Series 2019 Bonds"), in an aggregate principal amount not to exceed $8,000,000, and loan the proceeds thereof to the Borrower to (a) finance, refinance or reimburse the costs of acquisition of an approximately 5.74-acre site located at 9026 Mallard
Creek Road, Charlotte, Mecklenburg County, North Carolina (which site will be owned by the Borrower and leased to the Foundation) and the two buildings located thereon, consisting of a 9,487 square foot building containing classrooms and a 20,280 square foot building containing a gymnasium, kitchen, classrooms and offices, at which the Foundation will operate a new campus of the Queen City STEM School (the “School”) for grades 6-12 which will be referred to as the Queen City STEM School - Secondary, and renovate, equip and furnish the buildings at this campus (the cost of acquisition, renovation and equipping estimated not to exceed $6,000,000),

(b) finance, refinance or reimburse the costs of certain renovations, capital improvements and equipment and furniture purchases at the Foundation’s existing school campus located at 8701 Mallard Creek Road, Charlotte, Mecklenburg County, North Carolina (which is owned by the Borrower and leased to the Foundation) at which the Foundation operates the existing campus of the Queen City STEM School – Elementary for kindergarten through 5th grade (estimated not to exceed $500,000), (c) fund related costs of the Project and certain reserve funds, and (d) pay costs of issuance of the Bonds (collectively, the “Project”);

WHEREAS, pursuant to Section 147(f) of the Code, prior to their issuance, the Series 2019 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 under the Code for the Project located within the County;

WHEREAS, in 2017, the Authority issued its $11,425,000 Charter School Revenue Bonds (Queen City STEM School Project), Series 2017 (the “Series 2017 Bonds”), the proceeds of which were loaned to the Borrower and used to acquire the Queen City STEM School facilities located at 8701 Mallard Creek Road, Charlotte, North Carolina, which Series 2019 Bonds were approved by the Board on July 18, 2017; and

WHEREAS, the Series 2019 Bonds will be issued as “additional bonds” under the same bond documentation as the Series 2017 Bonds, with a similar interest rate and maturity; and

WHEREAS, the Borrower has requested that the Board approve the Authority's issuance of the Series 2019 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 Series 2019 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, all of which govern the Authority;

WHEREAS, the Board, following notice duly given in the form attached hereto as Exhibit A (the "TEFRA Notice"), held a public hearing today regarding the Authority's issuance of the Series 2019 Bonds and the financing or refinancing of the Project and now desires to approve the Authority's issuance of the Series 2019 Bonds and the financing or refinancing of the Project in accordance with the Code;
WHEREAS, the Series 2019 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 special limited obligations 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 Series 2019 Bonds; and

BE IT RESOLVED by the Board of Commissioners as follows:

Section 1. Pursuant to and in accordance with the requirements of Section 147(f) of the Code and Section 66.0304(11)(a) of the Wisconsin Statutes and Section 4 of the Joint Exercise Agreement, the Board hereby approves (a) the Authority’s issuance of the Series 2019 Bonds in an aggregate principal amount not to exceed $8,000,000 and (b) the financing or refinancing of the Project.

Section 2. The County has no responsibility for the payment of the principal of or interest on the Series 2019 Bonds or for any costs incurred by the Borrower with respect to the Series 2019 Bonds or the Project.

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

On motion of Commissioner Ella B. Scarborough, seconded by Commissioner Vilma D. Leake, the foregoing resolution entitled "RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLEBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS CHARTER SCHOOL REVENUE BONDS (QUEEN CITY STEM SCHOOL PROJECT) SERIES 2019 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $8,000,000" was duly adopted by the following vote:

AYES: Commissioners Patricia “Pat” Cotham, George Dunlap, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, Susan Rodriguez-McDowell, and Ella B. Scarborough

NAYS: None

Resolution/Extract recorded in full in Ordinance/Minute Book 48-A, Document #43.

19-5481 HEALTH DEPARTMENT RULES GOVERNING THE CONTROL OF RABIES AND ZOONOSES

Motion was made by Commissioner Leake, seconded by Commissioner Rodriguez-McDowell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to adopt revised Mecklenburg County Health Department Rules Governing the Control of Rabies and Zoonoses.

Note: In May 1999, the Board of County Commissioners adopted the current Mecklenburg County Rabies and Zoonoses Ordinance. The Ordinance, as then adopted, followed the statutory requirements in place at the time. Since that time the state has revised the guidelines for handling rabies cases. Until recently, the research strongly suggested the need for euthanasia or six-month quarantine for animals that were exposed to rabies but never vaccinated or exposed but were overdue for vaccination. There were strict requirements as to what procedure had to be followed. Recent guidance from the National Association of State Public Health Veterinarians (NASPHV) has recommended changes to the prior protocol for handling post exposure rabies cases. The guidance from NASPHV was published in March 2016 and provided new
information on how public health officials should manage exposure for dogs, cats and ferrets. This revised NASPHV guidance recommends a complex approach that differentiates between animals that have been vaccinated versus those that are overdue. In 2017 the General Assembly revised the statutes that govern post exposure management under S.L.2017-106 and removed all the language that previously required euthanasia or quarantine. The law now refers directly to the NASPHV guidance. In light of the statutory changes, the NC Division of Public Health sent health department directors a memorandum recommending they adopt the NASPHV guidance.

The County’s current Ordinance is not consistent with the state statute and duplicates services. Additionally, the County will no longer need the Ordinance as currently written regarding animal holding facilities permits; licensing and records; standards as these are now covered by Dept of Agriculture rules.

If approved, these regulations shall be in full force and effective from and after June 18, 2019.

Rules recorded in full in Minute/Ordinance Book 48-A, Document #44.

ADVISORY COMMITTEE REPORTS

19-5490 2019 MECKLENBURG COUNTY CHILD FATALITY PREVENTION AND PROTECTION TEAM (CFPPT) ANNUAL REPORT

The Board received the annual report of the Mecklenburg County Child Fatality Prevention and Protection Team (CFPPT).

Bob Simmons, Former Chair of Mecklenburg County Child Fatality Prevention and Protection Team gave the report and addressed questions.

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

Chair Dunlap thanked Mr. Simmons for the report.

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

MANAGER’S REPORT

19-5531 FY2020 RESTRICTED CONTINGENCY UPDATE: COMMONWEALTH CHARLOTTE AND HOPE HAVEN

The Board received a status update on funding placed in restricted contingency in FY2020 for Commonwealth Charlotte and Hope Haven. Assistant County Manager Mark Foster gave the update.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, and Scarborough voting yes, to release funds from restricted contingency in the amount of $50,000 to Commonwealth Charlotte effective July 1 to support a community service grant that supports financial literacy & credit counseling services; and $452,080 to Hope Haven effective July 1 to support residential drug rehabilitation services.

Note: During the development of the FY2020 Adopted Budget, the Board supported the Manager’s recommendation to place funding for Commonwealth Charlotte and Hope Haven into restricted contingency. The following is the language of the restricted contingency for each agency: Commonwealth Charlotte - funding held until the organization submits independently
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audited financial statements that meet Generally Accepted Accounting Principles; and, Hope Haven - funding held until the organization presents a detailed financial recovery plan to the County Manager, demonstrates capacity to execute the strategies of the plan, and hire an Executive Director.

Commissioner Powell returned to the dais.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

19-5386 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information monthly department management reports for June 2019.

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.

19-5392 JUNE FEATURE DEPARTMENT/AGENCY PRESENTATION: CRIMINAL JUSTICE SERVICES

The Board received as information a presentation from the Criminal Justice Services (CJS) Department. Sonya L. Harper, Director of Criminal Justice Services, gave the report.

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

Commissioner Fuller requested a copy of the study referenced by Director Harper in her report.

He also suggested that staff reach out to the Stonewall Jackson Youth Development Center and request that they consider changing their name. He noted that Stonewall Jackson was a confederate general. He said if the name wasn’t changed, then perhaps the County needed to consider sending its youth somewhere else.

Commissioner Leake said she would like information regarding the number of fathers that were bonded out of jail for Father’s Day.

Commissioner Leake questioned what could be done about the sentencing issue, as it related to persons receiving long sentences as a result of being in the company of someone that was arrested on drug charges.

Chair Dunlap thanked Director Harper for the report.

STAFF REPORTS & REQUESTS - NONE

CONSENT ITEMS

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the following item(s):

19-5489 LAND DEVELOPMENT SERVICES INTERLOCAL COOPERATION AGREEMENT WITH
THE TOWN OF HUNTERSVILLE

Adopt the Resolution authorizing Execution of the Amended and Restated Land Development Services Interlocal Cooperation Agreement Between Mecklenburg County and the Town of Huntersville.

Note: LUESA - Storm Water Services provides Land Development services on behalf of the six Towns. These services include enforcement of the Town’s zoning, subdivision, water quality, planning, floodplain and other ordinances. In March 2018 the Town of Huntersville, Board of Commissioners instructed Town staff to initiate discussions with the County on the potential for the Town to assume the responsibility of providing Land Development services. The County was informed that the Town’s reasons for assuming responsibility for providing these services are to create a one-stop shop; increase the Town’s control and ownership to match the Town’s accountability for roads, sidewalks, street trees, etc.; and enhance the ability for the Town to adjust fees. Since March 2018, Town and Storm Water staff have resolved most of the issues for a successful transition of Land Development services to the Town effective July 1, 2019.

Proposed changes to the Amended and Restated Land Development Services Interlocal Cooperation Agreement codifies the transition of services to the Town and documents other administrative details like the County collecting fees on the Town’s behalf.

LUESA - Code Enforcement will continue to provide services to ensure compliance with the NC Building Code. The Town has requested the County continue to enforce the Town’s Floodplain Ordinance due to the relative infrequency of development in the floodplain in Huntersville and the complexities of managing this regulatory program to the State of North Carolina and FEMA standards. The County will also continue to manage the EPA, National Pollutant Discharge Elimination System (NPDES) permit in partnership with all the municipalities. The NPDES permits include numerous activities that focus on protecting water quality during and after development. The County and Town also anticipate continuing to partner on stream restoration projects. At the present time, the Town and County are partnering on the restoration of a section of Torrence Creek with an estimated project budget of $1,600,000.

MECKLENBURG COUNTY
RESOLUTION AUTHORIZING EXECUTION OF THE
AMENDED AND RESTATED LAND DEVELOPMENT SERVICES INTERLOCAL COOPERATION AGREEMENT BETWEEN MECKLENBURG COUNTY AND THE TOWN OF HUNTERSVILLE

WHEREAS, Mecklenburg County and the Town of Huntersville (the “Town”) have negotiated and wish to amend and restate the Land Development Services Interlocal Cooperation Agreement entered into in 2000 and amended in 2003; and

WHEREAS, the Town and the County have the power pursuant to General Statute 153A-445(a)(1) and Article 20 of Chapter 160A of the North Carolina General Statutes to contract with the other for the exercise of any governmental function which they have been granted the power to exercise alone, and to enter into interlocal cooperation agreements to specify the details of these undertakings; and

WHEREAS, the Town hereby requests that the County continue to exercise certain, County regulatory powers as set forth in the Agreement within the Town’s corporate limits and extraterritorial jurisdiction; and

WHEREAS, N.C. Gen. Stat. § 160A-461 requires that such agreements “...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 does hereby approve the Amended and Restated Land Development Services Interlocal Cooperation Agreement with the Town of
Huntersville and authorizes the County Manager to executed the Agreement in substantially the form that is attached to this Resolution and authorizes the County Manager to revise Exhibit A as specified in Paragraph 9 of the Agreement (as needed) and that this resolution shall be spread upon the minutes of the meeting.

Resolution recorded in full in Minute Book 48-A, Document #45.

19-5496 TAX REFUNDS

1. Approve refunds in the amount of $6,907.71 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 statewide vehicle tax system.

2. Approve refunds in the amount of $13,601.31 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.

19-5497 BUDGET AMENDMENT - DEPARTMENT OF SOCIAL SERVICES (CARRY FORWARD OF UNSPENT FUNDS)

Approve Carry Forward unspent County funds of $250,000 in the Economic Services Division of the Department of Social Services (DSS) budget for the Efficiency Consultation Project.

Note: The Economic Services Division is seeking consultation for a divisional realignment and process change project with the Change and Innovation Agency. Additionally, this vendor will work with the division’s team members at all organizational levels to create a sustainable model that allows ample time for eligibility workers to spend the time they need to produce high-quality cases, while significantly improving time to disposition. Doing so will assist in meeting divisional performance measures required as part of the MOU with the North Carolina Department of Health and Human Services for Food and Nutrition Services and Medicaid application and reapplication timeliness. A contract will not be in place by the end of the fiscal year and the funds specified for the project will need to be carried forward in order to procure the contract when it is executed.

19-5500 MINUTES

Approve Minutes of Closed Session held May 7, 2019.

19-5502 STORM WATER PROGRAM - FY19 HAZARD MITIGATION FLOODPLAIN ACQUISITIONS

1. Accept the Offer of Sale of Real Estate from William Russell, owner of property located at 8018 Gilead Road, Huntersville, NC (tax parcel 015-091-15), for $120,000;

2. Accept the Offer of Sale of Real Estate from T. Michael McCleod, owner of property located
3. Authorize the local 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.)

19-5512 HOME AND COMMUNITY CARE GRANT ADVISORY COMMITTEE

1) Approve the amended by-laws for an Advisory Committee for the Home and Community Care Block Grant for Older Adults; and

2) Appoint members to an Advisory Committee for the Home and Community Care Block Grant for Older Adults as recommended.

Note: The Department of Social Services has served as co-lead agency for the past several years with the Council on Aging. Since that agency is no longer staffed and its future is unknown, DSS is acting as the sole designated lead agency for the administration of the Home and Community Care Block Grant. If the status of the Council on Aging changes, it is recommended they resume this role. The Committee is preparing to develop the County Aging Funding Plan for fiscal year 2020. Grant requirements include the appointment of an Advisory Committee to assist in gathering input and obtaining consensus regarding content of the plan. This appointment will assist the Lead Agency in the development of the County Aging Funding Plan for Fiscal Year 2020.

Home & Community Care Block Grant Committee 2019-2020

Greg Tanner, Chair - Department of Social Services
Darryl Crenshaw - Mecklenburg County Community Support Services
Renee Dutcher – Department of Social Services
April Witherspoon – Charlotte Housing Authority
Mary Anne Hammond
John Highfill
Dahn Jenkins – Levine Senior Center
Linda Miller – Centralina Area Agency on Aging
Ann Newman
Trena Palmer – Mecklenburg County Park and Recreation
Ruby Works – Ray’s Playze Adult Day Center
Cathy Young-Jones – Mecklenburg County Health Department

A copy of the amended by-laws is on file with the Clerk to the Board.

19-5516 PARK AND RECREATION BUDGET AMENDMENT - CARRYFOWARD OF UNSPENT FUNDS FOR PARK MASTER PLAN PROJECT

Approve carryforward of funds in the amount of $400,000 from FY19 to FY20 to be used for the cost of Park and Recreation’s new Master Plan project.

Note: Park and Recreation is working to create a new Master Plan and comprehensive assessment of the department. The current Master plan was originally developed in 2008, with a couple of updates as recent as 2014. Industry standards recommend developing Masterplans
at least every 10 years. Periodic updates help to ensure the department is aware of the public’s latest recreational needs as populations and trends continue to change and evolve. The estimated cost of the total Master Plan and comprehensive assessment is $725,000. A FY20 budget request has been approved for the one-time cost of $325,000. The carryforward of $400,000 will allow for the total funding needed to complete this plan.

19-5517 BUDGET AMENDMENT - TRANSFER FUNDS TO CAPITAL RESERVE FOR SYNTHETIC TURF FIELDS

Approve the FY19 appropriation of $200,000 from Park and Recreation General Fund lapsed salaries for transfer and appropriation to the Capital Reserve Fund for synthetic turf field replacement.

19-5523 THE COUNTY RABIES AND ZOO NOSES ORDINANCE

Repeal and rescind the County Rabies and Zoonoses Ordinance.

Note: In May 1999, the Board of County Commissioners adopted the current Mecklenburg County Rabies and Zoonoses Ordinance. The Ordinance, as then adopted, followed the statutory requirements in place at the time. Since that time the state has revised the guidelines for handling post exposure rabies cases. The County’s current Ordinance is not consistent with the state statute and duplicates services. Additionally, the County will no longer need the Ordinance as currently written regarding animal holding facilities permits; licensing and records; standards as these are now covered by Dept of Agriculture rules.

MECKLENBURG COUNTY
ORDINANCE REPEALING AND RESCINDING THE COUNTY RABIES AND ZOO NOSES ORDINANCE

WHEREAS, The Board of Commissioners for Mecklenburg County adopted a Mecklenburg County Health Ordinance Rules Governing the Control of Rabies and Other Zoonoses in May 1999; and

WHEREAS, the Ordinance as then adopted followed the North Carolina statutory requirements for post rabies exposure management; and

WHEREAS, in 2017, the North Carolina General Assembly revised the statutes governing rabies post exposure management under S.L. 2017-106 which resulted in the current county ordinance and rules being inconsistent with state law; and

WHEREAS, the Board has adopted revised Board of Health Rules Governing the Control of Rabies and Zoonoses which are consistent with guidance provided from the National Association of State Public Health Veterinarians (NASPHV); and

WHEREAS, the North Carolina Division of Public Health has recommended local health departments adopt the NASPHV guidance; now therefore,

BE IT ORDAINED by the Board of Commissioners of Mecklenburg County, that the May 1999 Mecklenburg County Health Ordinance Rules Governing the Control of Rabies and Other Zoonoses is hereby repealed and rescinded and effective immediately, is replaced with Revised Board of Health Rules Governing the Control of Rabies and Zoonoses.

Ordinance recorded in full in Minute Book 48-A, Document #49.
BUDGET AMENDMENT DEPARTMENT OF SOCIAL SERVICES (CARRY FORWARD OF UNSPENT FUNDS)

Approve carry forward of unspent County funds in the amount of $350,000 in the Youth and Family Services Division of the Department of Social Services budget for a short-term residential program for juveniles involved with the Mecklenburg County Department of Adult Correction and Juvenile Justice (DACJJ).

THIS CONCLUDED ITEMS APPROVED BY CONSENT

BUDGET AMENDMENT - HEALTH DEPARTMENT (REVENUE DECREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize, receive, and appropriate:

1. A decrease of $39,745 in State funding.

Note: The North Carolina Division of Public Health (DPH) awards federal and state funds to the Health Department to support some public health programs. The Department received notification of decreased funding of $39,745 for the Food and Lodging program.

2. A decrease of $2,168 in Federal funding.

Note: The Department received federal funding through the Charlotte-Mecklenburg Police Department to support Crisis Intervention Team. That funding is no longer available. The Department is recognizing the actual revenue that has been received and reverting unspent funds of $2,168. The budget will be decreased by that amount.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

BUDGET AMENDMENT - COMMUNITY SUPPORT SERVICES - CARRY FORWARD OF UNSPENT HOUSING STABILITY AND SUPPORTIVE HOUSING FUNDS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to carry forward unspent County housing stability and supportive housing funds estimated to be $900,000 at June 30, 2019 to support homeless services in Mecklenburg County.

Commissioner Rodriguez-McDowell removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

CONSTRUCTION CONTRACT - WALKER BRANCH GREENWAY PROJECT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to award a construction contract to Husky Construction Corp. in the amount of $958,463 for the construction of the Walker Branch
Greenway.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

**19-5492 CONSTRUCTION MANAGER AT RISK SELECTION - NORTHEAST COMMUNITY RESOURCE CENTER AND WEST COMMUNITY RESOURCE CENTER PROJECTS**

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to negotiate a fee and execute contracts with Vannoy-McFarland Construction for Pre-Construction and Construction Management at Risk services for the West and Northeast Community Resource Center projects, and in the event negotiations with this firm are unsuccessful, approve negotiations with the second ranked firm of JE Dunn-Metcon.

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

**19-5503 BUDGET AMENDMENT-SOLID WASTE FUND BALANCE APPROPRIATION**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Amend the 2002 Scrap Tire Disposal Special Revenue Fund Ordinance to allow the transfer of funds from other funds as needed;

2. Approve the FY19 appropriation of $695,000 from Solid Waste Enterprise Fund balance for transfer and appropriation to the Scrap Tire Disposal Special Revenue Fund; and

3. Approve the FY19 appropriation of $720,000 from Solid Waste Enterprise Fund balance to the Solid Waste Enterprise Fund Operating Budget.

*Note: Due to an increase in tire volumes received at County Facilities and a change in the NC Department of Environmental Quality’s tire funding mechanisms for FY19, the LUESA Solid Waste Management Program is experiencing a shortfall in the Scrap Tire Disposal Special Revenue Fund. The amendment to the ordinance is being requested to allow for the transfer of fund balance in the Solid Waste Enterprise Fund to support the Scrap Tire Disposal Special Revenue Fund. LUESA uses an external tire recycling firm, US Tire, to process the tires. In past years, the NC Department of Environmental Quality reimbursed nearly all tire costs, however, in FY19 this was unexpectedly reduced to approximately 80%. This requires a Fund Transfer. The amount of the transfer will be $695,000.*

*Additionally, an appropriation from the Solid Waste Enterprise Fund balance to the FY19 Solid Waste Operating Budget, Org 3102, of $720,000 is needed to cover expenses due to recycling commodity revenues being dramatically lower due to changes in Global Recycling Markets. Revenue projections have been corrected for FY20.*
BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA THIS THE 18TH DAY OF JUNE 2019:

The ordinance is amended by amending Section II such that the amended ordinance shall read as follows:

Section I. That for the purpose of holding and accounting for funds received from the North Carolina Scrap Tire Disposal Fees as provided pursuant to G.S. 130A-309.56(d) and the remaining balances transferred from the Scrap Tire Disposal Expendable Trust Fund, there is hereby created the Scrap Tire Disposal Fund.

Section II. The County Director of Finance is authorized to receive and place into this special revenue fund any North Carolina Scrap Tire Disposal Fee monies received after the adoption of this ordinance by Mecklenburg County and any monies recovered from the persons responsible for a nuisance tire collection site cleaned up by Mecklenburg County, as well as the remaining balances transferred from the Scrap Tire Disposal Expendable Trust Fund. The County Director of Finance is authorized to transfer from time to time funds available from other funds.

Section III. The County Director of Finance is authorized and directed to invest and reinvest funds in said Fund until such time as funds are needed to pay for scrap tire disposal and nuisance site cleanup in accordance with the Program for the Disposal of Scrap Tires and Disbursement of Scrap Tire Disposal Tax Revenues adopted by the Mecklenburg County Board of Commissioners.

Section IV. The County Director of Finance shall hold such funds in said Fund until such time as funds are needed to pay for scrap tire disposal and nuisance site clean up in accordance with the Program for the Disposal of Scrap Tires and Disbursement of Scrap Tire Disposal Tax Revenues adopted by the Mecklenburg County Board of Commissioners.

Ordinance recorded in full in Minute Book 48-A, Document #46.

Commissioner Rodriguez-McDowell removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

19-5504 DSS - HOME AND COMMUNITY CARE BLOCK GRANT (HCCBG) FUNDING PLAN FOR FY20

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the Home and Community Care Block Grant (HCCBG) funding plan for FY20.

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 $3,821,314 with a required match of $424,590 that includes two senior centers not affiliated with Mecklenburg County. The funding plan portion within the Mecklenburg County FY20 budget is $3,743,413 with a county match of $415,933. The match is included in the recommended FY20 budget request.

Commissioners Leake and Rodriguez-McDowell removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

A copy of the plan is on file with the Clerk of the Board.
19-5505 DONATION OF TREE SERVICE CONTRACTOR - SHUFFLETOWN PRAIRIE NATURE PRESERVE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize and receive the donation of a tree service contractor valued at $14,445 and funded by Friends of Plant Conservation and the US Fish and Wildlife Service for the Shuffletown Prairie Nature Preserve project.

Note: Shuffletown Prairie Nature Preserve is a State significant natural heritage area purchased by Mecklenburg County in 1998. The ecologically significant portion of this preserve is a 7-acre powerline right-of-way which supports a piedmont prairie community considered to be one of the most ecologically intact remnants in the southeast. This preserve contains two federally endangered species, Helianthus schweinitzii and Echinacea laevigata and one federal candidate species, Symphyotrichum georgianum.

The proposed project for this site is thinning of the overstory trees along the southwest edge of the prairie remnant. The goal of this treatment is to promote a soft or feathered forest/prairie edge and provide more sunlight for the imperiled flora. Sixty overstory trees have been marked by Mecklenburg County natural resources staff for removal. This will be achieved by hiring a contractor who will use the right-of-way road for access and remove the trees using a bucket truck with crane. Funding for the contractor will be provided by Friends of Plant Conservation and the US Fish and Wildlife Service.

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

19-5506 GRANT APPLICATION - HEALTH PROMOTION/DISEASE PREVENTION (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Affirm submission of a grant application for up to $4,500 for a Health Promotion/Disease Prevention (HPDP) from The Area Agency on Aging; and

2. If awarded, recognize, receive and appropriate such funds for the grant period.

Note: The grant awards will be distributed in FY2020 and will be used to continue providing nationally recognized evidenced based HPDP classes at all three Mecklenburg County Park and Recreation Senior Centers, some Recreation Centers and other locations in the community.

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

19-5507 GRANT APPLICATION - SENIOR HEALTH INSURANCE INFORMATION PROGRAM (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Approve a grant application of up to $12,000 for a Senior Health Insurance Information
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Program (SHIIP) Grant; and

2. If awarded, recognize, receive and appropriate such funds.

Note: The grant awards will be distributed in FY2020 and will be used to continue existing Medicare Education and Counseling Services offered in three Mecklenburg County Senior Centers, the Levine Senior Center; and four traditional Recreation Centers, churches and senior living locations. No match is required for these funds.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

19-5508  GRANT APPLICATION - OLDER REFUGEE ASSISTANCE PROGRAM (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

Approve an application for up to $75,000 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: The grant awards will be distributed in FY2020 and will be used to continue the existing Older Refugee Assistance Program offered in the Shamrock Senior Center within the Methodist Home Recreation Center. No match is required for these funds.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio and Director of Park and Recreation Lee Jones addressed this item.

19-5515  AMENDED AND RESTATED MEMORANDUM OF AGREEMENT AND INTERLOCAL COOPERATION AGREEMENTS - BROOKLYN VILLAGE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 5-4 with Commissioners Cotham, Dunlap, Fuller, Leake, and Scarborough voting yes and Commissioners Harden, Jerrell, Powell, and Rodriguez-McDowell voting no to:

1. Adopt a resolution titled "Resolution Approving the Amended and Restated Brooklyn Village Interlocal Cooperation Agreement Between Mecklenburg County and the City of Charlotte for the inclusion of Marshall Park in the Redevelopment Plans for Brooklyn Village"; and

2. Adopt a resolution titled "Resolution approving the Amended and Restated Brooklyn Village Memorandum of Agreement among and between Mecklenburg County, the City of Charlotte, and the Housing Authority of the City of Charlotte".

The following person appeared to speak on this agenda item, prior to the above vote:

Liz Millsaps Haigler addressed saving Marshall Park. She delivered a Petition signed by individuals who want Marshall Park saved.

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

Note: At the Board’s March 19th meeting, staff provided an update on due diligence activities undertaken by BK Partners, LLC since execution of the Brooklyn Village Master Redevelopment
Agreement (MRA) between BK Partners and the County. One of those items included the necessity to complete an update of the existing Interlocal Agreement between the County and the City, as well as the Memorandum of Understanding (MOU) among and between the County, City, and Charlotte Housing Authority. Together the agreements govern the implementation of affordable housing and the terms by which the existing Marshall Park property is included in the Brooklyn Village redevelopment plans. Included in the MRA was the County’s commitment to work in good faith to obtain an amendment to those agreements that are satisfactory to both the County and BK Partners. Since the March 19th meeting, staff has reached agreement with the City of Charlotte and the Charlotte Housing Authority on the terms of the Interlocal Agreement and MOU, and BK Partners is satisfied with the new agreements.

The Interlocal Agreement has been revised to extend the time the County has to sell any portion of the existing Marshall Park property to BK Partners from December 31, 2019 to December 31, 2029. The MOU between the County, City and CHA has been revised to reflect that a minimum of thirty-five (35) housing units will be made available to households earning up to 60% of the Area Median Income (AMI). The previous MOU involved vouchers for thirty (30) housing units for those households earning up to 80% of AMI. The revised MOU includes a provision to insure a deed restriction will be placed on the below 60% AMI units for a term of at least thirty (30) years.

MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION APPROVING THE AMENDED AND RESTATED BROOKLYN VILLAGE INTERLOCAL COOPERATION AGREEMENT BETWEEN MECKLENBURG COUNTY AND THE CITY OF CHARLOTTE FOR THE INCLUSION OF MARSHALL PARK IN THE REDEVELOPMENT PLANS FOR BROOKLYN VILLAGE

WHEREAS, beginning in 2007 Mecklenburg County (County) and the City of Charlotte (City) entered into a series of Interlocal Agreements related to the Brooklyn Village Redevelopment Project in support of the Second Ward Neighborhood Master Plan for Uptown Charlotte; and

WHEREAS, the Brooklyn Village Project includes a redevelopment plan in which the County will sell land it owns, which consists of the Former Board of Education site, the existing Marshall Park site, and the Walton Plaza office building and parking lot site, to create a livable and memorable urban neighborhood that will include a mix of uses such as condominiums, apartments, office space, retail, and hotel; and

WHEREAS, Pursuant to the 2007 Interlocal Agreement, the City transferred ownership of Marshall Park (Tax Parcel 125-071-25) to the County for inclusion into the Brooklyn Village Redevelopment conditioned upon the County requiring certain development and program elements in the Master Redevelopment Agreement (MRA) with the selected master developer such as demolition of the former Board of Education Center, demolition of Marshall Park and associated pond structures, certain roadway and storm drainage infrastructure improvements, Public Open Space including an urban park, and agreement that the County would work with the City and Charlotte Housing Authority (CHA) to include a minimum of thirty (30) units of affordable housing for households earning up to 80% of the Area Median Income (AMI); and

WHEREAS, the current Interlocal Agreement between the County and the City dated November 19, 2013 contains a provision that if none of Marshall Park property is sold by the County to a Buyer by December 31, 2019, the City may request that the County convey Marshall Park back to the City at no cost; and

WHEREAS, the County selected BK Partners, LLC (BK) as the Master Developer for the Brooklyn Village Redevelopment Project which includes all of Marshall Park and entered into a MRA with BK on July 10, 2018; and
WHEREAS, the MRA with BK meets or exceeds all of those certain conditions required by the City for the addition of Marshall Park in the redevelopment project including the demolition of the Board of Education Center, certain storm drainage improvements, demolition of Marshall Park, approximately 2.5 acres of Public Open Space (including an urban park); and

WHEREAS, the County and BK committed to work in good faith to amend the agreements with the City and the Charlotte Housing Authority to align with the requirements for affordable housing required of the Master Developer in its MRA with the County; and

WHEREAS, since the MRA has taken effect, the Master Developer and the County have worked diligently at undertaking certain due diligence activities required of both parties including working in good faith to amend the Interlocal Agreement between the County and City and the Memorandum of Understanding between the County, City and Charlotte Housing Authority; and

WHEREAS, the County and City have agreed to the terms of an Amended and Restated Interlocal Agreement to include that the Master Developer will make available a minimum of thirty-five (35) housing units in the Brooklyn Village Project for households earning up to 60% AMI and with tenant-based Housing Choice Vouchers for a term of at least thirty (30) years; and

WHEREAS, the Amended and Restated Interlocal Agreement between the County and City further provides that if none of the Marshall Park Property is sold by the County to the Master Developer by December 31, 2029 the County shall convey the Marshall Park Property back to the City if so requested; 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”; now, therefore, be it

RESOLVED by the Mecklenburg County Board of Commissioners that the Board authorizes the County Manager, or her designee, to negotiate and execute an Amended and Restated Brooklyn Village Interlocal Agreement between the County and the City to accomplish the purposes stated above.

Resolution recorded in full in Minute Book 48-A, Document #47.
affordable housing units to be included in the Brooklyn Village project which will align the MOU and the Interlocal Agreement with the MRA; and

WHEREAS, the July 5, 2015 MOU included provisions for affordable housing in the Brooklyn Village project to include thirty (30) vouchers for households earning up to 80% of the Area Median Income (AMI); and

WHEREAS, the Amended and Restated MOU among the County, City, and CHA commits that a minimum of thirty-five (35) housing units in the project will be made available to households with tenant-based vouchers and a household income of up to 60% AMI, and a deed restriction will be placed on the below 60% AMI units for a term of at least thirty (30) years; now, therefore, be it

RESOLVED by the Mecklenburg County Board of Commissioners that the Board authorizes the County Manager, or her designee, to negotiate and execute an Amended and Restated Brooklyn Village Memorandum of Understanding among the County, City and CHA to accomplish the purposes stated above.

Resolution recorded in full in Minute Book 48-A, Document #48.

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

19-5519 PARK AND RECREATION BUDGET AMENDMENT - CARRY FORWARD OF UNSPENT INVASIVE SPECIES FUNDING

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-Mc Dowell, and Scarborough voting yes, to approve carry forward of funds in the amount of $100,000 from FY19 to FY20 to be used for the cost of Park & Recreation treatment of invasive at three pilot properties.

Commissioner Rodriguez-McDowell removed this item from Consent for more public awareness and clarity.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 11:30 p.m.

Janice S. Paige, Clerk

George Dunlap, Chair
MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, July 2, 2019.

ATTENDANCE

Present: Chair George Dunlap and Commissioners Patricia "Pat" Cotham, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, 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: None

- 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 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: 19-5511, 19-5520, 19-5528, 19-5542, 19-5543, 19-5546, 19-5551, 19-5552, 19-5554, 19-5555, 19-5556, and 19-5557.

STAFF BRIEFINGS

19-5524 CMGC RENOVATIONS - COUNTY FLOORS

The Board received as information a presentation on proposed renovations to the 2nd, 4th, and 11th floors of the Charlotte-Mecklenburg Government Center.

Mark Hahn, Director of Asset & Facility Management and Holly Christian with Gensler, the consultant firm, gave the presentation.

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

Commissioners Leake, Harden, Rodriguez-McDowell, and Powell expressed concern for the proposed office area for the Board. Concern was expressed with respect to commissioner offices not having a window and for the size of the space, which they said looked smaller than what commissioners currently had.
County Manager Diorio said the thought behind the proposal took into consideration the amount of time commissioners were in their office.

Commissioners still expressed concern.

CLOSED SESSION

19-5534 CONSULT WITH ATTORNEY

19-5536 LAND ACQUISITION

Prior to going into Closed Session, County Attorney Wade announced the following Land Acquisition matter to be discussed in Closed Session: Tax Parcel 037-101-19.

Motion was made by Commissioner Scarborough, seconded by Commissioner Jerrell and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, 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 5:35 p.m. and came back into Open Session at 6:04 p.m.

Commissioner Fuller was present when the Board reconvened. He entered the meeting during Closed Session.

Commissioner Leake was present when the Board reconvened. She left during a portion of Closed Session.

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, which was followed by introductions, invocation by Commissioner Rodriguez-McDowell, followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to move Items 19-5556 Joint Proclamation - Americans With Disabilities Act Awareness Day and 19-5553 One Quarter-Cent County Sales And Use Tax Referendum up on the agenda.

AWARDS/RECOGNITION

19-5486 ORDER OF THE HORNET INDUCTION OF DR. PAMELA DAVIES (COMMISSIONER HARDEN)

Motion was made by Commissioner Harden, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to induct Dr. Pamela Davies into the Mecklenburg County Order of the Hornet.

Prior to the above vote, Dr. Davies was introduced by Commissioner Harden, who sponsored her induction and read the Order of the Hornet. Dr. Davies thanked the Board for recognizing her in this manner.
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 Dr. Pamela Davies reflects the honor, strength, and fierce American patriotism that so stung Lord Cornwallis, she was recommended for membership in the Order of the Hornet.

Dr. Pamela Davies has been President of Queens University of Charlotte since July 2002. As the 20th president of the institution, she has been highly committed to providing innovative and high-quality education at both the undergraduate and graduate levels. During her tenure, the university doubled its undergraduate enrollment, significantly expanded academic programming, and invested more than $150M in new campus infrastructure. The Queens endowment has grown from $30M to more than $160M under her leadership.

Committed to service, Dr. Davies is involved in community organizations locally, nationally, and globally. On the local level she is a Trustee of the Charlotte YMCA, Chair-elect for the YMCA-USA and has served on the Executive Committee of the World Alliance of YMCAs. She is a member of the Board of Advisors for Atrium Health, the Charlotte Executive Leadership Council, and the North Carolina chapter of the National Association of Corporate Directors. Through her service to a diverse set of community organizations, Dr. Davies has developed a strong understanding of education, healthcare, health and human services, and faith-based initiatives. Dr. Davies was named Charlotte Woman of the Year in 2018 and Most Admired CEO in Education in 2019. She has received numerous awards over the years including the Charlotte Business Journal’s Lifetime Achievement award, both the John R. Mott Award and the Servant Leader Award from the YMCA of Greater Charlotte, The Excellence in Leadership Award given by the Charlotte Rotary, the Creative Thinker Award from the Counselors of Real Estate, and the Signor Thompson Community Leader Award from Mecklenburg Ministries.

19-5556 JOINT PROCLAMATION - AMERICANS WITH DISABILITIES ACT AWARENESS DAY

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a joint proclamation declaring July 26, 2019 as Americans with Disabilities Act Awareness Day in Mecklenburg County and the City of Charlotte.

Note: July is considered Americans with Disabilities Act (ADA) Awareness month nationwide. President George H. W. Bush signed the ADA into law in 1990 to ensure that individuals with disabilities have the same rights and opportunities as everyone else. This year marks the 29th anniversary of the ADA.

The proclamation was read by Commissioner Leake and received by Lezlie Briggs with the City of Charlotte’s Community Relations Department and the County’s ADA Coordinator Timmothy Tibbs, Assistant to the County Manager.
The following persons appeared to speak during the Public Appearance portion of the agenda and addressed climate change and the impacts of it on one’s health and the environment:

Tina Katsanos and son Leo Amon, John Harvey, Michelle Blumenthal, and Sarah Haley.

They asked the Board to consider renewal energy efforts, efforts to reduce carbon emissions, and conducting an educational campaign on climate change to educate the public.

Charles Mandizha addressed economic mobility and specifically income inequality. He said this factor was excluded by the Economic Mobility Task Force. He questioned whether the city/county were “really looking at eliminating poverty.” He said income inequality comes into play when you look at employment opportunities or the lack thereof. He said parents and children are given “false hopes” that if they go to school, the employment opportunities would be there. He said for some this was true but for others it was not because of barriers. He said more equal opportunity employment was needed.

Lily Taylor registered to speak but did not appear.
Motion was made by Commissioner Scarborough, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to open the public hearing on the request to name the pedestrian bridge at Queens Sports Complex at Marion Diehl Park to "Jerry and Irene Blackmon Bridge and Trails".

Note: John G. "Jerry" Blackmon was a long-time public servant, U.S. Veteran, and beloved community leader. He served on the Mecklenburg Board of County Commissioners (BOCC) from 1984 - 1990 and in the NC State Legislature from 1991 - 1996. While on the BOCC, Mr. Blackmon was an early champion for the development of greenways. His generous contributions supported the development of the greenway system at the Queens University Sports Complex at Marion Diehl Park.

Mr. Blackmon was born on December 23, 1928 in Asheville, NC. He graduated from York High School in 1946. At the age of 17, he enlisted in the U.S. Navy. In 1950, he entered the University of South Carolina, where he met and married his wife of 66 years, Irene Herty. He graduated in 1954 with a degree in Mechanical Engineering.

Mr. Blackmon participated in many civic and community activities, held positions of leadership and received numerous awards and honors as listed in the naming application. Mr. Blackmon was inducted into the Mecklenburg County Order of the Hornet on December 3, 1990. This request was approved by both the South Park Region Advisory Council and the Park and Recreation Commission. Mr. Blackmon passed away on Sunday, June 9, 2019.

The following persons spoke in support of the naming: Carla DuPuy, a former Mecklenburg County Commissioner and Chair of the Board and Dr. Pamela Davies, President, Queens University.

Ms. DuPuy noted that several of the Blackmon children were present at the meeting.

No one appeared to speak in opposition.

Motion was made by Commissioner Scarborough, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to close the public hearing and approve naming the pedestrian bridge at Queens Sports Complex at Marion Diehl Park to "Jerry and Irene Blackmon Bridge and Trails".

19-5537 BUSINESS INVESTMENT GRANT: LENDINGTREE, LLC

Motion was made by Commissioner Cotham, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to open a public hearing to receive comments on a proposed Business Investment Program grant to LendingTree, LLC.

Peter Zeiler, Director, Economic Development, presented the request to the Board.

Commissioner Leake asked about the number of jobs and training, which was addressed. She expressed concern about the wages and questioned whether the wages for those in non-management positions would help get persons out of poverty.

Note: LendingTree, LLC is an online marketplace with one of the largest networks of lenders for
home mortgages, credit cards, and business, automobile, personal and student loans. LendingTree was founded in Mecklenburg County in 1996 and has experienced recent, rapid growth resulting in the business need for a new corporate headquarters facility.

LendingTree announced its intent to locate in Charlotte in leased office space. LendingTree considered expanding headquarters locations in York County, South Carolina.

LendingTree’s proposed headquarters project meets all the following grant guidelines for a seven-year, 50% Business Investment Grant, specifically:
- A taxable investment of $26,180,000 including real and personal property
- Creation of 436 new jobs with an average wage of $101,140 (which is equal to 200% of the average for the Charlotte-Gastonia-Rock Hill M.S.A.),
- There was competition for this project from South Carolina.

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 7 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.

No one appeared to speak.

Motion was made by Commissioner Scarborough, seconded by Commissioner Harden and carried 8-1 with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough voting yes and Commissioner Leake voting no, to close the public hearing and adopt a resolution approving a Business Investment Program grant to LendingTree, LLC for a total estimated amount of $686,878 and authorize the County Manager to negotiate and execute the contract.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR LENDINGTREE, LLC

WHEREAS, LENDINGTREE, LLC is seeking to establish a new headquarters in Charlotte, NC; and

WHEREAS, the company evaluated sites in York County, South Carolina; and

WHEREAS, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the City of Charlotte and the County of Mecklenburg, the Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on December 4, 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 locate its new headquarters in Charlotte. The project will include a capital investment of approximately $26.18 million and will create 436 new jobs within five years at an average annual salary of approximately $101,104. The Business Investment Program grant is a 50% grant over 7 years, with an estimated total amount of up to $686,878. 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 48-A, Document # 50.

COUNTY COMMISSIONERS REPORTS & REQUESTS

19-5553 ONE QUARTER-CENT COUNTY SALES AND USE TAX REFERENDUM (CHAIR DUNLAP)

The following persons spoke in support of funding for arts and culture and the proposed resolution to place on the November 5, 2019 Ballot An Advisory Referendum On The Question Of Whether To Levy An Additional One-Quarter Cent Sales And Use Tax As Authorized By Article 46 Of Chapter 105 Of The North Carolina General Statutes:

Reverend Sheila Marshall, AJ Glasco, Elsie Mufuka, Yasmine Young, Ashli Williams, Trinity Coles, Bree Stallings, Tim Scott, Nicole Salinas, Ingrid Hicks, Laura Park-Leach, Sharon Newton(on behalf of the visually impaired), Nicholas Menacho, and Sendy Mendez.

Geri Rosman registered to speak but did not appear.

Motion was made by Commissioner Scarborough, seconded by Commissioner Harden and carried 7-2 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, and Scarborough voting yes and Commissioners Cotham and Powell voting no, to adopt a resolution authorizing and directing the Mecklenburg County Board of Elections Director to place on the November 5, 2019 ballot an advisory referendum on the question of whether to levy an additional one-quarter cent sales and use tax as provided in Article 46 of Chapter 105 of the North Carolina General Statutes.

MECKLENBURG COUNTY
BOARD OF COMMISSIONERS RESOLUTION DIRECTING THE MECKLENBURG COUNTY BOARD OF ELECTIONS DIRECTOR TO PLACE ON THE NOVEMBER 5, 2019 BALLOT AN ADVISORY REFERENDUM ON THE QUESTION OF WHETHER TO LEVY AN ADDITIONAL ONE-QUARTER CENT SALES AND USE TAX AS AUTHORIZED BY ARTICLE 46 OF CHAPTER 105 OF THE NORTH CAROLINA GENERAL STATUTES

WHEREAS, Article 46 of Chapter 105 of the North Carolina General Statutes allows the Board of County Commissioners of Mecklenburg County to institute a one-quarter cent sales and use tax subject to certain conditions, including, among other things, approval by a majority of those voting in an advisory referendum for the levy; and

WHEREAS, in order to levy the local sales and use tax, the County of Mecklenburg must conduct an advisory referendum in accordance with the provisions of North Carolina General Statue 163A-1592; and

WHEREAS, if approved by the voters the one-quarter cent local sales and use tax is estimated to generate an additional fifty million dollars annually; and

WHEREAS, on July 2, 2019, the Board of County Commissioners voted to place an advisory referendum before the voters on November 5, 2019;

NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners shall, and hereby does, direct the Mecklenburg County Board of Elections Director to place on the November 5, 2019 ballot an
advisory referendum on the question of whether to levy an additional one-quarter cent sales and use tax as authorized by Article 46 of Chapter 105 of the North Carolina General Statutes; and

BE IT FURTHER RESOLVED, that pursuant to G.S. 105-537(c) the question shall appear on the ballot as:

[ ] FOR [ ] AGAINST

Local sales and use tax at the rate of one-quarter percent (0.25%) in addition to all other state and local sales and use taxes.

Resolution recorded in full in Ordinance/Minute Book 48-A, Document # 51.

Commissioner Comments prior to the above motion

Commissioner Leake asked for clarity. Chair Dunlap said adoption of the resolution would allow the matter to be placed on the ballot in November to let the citizens decide on whether they desire an increase in the Sales and Use Tax.

Commissioner Harden shared sales tax data from across the country. She spoke in support of the matter being placed on the ballot.

Commissioner Fuller commented on the benefits to the community were the matter placed on the ballot and approved by the citizenry. He said the real battle ahead was getting the community’s support for passage of the advisory referendum. He suggested to those in the audience, supportive of the request, to work on getting the community’s support.

Commissioner Powell said she loved arts and science but felt more dialogue was needed with respect to this issue. She said she was concerned about government being this involved in the funding of arts and culture. She said she had a lot of unreadiness.

Commissioner Cotham said she was a supporter of the arts, but that she would not support the resolution placed before the Board for consideration. She said a similar request was placed before voters in 2014 and failed.

Commissioner Cotham said she would feel better if there was a sunset provision, but per her inquiry to the County Manager, she was told it wasn’t possible. She said not knowing what the governance model was going to be, also was a concern.

Commissioner Cotham said there were other community issues that needed addressing, such as affordable housing and climate change.

Commissioner Leake said clarity was needed on what the Arts & Science Council does. She addressed the need for band and orchestra back in the schools. Commissioner Leake said there was a need for skateboard parks, as well, which she said was a form of “art.”

Commissioner Leake said she had a concern about safety on the greenways. She said in District Two she was not hearing a lot about parks and greenways being a high priority.

Commissioner Leake said equity was needed, so that everyone would have access to the arts.

Commissioner Leake expressed concern for the Arts & Science Council’s management of the potential funds.

Commissioner Leake said she was concerned about the governance and distribution of the potential funds.
Commissioner Rodriguez-McDowell spoke in support of the matter being placed on the ballot. She said not supporting placing the matter on the ballot “widens” the gap in the community.

Commissioner Jerrell said this was not a political matter. He said he wanted to do the right thing and noted that his district was the most diverse and often disproportionately impacted.

Commissioner Jerrell said for some supporters of this effort it was a “need” and for others a “want.”

Commissioner Jerrell said he would support placing the matter on the ballot, however, he was concerned about governance, allocation of potential funds, and long-term access for the “most vulnerable.”

Chair Dunlap said the issue before the Board was whether to give the citizenry the opportunity to say yes or no.

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

**STATEMENT OF INTENT REGARDING APPROPRIATION OF POTENTIAL PROCEEDS OF A ONE-QUARTER CENT SALES AND USE TAX**

Motion was made by Commissioner Scarborough seconded by Commissioner Harden, to adopt a resolution embodying the Board of County Commissioners statement of intent regarding appropriation of the potential proceeds of an additional one-quarter cent sales and use tax.

**MECKLENBURG COUNTY**

**BOARD OF COMMISSIONERS POLICY ON STATEMENT OF INTENT REGARDING APPROPRIATION OF POTENTIAL PROCEEDS OF A ONE-QUARTER CENT SALES AND USE TAX AUTHORIZED BY ARTICLE 46 OF CHAPTER 105 OF THE NORTH CAROLINA GENERAL STATUTES**

**WHEREAS,** Article 46 of Chapter 105 of the North Carolina General Statutes allows the Board of County Commissioners of Mecklenburg County to institute a one-quarter cent sales and use tax subject to certain conditions, including, among other things, approval by a majority of those voting in an advisory referendum for the levy; and

**WHEREAS,** the Board of County Commissioners of Mecklenburg County did on July 2, 2019 authorize and direct the Mecklenburg County Board of Elections Director to conduct on November 5, 2019, an advisory referendum on the question of whether to levy a local sale and use tax in Mecklenburg County as provided in Article 46 of Chapter 105 of the North Carolina General Statutes; and

**WHEREAS,** the Board of County Commissioners believes it would be advisable and in the best interest of all current and future residents of the County and, in particular, those persons casting a vote in the advisory referendum to be held on November 5, 2019, to adopt a policy setting forth, at the time the Board authorizes the Board of Elections Director to conduct the advisory referendum, a statement of the intent of the Board of County Commissioners regarding the proposed uses of the proceeds of the additional one-quarter cent sales and use tax should a majority of those voting in the referendum vote for the levy; and should the Board of County Commissioners subsequently approve the levy of such tax. The proposed amounts are based on the following percentages:

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
<th>Percentage</th>
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</thead>
<tbody>
<tr>
<td>Arts &amp; Culture – General</td>
<td>24,500,000</td>
<td>49%</td>
</tr>
<tr>
<td>Education (teacher supplement)</td>
<td>8,000,000</td>
<td>16%</td>
</tr>
<tr>
<td>Arts &amp; Culture/Parks – Towns</td>
<td>2,500,000</td>
<td>5% (distributed based on assessed value)</td>
</tr>
<tr>
<td>Huntersville</td>
<td>781,648</td>
<td></td>
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<tr>
<td>Cornelius</td>
<td>598,207</td>
<td></td>
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<tr>
<td>Davidson</td>
<td>208,765</td>
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<td>Matthews</td>
<td>408,551</td>
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<tr>
<td>Mint Hill</td>
<td>287,366</td>
<td></td>
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</table>
NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners shall, and hereby does, adopt the following proposed policy statement of intent in the form of a Board resolution regarding appropriation of the proceeds received from the levy of the proposed one-quarter cent sales and use tax authorized by Article 46 of Chapter 105 of the North Carolina General Statutes, should (1) a majority of the those persons voting in the advisory referendum approve the levy of such tax and (2) should the Board of County Commissioners, following such approval, by resolution and after 10 days’ public notice, levy such additional one-quarter cent sales and use tax.

AND BE IT FURTHER RESOLVED, that it is the intent of the Board of Commissioners for amounts received from the proceeds from the levy of the proposed one-quarter cent sales and use tax as authorized by Article 46 of Chapter 105 of the North Carolina General Statutes should be appropriated to Arts and Culture (General), Education (teacher supplement), Arts and Culture (Parks – Towns) and Parks and Greenways.

Substitute motion was made by Commissioner Jerrell, seconded by Commissioner Leake, to adopt a resolution embodying the Board of County Commissioners statement of intent regarding appropriation of the potential proceeds of an additional one-quarter cent sales and use tax, with the following amendments to the proposed allocation amounts:

- Arts & Culture – General: 22,500,000 (45%)
- Education (teacher supplement): 8,000,000 (16%)
- Arts & Culture/Parks – Towns: 2,500,000 (5% distributed based on assessed value)
- Parks & Greenways: 17,000,000 (34% with the additional proposal to include a repurposing or reallocation of $2,000,000 million dollars for future land acquisition for parks and greenways consistent with any future budgetary constraints)
- Sales Tax Collected: 50,000,000 (100%)

Commissioner Fuller asked for clarity with respect to the repurposing or reallocation of the $2,000,000. It was noted that the $2,000,000 was the County’s current appropriation to Arts & Culture.

Commissioner Powell made a motion to amend the substitute motion, but it died for lack of a second, to adopt a resolution embodying the Board of County Commissioners statement of intent regarding appropriation of the potential proceeds of an additional one-quarter cent sales and use tax, with the following amendments to the proposed allocation amounts:

- Mental Health & Substance Abuse Treatment: 4%
- Public Education: 16%
- Parks & Greenways: 40%
- Arts & Culture – General: 35%
- Arts, Science, Culture & Greenways for Towns: 5% (distributed based on assessed value)

Huntersville: 781,648
Cornelius: 598,207
Davidson: 208,765
Matthews: 408,551
Mint Hill: 287,366
Pineville: 215,464
The vote was then taken on the substitute motion as noted below.

**Substitute motion** was made by Commissioner Jerrell, seconded by Commissioner Leake and carried 8-1 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, and Commissioner Cotham voting no, to adopt a resolution embodying the Board of County Commissioners statement of intent regarding appropriation of the potential proceeds of an additional one-quarter cent sales and use tax, with the following amendments:

- **Arts & Culture – General**: 22,500,000 45%
- **Education (teacher supplement)**: 8,000,000 16%
- **Arts & Culture/Parks – Towns**: 2,500,000 5% (distributed based on assessed value)
  - Huntersville: 781,648
  - Cornelius: 598,207
  - Davidson: 208,765
  - Matthews: 408,551
  - Mint Hill: 287,366
  - Pineville: 215,464
- **Parks & Greenways**: 17,000,000 34%
- **Sales Tax Collected**: 50,000,000 100%
NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners shall, and hereby does, adopt the following proposed policy statement of intent in the form of a Board resolution regarding appropriation of the proceeds received from the levy of the proposed one-quarter cent sales and use tax authorized by Article 46 of Chapter 105 of the North Carolina General Statutes, should (1) a majority of the those persons voting in the advisory referendum approve the levy of such tax and (2) should the Board of County Commissioners, following such approval, by resolution and after 10 days’ public notice, levy such additional one-quarter cent sales and use tax.

AND BE IT FURTHER RESOLVED, that it is the intent of the Board of Commissioners for amounts received from the proceeds of the levy of the proposed one-quarter cent sales and use tax as authorized by Article 46 of Chapter 105 of the North Carolina General Statutes should be appropriated to Arts and Culture (General), Education (including education services and/or salaries related to education), Arts and Culture (Parks and greenways – Towns), Parks and Greenways. In addition, should those persons voting approve the advisory referendum, the Board proposes to appropriate and/or repurpose or reallocate 2,000,000 from current appropriations for arts and culture to land acquisition for parks and greenways.”

Resolution recorded in full in Ordinance/Minute Book 48-A, Document # 52.

APPOINTMENTS

19-5514 APPOINTMENTS

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

HISTORIC LANDMARKS COMMISSION

The vote was taken on the following nominees for appointment to the Historic Landmarks Commission:

Robert Barfield Commissioners Dunlap and Harden
Brian Clarke Commissioners Cotham, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough.

Chair Dunlap announced the appointment of Brian Clarke to the Historic Landmarks Commission to fill an unexpired term expiring July 31, 2020.

Note: He replaced Thomas Egan.

JUVENILE CRIME PREVENTION COUNCIL

The vote was taken on the following nominees for appointment to the Juvenile Crime Prevention Council (Business Community Slot):

Kathy Pate Commissioner Harden
Brian Peay Commissioners Cotham, Dunlap, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough

Chair Dunlap announced the appointment of Brian Peay to the Juvenile Crime Prevention Council as the Business Community representative for a two-year term expiring June 30, 2021.

Note: He replaced Brianna Davis.
The vote was taken on the following nominees for appointment to the Juvenile Crime Prevention Council (Non-Profit Slot):

Kendra King  Commissioners Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough

Voting Ceased

Helen Scott Santos
Tysha Shaw

Chair Dunlap announced the appointment of Kendra King to the Juvenile Crime Prevention Council as the Non-Profit representative for a two-year term expiring June 30, 2021.

Note: She replaced Darrel Gregory.

PARK AND RECREATION COMMISSION

The vote was taken on the following nominees for appointments to the Park and Recreation Commission (At-Large, Central Region 1, Northern Towns, North Region 1 and North Region 3 Representatives):

Alesha Brown  Commissioners Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough

Brian Cox  Commissioners Dunlap, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough

Paul Freestone  Commissioners Dunlap, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough

Ann Harrison  Commissioners Dunlap, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough

Blanche Penn  Commissioners Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough

Chair Dunlap announced the reappointment of Alesha Brown (Central Region 1), Brian Cox (At-Large), Paul Freestone (Northern Towns), Ann Harrison (North Region 1), and Blanche Penn (North Region 3) to the Park and Recreation Commission for three-year terms expiring June 30, 2022.

Commissioner Fuller returned to the dais.

PLANNING COMMISSION

Commissioner Powell presented the Board’s Ad Hoc Appointment Interview Committee recommendation for appointment consideration to the Planning Commission. The committee members were Commissioners Powell (Chair), Leake, Rodriguez-McDowell, and Chair Dunlap.

The committee recommended the appointment of Peter Kelly for a three-year term expiring June 30, 2022. The committee recommended nominations be reopened to seek additional applicants for the remaining slot.
The vote was taken on the following nominees for appointment to the Planning Commission:

**Round One – Three-year Term**

- Emmitt Butts  None
- Peter Kelly  Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough
- Unithia McGruder  None

**Round Two – Unexpired Term**

- Emmitt Butts  Commissioners Dunlap, Jerrell, and Scarborough
- Unithia McGruder  Commissioner Fuller

Chair Dunlap announced the appointment of Peter Kelly to the Planning Commission for a three-year term expiring June 30, 2022.

*Note: He replaced Michael Sullivan.*

It was the consensus of the Board to reopen nominations and seek additional applicants for the remaining slot to be filled.

**PUBLIC ARTS COMMISSION**

The vote was taken on the following nominees for appointment to the Public Arts Commission (Community Representative):

- Susan Tompkins  Commissioners Dunlap, Fuller, Harden, Jerrell, Powell, and Scarborough
- Irene Vogelsong  Commissioners Leake and Rodriguez-McDowell

Chair Dunlap announced the appointment of Susan Tompkins to the Public Arts Commission for a three-year term expiring June 30, 2022.

*Note: She replaced L.M. Cathay Dawkins.*

**19-5539 NOMINATIONS/APPOINTMENTS**

**ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate and appoint Jeremy Arey to the Adult Care Home Community Advisory Committee for a one-year term expiring July 31, 2020.

**BUILDING DEVELOPMENT COMMISSION**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-2 with Commissioners Dunlap, Fuller, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, and Commissioner Harden and Chair Dunlap voting no, to not
reappoint Ezequiel Acosta, Glenn Berry, Terry Knotts, Aaron Moody, and Paul Stefano to the Building Development Commission for three-year terms expiring July 31, 2022, but instead continue to seek other applicants.

Note: Concern was expressed for the lack of diversity on the Building Development Commission.

CITIZEN’S CAPITAL BUDGET ADVISORY COMMITTEE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to reappoint Susan Flowers and William Rakatansky to the Citizen’s Capital Budget Advisory Committee for three-year terms expiring July 31, 2022.

Note: David Tibbals was willing to serve another term, at the completion of this his second full term expiring July 31, 2019, since there were no applicants, however, the Board decided to keep nominations open. Mr. Tibbals can continue to serve, however, until a replacement is appointed.

NURSING HOME COMMUNITY ADVISORY COMMITTEE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate and appoint Charles McCrory and Carmen Shaw to the Nursing Home Community Advisory Committee for one-year terms expiring July 31, 2020.

PLANNING COMMISSION

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

Andrew Blumenthal  by Commissioner Rodriguez-McDowell
Astrid Chirinos   by Commissioner Rodriguez-McDowell
Bridgett Luther  by Commissioner Harden

Note: It was the consensus of the Board to keep nominations open and to seek additional applicants. This matter will be placed on the Board’s August 7, 2019 agenda for further consideration.

SMALL BUSINESS AND ENTREPRENEURSHIP ADVISORY BOARD

Motion was made by Commissioner Harden, seconded by Commissioner Powell and failed 7-1 with Commissioners Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough voting yes and Commissioner Leake voting no, to reappoint Nick Koutsoupias, Raj Parikh, Will Peters, and Florence Wilkins to the Small Business and Entrepreneurship Advisory Board for a three-year term expiring June 30, 2022.

Note: A unanimous vote is required for persons to be reappointed. This matter will be placed back on the Board’s August 7, 2019 agenda for reconsideration.

WOMEN’S ADVISORY BOARD
JULY 2, 2019

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to reappoint Ruth Pierce to the Women’s Advisory Board for a three-year term expiring June 30, 2022.

Motion was made by Commissioner Harden, seconded by Commissioner Rodriguez-McDowell and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate and appoint Brooke Adams to the Women’s Advisory Board to fill an unexpired term expiring April 30, 2021.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate and appoint Kristen Buhlert to the Women’s Advisory Board for a three-year term expiring June 30, 2022.

ARTS AND SCIENCE COUNCIL ADVISORY COUNCILS

North/West Region, District 1

The following person was nominated for appointment consideration to the Arts and Science Council Advisory Councils for the North/West Region, District 1:

Donna Rice by Commissioner Powell

Motion was made by Commissioner Powell, seconded by Commissioner Rodriguez-McDowell and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate and appoint Donna Rice to the Arts and Science Council Advisory Councils as the North/West Region, District One representative to fill an unexpired term expiring June 30, 2020.

Central Region, District 3

The following person was nominated for appointment consideration to the Arts and Science Council Advisory Councils for the Central Region, District 3:

Shannon Homesley by Commissioner Jerrell

Motion was made by Commissioner Jerrell, seconded by Commissioner Leake and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate and appoint Shannon Homesley to the Arts and Science Council Advisory Councils as the Central Region, District Three representative to fill an unexpired term expiring June 30, 2020.

Central Region, District 4

The following person was nominated for appointment consideration to the Arts and Science Council Advisory Councils for the Central Region, District 4:

Betty Wicker by Commissioner Leake

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate and appoint Betty Wicker to the Arts and Science Council Advisory Councils as the Central Region, District Four representative to fill an unexpired term expiring June 30, 2020.
South/East Region, District 5

The following person was nominated for appointment consideration to the Arts and Science Council Advisory Councils for the South/East Region, District 5:

Mary Lytch   by Commissioner Harden

Motion was made by Commissioner Harden, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate and appoint Mary Lytch to the Arts and Science Council Advisory Councils South/East Region, District Five representative to fill an unexpired term expiring June 30, 2020.

At-Large

The following persons were nominated for appointment consideration to an Arts and Science Council Advisory Councils At-Large seat:

Nan Byars   by Commissioner Harden
Alez Cruz   by Commissioner Rodriguez-McDowell
Janice Davidson  by Commissioner Powell
Sabrina Kuroda  by Commissioner Jerrell
Erin Smith   by Commissioner Leake

Note: The appointment will occur at the August 7, 2019 meeting.

19-5550    TOWN OF MINT HILL PLANNING BOARD

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and carried 7-1 with Commissioners Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough voting yes and Commissioner Leake voting no, to reappoint Roger Hendrix to the Town of Mint Hill Planning Board as an Extraterritorial Jurisdiction (ETJ) representative as recommended by the Town of Mint Hill Board of Commissioners for a term expiring June 30, 2021.

Note: Statutory and Ordinance requirements require that appointments of this nature be approved by the Board of County Commissioners. The Town of Mint Hill Board of Commissioners voted June 13, 2019 to request that Roger Hendrix be reappointed to the Town of Mint Hill Planning Board as an ETJ representative for a term expiring June 30, 2021.

ADVISORY COMMITTEE REPORTS

19-5545    LAKE WYLIE MARINE COMMISSION ANNUAL REPORT

The Board received the annual report of the Lake Wylie Marine Commission.

Neil Brennan, Chairman of the Lake Wylie Marine Commission gave the report and addressed questions.

Chair Dunlap and other Commissioners thanked Mr. Brennan for his report.

A copy of the report is on file with the Clerk to the Board.
MANAGER’S REPORT

19-5559      BUYOUT AND RETROFIT GRANT FLOOD RECOVERY PROGRAM

Tim Trautman with Storm Water Services addressed the County’s Buyout and RetroFIT Grant Flood Recovery Program.

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

Vice-Chair Powell chaired the meeting until noted in the minutes.

Note: Days prior to June 9 and 10, 2019, the Catawba River basin received up to 11 inches of rain. Floodwater on Mountain Island Lake (MIL) nearly equaled the mapped ‘100-year’ floodplain, while river levels directly downstream of the MIL dam reached nearly the ‘50-year’ flood level. About 100 homes/dwellings were impacted by floodwaters, and approximately 40 of those had flooding within the finished living space. Mitigating during the recovery process is the most effective way to reduce future flood damage.

In three major flooding events (July 2003, September 2008, and September 2011), the Board previously authorized Mecklenburg County Storm Water Services (MCSWS) to utilize “Rainy Day” funding from Storm Water’s available fund balance to implement “Quick Buy” programs. The concept was to voluntarily acquire floodprone homes before substantial repairs began. The Quick Buy program has proven effective in not only reducing future flood losses, but also providing the property owners an option to consider during the recovery.

In August 2015, the Board approved the retroFIT grant program to aid floodplain property owners in making their dwellings more resilient to flood damage. Up to $250,000/year has been available. Currently, the “Rainy Day” fund has $3.5M allocated to flood mitigation projects. This action would provide up to $3.5M in dedicated funding for voluntary buyouts of flood damaged homes and retroFIT grants to assist owners in elevating their homes and utilities during the recovery process. Based upon damage assessments and initial feedback from residents, staff developed guidelines for a voluntary buyout and retroFIT grant flood recovery program as described in the attached Resolution. Approximately 10-20 homes could be considered for voluntary buyout, and 8 to 14 homeowners could qualify for a retroFIT grant to elevate their home as part of the repair process.

MCSWS expects the program will run 6-12 months. Offers of Sale for properties could be presented to the Board as early as the September 4th Board meeting. Eligible retroFIT grants could be submitted to the Charlotte-Mecklenburg Storm Water Advisory Committee (SWAC) for approval as early as their July 18th meeting. Consistent with NCGS 153A-274.1 and the RetroFIT Program Policy document adopted by the Board in August 2015, the SWAC has the authority to review and approve retroFIT grant applications.

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

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Approve the concept of a voluntary Buyout & RetroFIT Grant Flood Recovery Program for floodplain structures that sustained damage during flooding along the Catawba River on June 9 & 10, 2019;

2. Adopt the Resolution for a voluntary Buyout & RetroFIT Grant Flood Recovery Program; and
MECKLENBURG BOARD OF COUNTY COMMISSIONERS
RESOLUTION
ADOPTING GUIDELINES FOR A VOLUNTARY BUYOUT AND RETROFIT GRANT FLOOD RECOVERY PROGRAM FOR FLOODPLAIN STRUCTURES THAT SUSTAINED DAMAGE DURING FLOODING ALONG THE CATAWBA RIVER ON JUNE 9 AND 10, 2019

WHEREAS, on December 3, 1997 the Mecklenburg County Board of Commissioners adopted the Mecklenburg County Floodplain Management Guidance Document aiming to achieve two objectives: 1) to prevent or reduce the loss of life, disruption of services and damage caused by floods and 2) to preserve and restore the natural and beneficial functions of the floodplain; and

WHEREAS, since adoption of the Floodplain Management Guidance Document, Mecklenburg County Storm Water Services has removed over 460 buildings from floodplains using a combination of State, Federal and Local funding, and provided over 15 retrofit grants to homeowners to implement floodproofing projects; and

WHEREAS, on June 9 and 10, 2019, approximately 100 structures located in the Catawba River floodplain were impacted by floodwater; and

WHEREAS, some of these flooded properties are non-compliant and located within the FEMA Floodplain and are at continued risk of loss of life, disruption of services and damage caused by potential future flooding; and

WHEREAS, the following Program Guidelines and Process, which are similar to processes adopted after floods by Mecklenburg Board of County Commissioners in 2003, 2008, and 2011, are necessary to establish and offer guidance for the Buyout and retrofit Grant Recovery Program for properties flooded on June 9 and 10, 2019:

PROGRAM GUIDELINES

Staff will use the following guidelines to offer voluntary acquisitions and retrofit grants to owners of properties that were flooded on June 9 and 10, 2019, under this Buyout and retrofit Grant Flood Recovery Program. Priority under this program will be given to homes that are deemed Substantially Damaged by the Floodplain Administrator. Criteria to be used to guide decisions on property specific mitigation include:

BUYOUTS
- Owner interest
- Amount of damage from flooding on June 9 and 10, 2019
- Height of finished living space above ground to achieve compliance with Floodplain Regulations
- Location within the FEMA Floodway or Community Encroachment Area
- Difficulty/expense of elevating compared to value/condition of existing house
- Location/grouping of land for future maintenance/public benefit

RETROFIT GRANTS
- Owner interest
- Substantial Damage requiring compliance with Floodplain Regulations as determined by the Floodplain Administrator
- Amount of damage from flooding on June 9 and 10, 2019
- Location outside the FEMA Floodway or Community Encroachment Area
- Difficulty/expense of elevating home compared to existing value/condition of existing house or utilities
- Eligibility of proposed project per the retrofit Program Policy Document

BUYOUT PROCESS
Mecklenburg County will use the following criteria to determine an amount to offer an eligible homeowner:

(a) for properties without flood insurance, the 2019 tax value (if not under review as part of an appeal), or fair market value as of June 8, 2019 determined by a licensed appraiser (pre-flood values); minus damages caused by the flood as determined by either; 1) a full repair estimate provided by a licensed contractor hired by the property owner, or 2) the Actual Cash Value Loss (i.e. depreciated damages) as determined by an independent adjuster retained by the County.

(b) for properties with flood insurance, the 2019 tax value (if not under review as part of an appeal) or fair market value as of June 8, 2019 determined by a licensed appraiser (pre-flood value); minus the Actual Cash Value Loss (i.e. depreciated damages) as listed on the Flood Insurance Claim.

(c) for all properties:
   i) a credit will be added to the offer amount for reasonable, allowable, and documented flood clean-up expenditures that were required to restore safe use of the flooded property, including costs to restore “temporary” power for cleanup. For properties with flood insurance, this credit to the offer amount shall not exceed the clean-up costs listed in the flood insurance settlement.
   ii) there will be no credit added to the offer amount for any post-flood repairs to the structure. However, all property owners retain the right to remove improvements made to the property after the date of the flood (i.e. HVAC equipment, ductwork, cabinets, flooring, etc), which will not result in any deduction from the purchase price.
   iii) owners meeting Low to Moderate Income standards (LMI), are entitled to a “replacement dwelling payment” if they purchase another property outside the floodplain in Mecklenburg County within 6 months of the buyout. Incidental expenses (i.e. closing costs, lender fees, inspections, transfer taxes, etc.), will be reimbursed and must be documented. Legal occupants are entitled to a “moving payment” to cover costs associated with relocating to a new dwelling. Moving expenses will be reimbursed from receipts or based on the fixed moving payment schedule referenced in the Uniform Relocation Act. The total amount of these two payments is not to exceed 3% of the pre-flood value. Any expenditure greater than the maximum payment amount will be the property owners’ responsibility.

The funding sources will be from Storm Water Special Revenue Fund (Available Fund Balance), or Storm Water Capital Improvement funds.

NOW THEREFORE, BE IT RESOLVED by the Mecklenburg Board of County Commissioners that the PROGRAM GUIDELINES AND BUYOUT PROCESS are approved to establish guidelines and offer guidance for the voluntary Buyout and retrofit Grant Flood Recovery Program for floodplain structures that sustained damage during flooding along the Catawba River on June 9 and 10, 2019, and that this BUYOUT PROCESS will be used to present offers to eligible homeowners.

Resolution recorded in full in Ordinance/Minute Book 48-A, Document # 53.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

19-5393 JULY FEATURE DEPARTMENT/AGENCY PRESENTATION: PUBLIC INFORMATION DEPARTMENT

The Board received as information a presentation on the Public Information Department.

Danny Diehl, Director of Public Information (PI), gave the report. The report addressed current initiatives within the department and countywide.

A copy of the report is on file with the Clerk to the Board.
Commissioner Rodriguez-McDowell congratulated Director Diehl on the awards received by the Department. She asked that as many tools possible be provided to the Board to enhance their communication with the public. She encouraged PI to tell the County’s story. She said there were a lot of “great things” being done that needed sharing with the public.

Commissioner Leake thanked the department as well for its work. She echoed Commissioner Rodriguez-McDowell’s remarks regarding getting the County’s stories out, especially regarding the work of the Health Department.

Commissioner Leake said information should be accessible to everyone and especially, senior citizens.

Commissioner Leake said someone approached her regarding having a town hall meeting in her District specifically for Latinos, but that her response was that her meetings were open to everyone. Commissioner Leake said she would not be holding town hall meetings for specific groups.

Commissioner Jerrell thanked PI for their work and their responsiveness. He asked Director Diehl where he saw the department going forward with respect to social media and getting information out.

Director Diehl said he couldn’t give a specific, but that they try to stay “ahead of the game.”

Commissioner Harden said strategic placement of information was important. She said the County needed to push information out more, rather than assuming people will make a request for information. Commissioner Harden asked about the quality of the Board’s broadcast and asked was there something else that could be done to “move it up a notch.” Director Diehl responded and addressed the current viewership and by what means people were viewing the meeting.

Commissioner Harden expressed the desire for the County’s broadcast of its meetings to be on the cutting edge.

Commissioner Rodriguez-McDowell asked was there a way to track the number of people watching the broadcast, which was addressed.

Commissioner Rodriguez-McDowell said different community groups had requested meetings, but it was not to exclude anyone.

Chair Dunlap thanked PI for its work and for assistance provided to him in his capacity as chair.

Chair Dunlap reminded Commissioners of the policy titled Mecklenburg County Government District/Community Meetings Policy & Procedures that addressed staff assistance during an election year. He said there were some parameters around the type of assistance that can be provided during the campaign period. He said it should be kept in mind, however, that Commissioners were elected for two years and serve as a commissioner that entire time. He encouraged Board Members to share any comments or concerns they had regarding the policy with the County Manager, to ensure they receive the support they need to carry out their duties as a commissioner.

STAFF REPORTS & REQUESTS - NONE
CLOSED SESSION

19-5536 LAND ACQUISITION – NORTH PARK REGION ATHLETIC FIELDS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of a portion of Tax Parcel 037-101-19 (+/- 31.6504 acres) in the extra-territorial jurisdiction of the City of Charlotte for athletic fields to serve the North Park Region of the County from Ragam Investments, LLC for a purchase price of $900,000.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the following item(s):

19-5498 CONSTRUCTION CONTRACT - HISTORIC STEWART CREEK STREAM ENHANCEMENT PROJECT-PHASE I

Authorize the County Manager to execute a construction contract with Blythe Development Company in the amount of $3,344,143.80 for the Historic Stewart Creek Stream Enhancement Project.

19-5526 BUDGET AMENDMENT-LUESA AUCTION REVENUE

Recognize, receive and appropriate May 11, 2019 vehicle auction revenue of $11,750.96. Of the auction proceeds, appropriate $6,440.69 to LUESA in the General Fund and $5,310.27 to the Storm Water Special Revenue Fund.

Note: County obsolete equipment and rolling stock is periodically sold and the proceeds are distributed to the original sources for additional purchases. Net proceeds of $11,750.96 were realized from the May 11, 2019 County vehicle auction as belonging to LUESA. The rolling stock for LUESA is funded by fees and regulations require the sales proceeds be used by the department where the fees are generated. This was a request that funds from the latest auction be returned to LUESA’s Code Enforcement, Water and Land, Storm Water, and Air Quality divisions.

19-5529 TAX REFUNDS

Approve tax refunds in the amount of $596.80 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.

19-5533 MINUTES

Approve Minutes of Regular meetings held June 4, 2019 and June 18, 2019.
19-5535  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 include Sierra L. Saumening, and Lauren Speight and to remove Alison Adams, Whitney Hodges and Caroline Sawyer.

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. Sierra L. Saumening and Lauren Speight from the Town of Huntersville 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. Alison Adams shall be deleted from the Resolution adopted on November 18, 2014 from the Town of Huntersville; Whitney Hodges shall be deleted from the Resolution adopted on December 5, 2006 from the Town of Huntersville; Caroline Sawyer shall be deleted from the Resolution adopted on April 7, 2015 from the Town of Huntersville.

Resolution recorded in full in Ordinance/Minute Book 48-A, Document # 55.

19-5541  LAND ACQUISITION - CHARLOTTE-MECKLENBURG SCHOOLS

Approve a purchase price of $874,000 for Charlotte-Mecklenburg Board of Education to purchase Tax Parcels 105-091-19, 105-091-21, and 105-091-27 (+/- 5.388 acres) in Charlotte from Billy M. Stegall and Kay C. Stegall for the construction of relief elementary school.

Note: Charlotte-Mecklenburg Schools identified the parcels noted above, located at 7421, 7431, and 7511 The Plaza Charlotte, NC 28215, as the candidate sites it intends to purchase for use as the site for a relief elementary school that is included in the 2017 bond project list. The site is approximately 5.388 acres and is located at 7421, 7431, and 7511 The Plaza Road and adjoins the Northridge Middle School property CMS owns. The site is currently under contract with CMS and is expected to close by July 5, 2019. The Board approved the acquisition in Closed Session on June 18, 2019. Open Session approval was required.

19-5544  LAND ACQUISITION -NORTH MECKLENBURG PARK (PARK & RECREATION)

Authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcels 009-111-20, 009-111-27, and 009-111-33 (+/- 3.187 acres)
in the Town of Huntersville for addition to North Mecklenburg Park from Erin R. Purves and Eric L. Purves for a purchase price of $260,000.

Note: The Board approved the acquisition in Closed Session on June 18, 2019. Open Session approval was required.

19-5547 BUDGET AMENDMENT - CODE ENFORCEMENT FUND BALANCE APPROPRIATION

Authorize and appropriate transfer of $1,600,000 from the Code Enforcement General Fund Balance Reserve to the Technology Reserve Fund to finance implementation of tasks identified in the Accela Gap Analysis for the Electronic Plans Management (EPM) and Electronic Plans Review (EPR) system replacement project.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

19-5511 INTERLOCAL COOPERATION AND TRANSFER OF PROPERTY AGREEMENT - ABC BOARD AND ANUVIA

Motion was made by Commissioner Jerrell, seconded by Commissioner Leake and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Authorize the County Manager to negotiate and execute all documents necessary to acquire Tax Parcel 157-072-35 (+/- 3.33 acres) located at 100 Billingsley Road, Charlotte, NC 28211, from the Mecklenburg County Alcoholic Beverage Control Board and transfer the same parcel to Anuvia Prevention and Recovery Center, Inc.; and

2. Adopt a resolution titled "Resolution Approving an Interlocal Cooperation Agreement Between Mecklenburg County Alcoholic Beverage Control Board and Mecklenburg County to Acquire and Transfer 100 Billingsley Road to Anuvia Prevention and Recovery Center".

Note: Mecklenburg County Alcoholic Beverage Control Board (ABC) approached the County with a request to facilitate the transfer of ABC owned property to Anuvia Prevention and Recovery Center, Inc. (Anuvia). The subject property is located at 100 Billingsley Road and is currently leased by ABC to Anuvia for public rehabilitative and preventative treatment services related to victims of substance abuse. The deed from the County to Anuvia will contain language that in the event the property ceases to be used for rehabilitative and preventative treatment services, the property will immediately revert to County ownership. This transaction is exempt from N.C.G.S. 160A-266 (NC law governing conveyance of public property) by N.C.G.S. 160A-279 and N.C.G.S. 160A-274.

Commissioner Jerrell removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed the item.

MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN MECKLENBURG COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD AND MECKLENBURG COUNTY TO ACQUIRE AND TRANSFER 100 BILLINGSLEY ROAD TO ANUVIA PREVENTION AND RECOVERY CENTER.

WHEREAS, Mecklenburg County Alcoholic Beverage Control Board (ABC), an independent local political
subdivision of the State of North Carolina pursuant to Chapter 18B of the General Statutes of North Carolina, owns Tax Parcel 157-072-35 (+/- 3.33 acres) located at 100 Billingsley Road in Charlotte, NC and leases the same to Anuvia Prevention and Recovery Center, Inc. (Anuvia) for the delivery of rehabilitative and preventative treatment services for victims of substance abuse; and

WHEREAS, both ABC and Anuvia desire that the property at 100 Billingsley Road be transferred to Anuvia’s ownership for the continued delivery of treatment services for members of the public; and

WHEREAS, ABC approached the County to request assistance with transference of the subject property to Anuvia, and the County agreed to provide assistance by accepting ownership of the subject property and subsequently transfer the subject property to Anuvia; and

WHEREAS, Anuvia has agreed to a deed restriction and reverter clause that restricts the use of the property for public purposes to the delivery of treatment services for victims of substance abuse and that upon ceasing to deliver treatment services, the property at 100 Billingsley Road will revert to County ownership; and

WHEREAS, N.C. Gen. Stat. 160A-461 allows one unit of local government (including boards) to enter into interlocal cooperation undertakings for the contractual exercise by one unit of local government on behalf of the other unit; and

WHEREAS, N.C. Gen. Stat. 160A – 274 allows the transfer of real property from one unit of local government (including boards) to another unit of local government upon any such terms and conditions as it may deem wise; and

WHEREAS, the conveyance of the subject property to Anuvia by the County is exempt from N.C. Gen. Stat. 160A266 (methods of sale for public property) by N.C. Gen. Stat 160A –279, the sale of property to entities carrying out a public purpose; 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”; now, therefore, be it

RESOLVED by the Mecklenburg County Board of Commissioners that the Board authorizes the County Manager, or her designee, to negotiate and execute the Transfer to Anuvia of 100 Billingsley Road Interlocal Cooperation Agreement between the County and ABC Board to accomplish the purposes stated above.

Resolution recorded in full in Ordinance/Minute Book 48-A, Document # 54.

19-5520 GRANT APPLICATION - U.S. EPA - LUESA AIR QUALITY

Motion was made by Commissioner Leake, seconded by Commissioner Powell and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

A. Approve the submission of the County’s FY20 & FY21 Clean Air Act (CAA) Section 105, Federal grant application up to $498,952 per year for a total up to $997,904;

B. Upon award of grant, recognize, receive and appropriate the amount awarded; and

C. Authorize the carry forward of any unspent funds to subsequent years.

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 hazardous air pollutants, conducting ambient air monitoring, conducting emission inventories and enforcing environmental laws and regulations.

Commissioner Leake removed this item from Consent for more public awareness and clarity.
Ebenezer Gujjarlapudi, Director of LUESA, addressed this item.

19-5528 CONSULTANT TEAM SELECTION - MECKLENBURG COUNTY COMPREHENSIVE PARK & RECREATION MASTER PLAN

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to negotiate fees and execute a contract with Agency Landscape and Planning, for master planning services for the Mecklenburg County Comprehensive Park & Recreation Master Plan and in the event negotiations with this firm are unsuccessful, approve negotiations with the alternate firm of AECOM.

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

19-5542 CONSTRUCTION CONTRACT - MARION DIEHL AND SUGAW CREEK RECREATION CENTER RENOVATIONS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to award a construction contract to Walter B. Davis Company in the amount of $4,041,067 for the renovations of Marion Diehl and Sugaw Creek Recreation Centers.

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

19-5543 LAND ACQUISITION - PLOTT ROAD PROPERTY (PARK & RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcels 107-231-04 and 107-231-06 (+/-20.85 acres) in the City of Charlotte from Noble L. Dodd and Mary K. Dodd for a purchase price of $429,000.

Note: Park and Recreation wants to acquire Tax Parcels 107-231-04 and 107-231-06 (+/-20.85 acres). The property is east of E. W.T. Harris Blvd and south of The Plaza with street frontage on Plott Road. Acquisition of these parcels will contribute to filling a gap in community and regional parks within the surrounding east Charlotte area. Park and Recreation envisions using the property for a future greenway trail along Reedy Creek Tributary 3 as well as for neighborhood park amenities such as picnic shelter, playgrounds, multi-purpose fields, and other amenities.

The Board approved the acquisition in Closed Session on June 18, 2019. Open Session approval was required.

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

19-5546 DEVELOPMENT AND COOPERATION AGREEMENT FOR IRVINS CREEK GREENWAY - TOWN OF MATTHEWS
Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to negotiate and execute a Development and Cooperation Agreement between the County and the Town of Matthews for construction, operation and maintenance of Irvin Creek Greenway.

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

**19-5551  DSS ENERGY PROGRAMS OUTREACH PLAN**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the DSS Energy Programs Outreach Plan for FY20.

*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). These funds are included in the FY20 approved budget.*

Commissioners Harden, Leake, and Rodriguez-McDowell removed this item from Consent for more public awareness and clarity. Peggy Eagan, Director of Social Services, addressed this item.

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

**19-5552  JUVENILE CRIME PREVENTION COUNCIL FUNDING**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve an increase in the FY20 funding plan in the amount of $350,000 for temporary shelter care programming for justice involved youth as recommended by the Mecklenburg County Juvenile Crime Prevention Council.

*Note: The Juvenile Crime Prevention Council (JCPC) recommended $350,000 in JCPC funds be approved for the development of temporary shelter care programming for justice involved youth with Thompson Child and Family Focus. It is anticipated that with the implementation of the Raise the Age legislation, temporary shelter care programming would be needed for older justice involved youths in an effort to avoid unnecessary hospitalizations, placement in YFS custody and/or detention. The FY20 Funding allocation plan was previously approved for $1,065,682 at the June 4, 2019 meeting on RFBA 19-5474. This action will increase the FY20 funding plan approval to the full amount allocated to Mecklenburg County by the Department of Public Safety - Division of Juvenile Justice of $1,415,682 for FY20.*

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

**19-5554  CLERK TO THE BOARD AD HOC SELECTION COMMITTEE**

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve creation of a Board of County Commissioners Ad Hoc
Interview Selection Committee to interview for the Clerk to the Board position and receive information from the Board Chair regarding committee appointments.

Chair Dunlap said he would serve as chair of the Ad Hoc Interview Selection Committee and joining him on the committee would be Commissioners Harden, Leake, and Powell.

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

Note: Janice S. Paige, Clerk to the Board of County Commissioners will be retiring at the end of this year, 2019 with 33 years of dedicated service to Mecklenburg County. She has a total of 35 years of local government service, having worked for the City of Lancaster, S. C. prior to coming to the County. The Clerk to the Board is an appointed position made by the Board of County Commissioners. Staff shared the recruitment plan for filling the position at the June 18, 2019 meeting. The Board’s Ad Hoc Interview Selection Committee will interview and recommend a candidate for the incoming Clerk position to the full Board. Any recommended candidate selected by the Ad Hoc Committee would require a vote by the full Board to officially appoint the new Clerk. Once hired, the incoming Clerk would train alongside the current Clerk until the current Clerk’s official retirement.


Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Approve the submission of a grant application up to $250,000 from the N C Governor’s Crime Commission funded through the U.S. Department of Justice, Office of Justice Programs; and

2. If awarded, recognize, receive and appropriate the grant funds.

Note: The North Carolina Governor’s Crime Commission (GCC) opened its grant application process for the 2019 Byrne Justice Assistance Grant. Grant opportunities include Equipment Purchases, Non-Residential Re-Entry Initiatives, Opioid Initiatives and Training. The grant application deadline is July 31, 2019. There is no local match required for this grant.

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

19-5557  GOVERNOR’S CRIME COMMISSION - JUSTICE ASSISTANCE GRANT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Approve the submission of a formal grant application for funding in the amount up to $500,000 from the Governor’s Crime Commission; and

2. If awarded, recognize, receive and appropriate funds for the amount awarded for the duration of the grant period.

Note: Criminal Justice Services Re-Entry Services Division has delivered services to residents returning to Mecklenburg County from incarceration in State and Federal prisons since 2013.
JULY 2, 2019

The requested funding will allow the Criminal Justice Services Re-Entry Services Division to expand vocational and employment opportunities. Primary support services include pre- and post-release services for returning residents, completion of primary education and support secondary education, entrepreneurship development training, specific vocational skills training, job matching assistance, assistance with transportation, and materials and equipment needed for securing employment. Grant funds are for a 2-year period with up to $250,000 per year beginning January 1, 2020 and ending December 31, 2021.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 11:19 p.m.

Janice S. Paige, Clerk

George Dunlap, 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 7, 2019.

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.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) to be removed from Consent and voted upon separately. The items identified were Items: 19-5560, 19-5562, 19-5569, 19-5571, 19-5572, 19-5575, 19-5576, 19-5577, 19-5580, 19-5581, 19-5596, 19-5603, 19-5611, 19-5615, and 19-5617.

STAFF BRIEFINGS - NONE

CLOSED SESSION

19-5583 BUSINESS LOCATION AND EXPANSION
19-5588 CONSULT WITH ATTORNEY
19-5589 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): 019-351-08, 019-341-17, and 019-341-10.

Motion was made by Commissioner Harden, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to go into Closed Session for the following purposes: Business Location and Expansion, Consult with Attorney, and Land Acquisition.

The Board went into Closed Session at 5:14 p.m. and came back into Open Session at 6:05 p.m.
The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Vice Chair Powell called this portion of the meeting to order, which was followed by introductions, invocation by Commissioner Rodriguez-McDowell, followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

19-5589  LAND ACQUISITION – ASHBURY CHAPEL AREA PARKLAND

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcels 019-351-08 and 019-341-17 (+/- 27.065 acres) in the extra-territorial jurisdiction of the Town of Huntersville from the Estate of Buelah Corinne Jordan for a purchase price of $998,465.

Motion was made by Commissioner Fuller seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 019-341-10 (+/- 44.320 acres) in the extra-territorial jurisdiction of the Town of Huntersville from 161 Timberside, LLC for a purchase price of $600,000.

Note: Park and Recreation will use the property for a community park site.

AWARDS/RECOGNITION

19-5601  DEPARTMENT OF SOCIAL SERVICES 100TH ANNIVERSARY RECOGNITION

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize and acknowledge the Department of Social Services 100th Anniversary of providing services to the community and adopt a Proclamation designating August 8, 2019 as “DSS Day” in Mecklenburg County in honor of the Department’s 100th Anniversary.

The proclamation was read by Commissioner Fuller and received by Peggy Eagan, Director of Social Services.
19-5575  PROCLAMATION - CHILD SUPPORT AWARENESS MONTH

Motion was made by Commissioner Jerrell, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a Proclamation declaring August 2019 as Child Support Awareness Month in Mecklenburg County.

The proclamation was read by Commissioner Jerrell and received by Rodney Adams, Director of Community Resources & Child Support Enforcement and Fonda Clifton, Assistant Director of Child Support Enforcement. They thanked the Board for adopting the proclamation.
Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a joint proclamation designating August 26, 2019 as Women’s Equality Day.

The proclamation was read by Commissioner Leake and received by Zhiviaga Williams, Chair of the Women’s Advisory Board.
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19-5617  PROCLAMATION - PRIDE WEEK (COMMISSIONER HARDEN)

Motion was made by Commissioner Harden, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a Proclamation declaring August 9 - 18, 2019, as Pride Week in Mecklenburg County.

The proclamation was read by Commissioner Harden, sponsor of the proclamation, and received by Matt Comer, Communications Director, on behalf of Charlotte Pride.
Point of Personal Privilege – Commissioner Leake

Commissioner Leake asked for a Point of Personal Privilege, which was granted, to read a letter she and other African American local elected officials received from an anonymous writer. The content of the letter was very disturbing. Commissioner Leake said even though the writer did not identify themselves, she was going to turn her letter over to the FBI for further investigation.

Vice Chair Powell said it was hard to hear about all of this “hate.”

Below is a copy of the letter received and read by Commissioner Leake.
To the Charlotte City Council, the Mecklenburg County Government commission, Police, Fire and EMS Board:

SPEAK THE TRUTH AND THE TRUTH WILL SET YOU FREE:

We ARE so tired of your excuse for LEADERSHIP of our beautiful city and county. Each of you desppicable BLACK democrat should be tarred and feathered and run out of town (my town) on a rail. Why do you even waste your time? You are a joke. You make no money, but you have a sense of grandeur and entitlement in your thought process of representing our fair city. What a joke.

Furthermore, American blacks and people of color should be focusing more on “assimilating” instead of isolating themselves. I.e., Do you see African English, African French, African Italian, African Russian, African Denmark? I could go on and on. No...you don’t, and many of your European friends comment on what a joke “African American” terminology is, particularly since none of you speak the “Queen’s English.” That is another story... None of YOU know how to read or speak properly. Yet you tout low income housing in affluent areas of our fair city, and affordable housing in places it should NEVER be considered. Do you think for one minute that under the current circumstances that we will be inviting you to our dinner parties. NOT!!!!!

You people do not even know how to use eating utensils properly. YET you will blame everything on your slavery, and downtrodden situation, which is nothing but a creation of yourselves. Others immigrate to this country, Asians, Hispanics, Eastern Europeans, etc., and they immediately assimilate and learn proper English. BLACKS are being left behind. When the colonial settlers left the continent of Africa, everything went to “hell in a handbag.” You people could not manage your way out of a wet paper bag, let alone build ships that would take you to other continents. And even today, slavery plagues your continent, so does corruption, mass murder, chaos, poverty, dictatorship and everything else TERRIBLE. And you sit here in the beautiful America that my ancestors settled and gave their lives for so that you eventually have FREEDOM and complain about slavery.

Did it ever occur to you that SIX million JEWISH people lost their lives under the likes of HITLER in the 1940’s? I have never known a BLACK that acknowledged this atrocity, as you are too consumed with your own plight, much of which has been embellished, exaggerated and conjured up. After all, only PLANTERS owned slaves, and at the height of this, it amounted to 4% of the United States population. So DO THE MATH if you are intelligent enough to comprehend that?? And at the very least show some EMPATHY, RESPECT and HONOR for our GREAT Country.

Finally, how can you rightfully fault our GREAT PRESIDENT DONALD TRUMP, who has done more for this country than any modern American President in history? What do you think O’BAMA did? Absolutely nothing. And just to be totally accurate, Barak Obama was not the first African American President. He was the FIRST B-BLACK-President. He was as much white as he was black. AND... he was born into a white family and raised by a white family. I guess it makes you feel better to say he was African American, but the vast majority of us are much too smart to fall for that BS. Much like everything else with the current, twisted media in this country, it is nothing but smoke and mirrors to make you people who are truly the RACIST Americans, filled with HATE and disgust for us PATRIOTS.

Nothing, but nothing good will come to you if you don’t change. And on that note... I do believe you need to go back to where you came from if you don’t want to show this great country some RESPECT and HONOR. Your FREEDOM was born on the backs of great AMERICANS who fought for you. So shut up & assimilate.

P.S. I am sending you all copies of these letters, committed with signatures, when every member must sign and we will send you a petition to your council. We are in the process of building a coalition, so keep your eyes and minds open.

A FAITHFUL, LOYAL, PROUD AMERICAN FIRST and CHARLOTTE NATIVE (BORN AND BREED) SECOND.

We are so tired of seeing big black Fascist committing crimes and let us on our TV screens night every night. The law and judicial system should be putting those bigots behind bars so in front of a firing squad. They are no one to us. We relish the black on black crime, because our criminal has most likely taken another one out of our beautiful society that you all try so hard to disrupt.

PUBLIC APPEARANCE

19-5586

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

Heather Johnson (Chief Operating Officer for Pat’s Place Child Advocacy Center), Laura Lawrence (Chief Operating Officer & General Counsel for Safe Alliance), Renee Rizzuli (Chief Executive Officer for PACE (Program for the All Inclusive Care of the Elderly) of the Southern Piedmont, and Tchernavia Montgomery with Crisis Assistance Ministry, each thanked the County’s Department of Social Services (DSS) for its community collaboration with their respective agencies.

Mable Hemphill registered to speak but was not present.

**APPOINTMENTS**

19-5564 APPOINTMENT

**ARTS AND SCIENCE COUNCIL ADVISORY COUNCILS**

The vote was taken on the following nominees for appointment to the Arts and Science Council’s Advisory Councils for an At-Large seat:

Nan Byars  None
Alex Cruz  Commissioners Rodriguez-McDowell and Harden
Janice Davidson  Commissioners Cotham, Fuller, Jerrell, Leake, Powell and Scarborough

Voting Ceased

Sabrina Kuroda
Erin Smith

Vice Chair Powell announced the appointment of Janice Davidson to the Arts and Science Council’s Advisory Councils as an At-Large representative to fill an unexpired term expiring June 30, 2020.

19-5394 NOMINATIONS/APPOINTMENTS

**AIR QUALITY COMMISSION**

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to reappoint Jeff Baker (General Public representative) and Rosa Mustafa (Environmental representative) to the Air Quality Commission for a three-year term expiring August 31, 2022.

Motion was made by Commissioner Scarborough, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to reappoint James Watts (Engineer representative) and Fern Paterson (General Public representative) to the Air Quality Commission for a three-year term expiring August 31, 2022.

Note: Mr. Watts and Ms. Paterson have served two consecutive full terms but were willing to serve another term, since there were no applicants available to fill their slots.

**CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE**
The following persons were nominated for appointment consideration to the Charlotte-Mecklenburg Community Relations Committee:

Patricia Banega Segura by Commissioner Rodriguez-McDowell
Emmitt Butts by Commissioner Fuller
Delma Kendrick by Commissioner Leake
Erinn Rochelle by Commissioner Jerrell

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to close nominations.

Note: An appointment will occur at the September 4, 2019 meeting.

HISTORIC LANDMARKS COMMISSION

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate and appoint Robert Barfield to the Historic Landmarks Commission for a three-year term expiring July 31, 2022.

Note: He replaced Penny Higdon.

JUVENILE CRIME PREVENTION COUNCIL

The following persons were nominated for appointment consideration to the Juvenile Crime Prevention Council as a General Public representative:

Tonja Brooks by Commissioner Fuller
Ashley Murrell by Commissioner Leake
Tysha Shaw by Commissioner Rodriguez-McDowell

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to close nominations.

Note: An appointment will occur at the September 4, 2019 meeting.

LIBRARY BOARD OF TRUSTEES

The following persons were nominated for appointment consideration to the Library Board of Trustees:

Jakob Gattinger by Commissioner Powell
Kimmery Martin by Commissioner Fuller
Ricky Woods by Commissioner Cotham

Note: An appointment will occur following interviews of those nominated by an Ad Hoc Interview Committee appointed by the BOCC Chair. The Library Board of Trustees is one of the Boards that require all nominees to be interviewed.
An appointment should occur at the September 4, 2019 meeting.

PLANNING COMMISSION

Andrew Blumenthal, Astrid Chirinos and Bridgett Luther were nominated at the July 2, 2019 meeting.

No additional nominations were made at the August 7, 2019 meeting.

Motion was made by Commissioner Scarborough, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to close nominations.

Note: An appointment will occur following interviews of those nominated by an Ad Hoc Interview Committee appointed by the BOCC Chair. The Planning Commission is one of the Boards that require all nominees to be interviewed.

An appointment should occur at the September 4, 2019 meeting.

SMALL BUSINESS AND ENTREPRENEURSHIP ADVISORY BOARD

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to reappoint Nick Koutsoupias, Raj Parikh, Will Peters and Florence Wilkins to the Small Business and Entrepreneurship Advisory Board for a three-year term expiring June 20, 2022.

PUBLIC HEARINGS

19-5584 BUSINESS INVESTMENT GRANT: COGNIZANT TECHNOLOGY SOLUTIONS U.S. CORPORATION

Motion was made by Commissioner Scarborough, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to open the public hearing to receive comments on a proposed Business Investment Program grant to Cognizant Technology Solutions U.S. Corporation (Cognizant).

Note: Cognizant Technology Solutions US Corporation is a leading digital professional services company focused on building operating and technology models for clients and is headquartered in College Station, Texas. Cognizant is ranked #205 on the Fortune 500 list; is on the Forbes FastTech 25 list; is one of the largest STEM (Science, Technology, Engineering and Math) recruiters in the US; and has extensive internal training systems to up-skill their own workforce. Cognizant is continuing to grow and seek to expand its North American workforce to accommodate new client volume.

- Staffing lines will include:
  - IT Application Development
  - IT Application Testing
  - Business Process Services
  - Business Consulting
- Cognizant currently has 963 employees in Mecklenburg County
Cognizant’s proposed project meets all the following Business Investment Program guidelines for a five-year grant, specifically:
- A taxable investment of $5 million to be completed in the next three years.
- Creation of 300 new jobs with an average wage of $68,270.
- There is competition for this project from Phoenix, Arizona and Tampa, Florida.
- 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 $87,178.

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.
  - The Board of County Commissioners indicated their intent to approve this grant in a closed session on August 8, 2018.
  - In an open session meeting on July 22, 2019, the City of Charlotte approved a Business Investment Program grant of $51,161.

No one appeared to speak.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake 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 Cognizant for a total estimated amount of $87,178 and authorize the County Manager to negotiate and execute the contract.

A copy of the presentation associated with this item is on file with the Clerk to the Board.
Program grant is a 50% grant over 5 years, with an estimated total amount of up to $87,178. 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 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 48-A, Document # 56.

19-5585 BUSINESS INVESTMENT GRANT: LOWE’S COMPANIES, INC

County Manager Diorio said this matter would be deferred until the next meeting, so that Chair Dunlap could be present to participate in the vote. No action was taken.

ADVISORY COMMITTEE REPORTS

19-5606 CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE ANNUAL REPORT

The Board received the Charlotte-Mecklenburg Community Relations Committee Annual Report.

Michael Smalenberger, Chairman of the Charlotte-Mecklenburg Community Relations Committee (CRC) and Willie Ratchford, Director of Community Relations presented the report.

Vice Chair Powell and other Board members thanked them for the report.

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

Comments

Commissioner Leake asked that the CRC continue to publicize their services, especially as it related to Conflict Resolution, in light of the violence that’s continuing to occur in the community. She also asked Mr. Ratchford to work on organizing a community-wide meeting to talk about violence and other issues impacting the community. It was noted that Mr. Ratchford had spoken at Commissioner Leake’s town hall meetings in the past, but she’d like a community-wide meeting to occur for adults and children of all ages.

Mr. Ratchford thanked Commissioner Leake for her comments. He said the letter read earlier in the meeting by Commissioner Leake was evidenced that work was still needed in the community to combat the issues of “racism and discrimination.”

Mr. Ratchford said his initial thoughts regarding the person that wrote the anonymous letter read by Commissioner Leake were negative ones, but then he realized “this person does not need my scorn. This person needs my prayers.” He said he and his family would be praying for that person, male or female.

Mr. Ratchford said he’d like to remind that person of the following: “that hatred corrodes the container that it’s carried in.” He said there were many in the community, just like the anonymous writer. He stated further, however, that there were “good people” in the
community that just need to continue the “good fight” to make sure that these type of people don’t take over “our community.”

MANAGER’S REPORT

19-5618 COUNTY FACILITY SECURITY STRATEGY UPDATE

County Manager Diorio addressed her strategy to address the growing concern around threats to the County’s safety and security, in light of mass shootings that have occurred across the nation and specifically in Dayton, Ohio, El Paso, Texas, and Gilroy, California.

The following was noted:

- The safety and security of County employees has always been a top priority for her as County Manager.
- Staff has been directed to take a comprehensive review of all County policies, trainings, and security measures to determine what changes may be needed as a result of the tragedies that have occurred.
- Later this month an updated Workplace Violence Prevention and Intervention Policy will be issued.
- All employees will be required to take, annually, the Workplace Violence Prevention and Intervention online training.
- The County will continue to partner with the Charlotte-Mecklenburg Police Department to offer in-person active shooter survival training for staff.
- In 2017 the County hired a security consultant to conduct a county-wide security assessment and to develop a comprehensive security master plan, which continues to be implemented.
- Since 2017 security investments have been made, totaling $5.1 million.
- Persistent threats to the County’s security, however, requires additional investments.
- This fiscal year weapons screening and other security measures will be implemented at select County facilities.
- At the selected sites, all County employees and visitors will have to undergo weapons screening.
- In the coming weeks, an appropriation request will be asked of the Board to accelerate these security measures.

The Board received additional information from Chad Harris, Director of County Security.

The following was noted:

- Through policies, education, and training, the County was striving to prevent violence in the workplace.
- Prevention was the goal however, plans must be in place if prevention efforts fail.
- Weapons screening at select sites was a recommendation from the Security Master Plan.
- Weapons screening is currently at some county facilities and will be expanded to others.
- Enhancing security will include building and infrastructure changes, security technology enhancements, as well as, weapons screening.
- The estimated cost of the changes was approximately $6 million in a one-time capital cost and approximately $6.3 million in operational cost.
- Staff will work on refining the cost in the coming weeks.

County Manager Diorio noted that the information provided was preliminary and that staff would be reporting back to the Board.
AUGUST 7, 2019

Comments

Commissioner Harden asked was there any grant funding available for implementing these types of measures through Homeland Security perhaps. Director Harris said that was something that could be explored.

Commissioner Harden said the County’s cost to implement security measures should be made clear to the public in terms of tax dollars and let it be known that whenever the County makes investments to fortify its facilities, that’s one less dollar that can go towards teacher pay or providing a health benefit or other public services that the County provides.

Commissioner Harden said implementing security measures was something that had to be done, but that there was a public cost associated with it, which should be made transparent to the community.

Commissioner Leake said it would cost money to secure the County’s facilities to keep employees and the public visiting those facilities safe and that it was worth it. She said it was about saving lives.

Commissioner Leake said security of staff had always been a concern of hers. She said personally, she didn’t feel safe on the 11th floor of the Government Center, which was where Commissioners’ offices were located.

County Manager Diorio noted that the planned renovations to the 11th floor of the Government Center would result in the reception area being more secure. She said persons visiting the floor would no longer have direct access to offices.

Commissioner Rodriguez-McDowell acknowledged that funds needed for security measures would impact the County’s ability to address other needs and was a valid point to make. She said however, safety measures were needed in light of what’s occurring in society now and the current gun laws. She thanked the County Manager for being proactive.

Commissioner Scarborough suggested the Police Chief be asked to come and address the Board regarding building security in the Government Center.

Vice Chair Powell thanked Director Harris for the report, which was verbal and not written.

19-5495 LAW ENFORCEMENT SERVICE DISTRICT UPDATE - TOWN OF HUNTERSVILLE

The Board received as information an update from Chief Benson Hoyle, Town of Huntersville Chief of Police, regarding the Law Enforcement Service District Interlocal Agreement between Mecklenburg County and the Town of Huntersville.

Note: Effective July 1, 2018, the County entered into interlocal agreements for Law Enforcement Services in the Extra-Territorial Jurisdiction (ETJ) areas of Mecklenburg County. The Interlocal Agreement with the Town of Huntersville requires the Huntersville Police Department (HPD) to provide law enforcement services to the ETJ areas of Huntersville, with the exception of the portion of the ETJ where the McGuire Nuclear Plant is located. Law Enforcement services in this area of the ETJ is provided by the Charlotte-Mecklenburg Police Department. The Interlocal Agreement stipulates that the HPD provides quarterly written reports to the BOCC regarding the policing activities within the ETJ areas, and that the Huntersville Chief of Police provides an annual in-person update to the BOCC.

A copy of the report is on file with the Clerk to the Board.
Vice Chair Powell and other Board members thanked Chief Hoyle for the report.

**19-5558 CMPD CRISIS INTERVENTION TEAM PROGRAM PRESENTATION**

The Board received as information a presentation from the Charlotte-Mecklenburg Police Department on the Crisis Intervention Team (CIT) Program.

The report was presented by Major Nelson Bowling, Ebony Rao and Stacy Butler from the Health Department.

*Note: The Crisis Intervention Team (CIT) is a partnership of the Charlotte-Mecklenburg Police Department (CMPD) with Mecklenburg County Public Health, the National Alliance on Mental Illness (NAMI), and Central Piedmont Community College for selected CMPD officers to be certified in crisis intervention and use that training in their law enforcement duties to provide safety, services, and jail diversion to behavioral health consumers and their families.*

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

**Comments**

Commissioner Leake expressed support of the CIT Program and encouraged everyone to reach out to their elected officials on the federal level and on the state level regarding reopening mental health facilities that at one time were available to care for persons with mental health challenges.

Commissioner Leake expressed thanks to CMPD officers for all that they do.

Commissioner Rodriguez-McDowell said the CIT Program was definitely needed and that she would be interested in knowing how much more could be done, were the program expanded.

Commissioner Harden said there was probably a lot of misinformation regarding the CIT Program. She asked Ms. Rao to share one thing that would provide better clarity to the public. *Ms. Rao addressed the stigma associated with mental illness and said because of that a lot of people do not get the help they need.*

Commissioner Cotham expressed her support of the CIT Program and noted the knowledge she had gained from attending events sponsored by the CIT Program.

Commissioner Cotham suggested to the County Manager that consideration be given to having a “train a trainer program.” She expressed concern for non-profits and their ability to recognize when someone was in need of help. She said this would be a good training for non-profits to have, as well as, school personnel.

Commissioner Cotham said the CIT Program was definitely making a difference for the individual in crisis, their family and for police officers.

Commissioner Scarborough expressed support of the CIT Program.

Vice Chair Powell thanked the presenters for the report.

**DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE**
The Board received as information a presentation on Mecklenburg County's Department of Social Services, the featured department for the month.

Peggy Eagan, Director of Social Services gave the report.

Vice Chair Powell and other Board members thanked Director Eagan for the work that they do.

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

**STAFF REPORTS & REQUESTS**

19-5590  HISTORIC DOWD HOUSE AND FORMER FIRE STATION 10 MOUS

Jacqueline McNeil with Asset and Facility Management addressed the Historic Dowd House and Former Fire Station 10 and proposed memorandums of understanding.

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

Note: In September 2018, the County and Charlotte-Mecklenburg Historic Landmarks (HLC) released a Request for Qualifications/Proposal (RFQ/P) for qualified parties to submit proposals to purchase and redevelop the Historic Dowd House and former Fire Station 10 in the Historic Camp Greene neighborhood of west Charlotte. Prior to the RFP’s release, the County received steady interest from various individuals in purchasing the property. To allow all interested parties the opportunity to potentially purchase and redevelop the property, the County determined that releasing a RFQ/P was the best course of action. Prior to releasing the RFP, the County held community engagement sessions in the Camp Greene neighborhood and developed conditions of the sale to protect the neighborhood's ability to have continued access to the Dowd House due to its significance in the Camp Greene neighborhood and Charlotte’s history.

Two respondents submitted proposals, and the County held discussions with those prospective buyers. OZF Properties, LLC submitted a proposal to renovate the Dowd House as well +/- 9,000 SF of currently vacant adjacent land with plans to use the property as the headquarters of the owner’s commercial real estate firm. Red Leg 6, LLC submitted a proposal to renovate former Fire Station 10 with plans to use the property for leased offices. Discussions among the County, HLC, and the prospective buyers led to the following major agreement points:

**OZF - the Historic Dowd House**

Property:

*OZF will purchase the existing Historic Dowd and surrounding land on Tax Parcel 067-061-05 as well as +/- 9,147 SF of Tax Parcel 067-061-06. The purchase of a portion of Tax Parcel 017-061-06 is dependent upon the City of Charlotte releasing a restriction on the property that the land be used for park purposes.*

Purchase price:

*The purchase price for the property is +/- $313,310 (with final purchase price based on a survey). OZF will deposit a $5,000 earnest money deposit.*

Appraised value:

*The appraised value of Tax Parcel 067-061-05 (current Dowd House) is $340,000.*
The purchase price reflects the requirement that the public have access to the property in perpetuity and was deemed appropriate by an independent third-party appraiser.

Conditions of sale:
- The historic designation on the Dowd House shall remain in perpetuity.
- The deed to the property will state that the Camp Greene Neighborhood Association (or successor organization) is allowed to hold monthly meetings at the property in perpetuity.
- The deed to the property will state that the Camp Greene Neighborhood Association (or successor organization) is allowed to hold an annual celebration at the property in perpetuity.

Closing condition:
- Closing on the property is conditioned upon successful rezoning of the property by the City of Charlotte.

Assignment of MOU:
- If Red Leg 6, LLC is unable to implement the conditions of the MOU among the County, HLC, and Red Leg, then the MOU may be assigned to OZF; in which case, OZF will be responsible for implementing the conditions of the original MOU among the County, HLC, and Red Leg.

Red Leg 6 - Former Fire Station

Property:
- Red Leg 6 will purchase the building and surrounding land on Tax Parcel 067-061-02.

Purchase price:
- The purchase price for the property is $345,000
- Red Leg 6 will deposit a $5,000 earnest money deposit.

Appraised value:
- The appraised value of the property is $420,000. The purchased price reflects necessary environmental remediation activities the new owner will have to undertake.
- Cost estimates for remediation activities were verified by the buyers’ third-party consultants as well as third-party consultants and staff for the County’s Asset and Facility Management Department and Park and Recreation Department.

Conditions of sale:
- Prior to purchasing the property, a historic designation will be placed on the exterior of the building.

Closing condition:
- Closing on the property is conditioned upon successful rezoning of the property by the City of Charlotte.

Park Improvements
- In addition to the above property improvements to be made by the prospective buyers, the County will be providing parkland amenities on Tax Parcel 067-061-01 and the remaining portion of Tax Parcel 067-061-06.

In May 2019, County staff conducted a meeting with members of the Camp Greene neighborhood. At that meeting, neighborhood residents expressed concern about the proposals and did not support the County moving forward. At the Board’s May 21 meeting, staff briefed...
the Board on the RFP process and the neighborhood meeting that was held. The Board directed staff to hold additional meetings with the neighborhood to see if consensus could be reached.

Following the May 21 Board meeting, County staff held an additional meeting with the Camp Greene neighborhood on June 10. At that meeting, 60% of those in attendance voted to move forward with the proposals. On July 11, County staff held another meeting with the Executive Board of the Camp Greene Neighborhood Association. Following this meeting, the full membership of the Camp Greene Neighborhood Association discussed the Dowd House and Fire Station 10 proposals at its July 16 meeting. At the July 16 meeting, 85% of the residents in attendance voted to support the proposals.

If approved, the County, HLC, and the prospective buyers will finalize MOUs between the parties, and the property will be transferred to HLC. Upon completion of all the conditions of the MOUs, including historic designation for the fire station and successful rezoning of the properties, ownership of the properties will be conveyed to the prospective buyers.

The following persons appeared to speak in support of the action being proposed: Cynthia Harrison, president of the Historic Camp Greene Neighborhood Association and Stewart Gray on behalf of the Historic Landmarks Commission. Ned Hardison was scheduled to speak on behalf of the Dowd family, but was not able to attend.

Comments

Commissioner Cotham asked if neighborhood association meetings would be held in the Dowd House or in the Carriage House, which would be located on the property also. The response was that the agreement states the meetings are to be held on the property and could be in the Dowd House or the Carriage House depending upon the accommodations needed.

Commissioner Cotham asked was the neighborhood aware that their meetings could take place in the Carriage House. The response was yes.

Commissioner Harden asked about the Park and Recreation Commission’s involvement with the Dowd House and Fire Station 10 project. It was stated that the Park and Recreation Commission received a presentation on the Project in June, however, a vote was not taken regarding the Project.

Park and Recreation Director Lee Jones said the Park and Recreation Commission was informed that they would be kept up to date on this matter, including, any action taken by the Board at this meeting.

Commissioner Leake noted her observation of the meetings, which she attended, that had taken place with the community regarding this project. She said everyone was given the opportunity to speak to the matter.

Commissioner Leake said she supported the proposal from staff because it reflected what those that live in the Camp Greene Community wanted.

Commissioner Leake thanked Director Lee Jones and Assistant County Manager Leslie Johnson for their leadership in managing the Park and Recreation Department.

Commissioner Fuller asked what was the nature of the opposition that was heard at the community meetings. It was noted that those that expressed opposition were in the minority, but their opposition was around using the Fire Station for office space. The desire was for the Fire Station to be a museum or a private residence. There was also opposition regarding the gate between the site and park.
Commissioner Harden asked Ms. Harrison, president of the Historic Camp Greene Neighborhood Association, if there was any concern regarding the lost of public land and if they thought about asking for replacement land or some type of other public community asset to replace the park land and the museum land that’s being lost.

Ms. Harrison said what the community wanted most was a park, a place for their children to go. She said they knew that the Dowd House had sat dormant for a long time and the community started expressing the need for a change. She said what was being proposed would result in the community gaining a park.

Commissioner Harden asked if parameters were in place to ensure that the community gets a park, including the timeline.

Jacqueline McNeil with Asset and Facility Management said the park would be addressed in the agreement.

Vice Chair Powell said from her perspective there were still a lot of unanswered questions regarding this matter and that she would have liked to have received a recommendation from the Park and Recreation Commission. She said since there was not a recommendation from the Park and Recreation Commission, she could not support the proposal. She then elaborated on the importance of input from advisory boards.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-2 with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, and Scarborough voting yes, and Commissioners Powell and Rodriguez-McDowell voting no, to:

1. Authorize the County Manager to negotiate and execute a Memorandum of Understanding and all other documents necessary between the County, Charlotte-Mecklenburg Historic Landmarks Commission, and OZF Properties, LLC for the conveyance of property, Tax Parcel 067-061-05 and a portion of Tax Parcel 067-061-06 to the Charlotte-Mecklenburg Historic Landmarks Commission for a purchase price not less than $313,310;

2. Authorize the County Manager to negotiate and execute a Memorandum of Understanding and all other documents necessary between the County, Charlotte-Mecklenburg Historic Landmarks Commission, and Red Leg 6, LLC for the conveyance of property, Tax Parcel 067-061-02 to the Charlotte-Mecklenburg Historic Landmarks Commission for a price of $345,000; and

3. Authorize the County Manager to negotiate and execute a Donor Agreement Form between the Charlotte-Mecklenburg Public Library and Mecklenburg County for the donation of certain historic memorabilia and artifact(s) from the Historic Dowd House.

COUNTY COMMISSIONERS REPORTS & REQUESTS

19-5573 SELECTION OF NCACC ANNUAL CONFERENCE VOTING DELEGATE (CHAIR DUNLAP)

Motion was made by Commissioner Fuller, seconded by Commissioner Harden and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to appoint Commissioner Leake as the Board’s voting delegate for the 2019 North Carolina Association of County Commissioners (NCACC) Annual Conference to be held in Guilford County, Greensboro, N.C., August 22 - 24, 2019 at the Grandover Resort and Conference Center.
Vice Chair Powell passed the gavel to At-Large Commissioner Fuller to preside until her return to the dais.

19-5613 RESOLUTION SUPPORTING LOCAL AND STATE REGULATION OF ALCOHOL BEVERAGE CONTROL (COMMISSIONER JERRELL)

The Board received the Intergovernmental Relations (IGR) Committee recommendation to approve a resolution supporting continued state and local regulation of Alcohol Beverage Control (ABC).

Commissioner Jerrell, Chair of the IGR Committee, presented the matter to the Board.

Vice Chair Powell returned to the dais and resumed chairing the meeting.

Comments

Commissioner Cotham expressed concern for the timing of the request. She also expressed concern, per things she’d read regarding problems with the State ABC Board and how they’ve operated.

Commissioner Fuller spoke in support of the resolution and the importance of maintaining local control. He said the current system for selling alcoholic beverages in NC made a lot of sense. He said he could envision that if privatized there would be an ABC store on every corner in communities of color.

Commissioner Fuller acknowledged that there were problems at the state level that needed to be fixed, but having local ABC Boards was something worth keeping.

Commissioners Leake, Rodriguez-McDowell, and Harden echoed Commissioner Fuller’s comments regarding local control vs. privatizing.

Commissioner Scarborough said this was not a matter the Board should be involved in.

Motion was made by Commissioner Leake, seconded by Commissioner Rodriguez-McDowell and carried 6-2 with Commissioners Fuller, Harden, Jerrell, Leake, Powell, and Rodriguez-McDowell voting yes and Commissioners Scarborough and Cotham voting no, to approve a resolution supporting continued state and local regulation of Alcohol Beverage Control.

MECKLENBURG COUNTY
BOARD OF
COMMISSIONERS
RESOLUTION SUPPORTING MAINTAINING STATE AND LOCAL REGULATION OF ALCOHOL BEVERAGE CONTROL

WHEREAS, the citizens of Mecklenburg County voted to permit the sale of spirituous liquor and other alcohol through the establishment of a local Alcoholic Beverage Control Board, which is under the control system of the state of North Carolina; and

WHEREAS, for decades, local Alcoholic Beverage Control Boards have provided a variety of choices, and a controlled distribution and sales environment that is safe; and

WHEREAS, local Alcoholic Beverage Control Boards provide counties, cities, and towns with additional annual revenues to invest in local programs, many of which are funds targeting public health issues such as alcohol addiction education and rehabilitation; and
WHEREAS, according to research from the Centers for Disease Control and Prevention’s (CDC) Guide to Community Preventive Services, regulating the availability of alcohol, including maintaining limits on the number of days and hours when alcohol can be sold, is a strategy that works to reduce excessive alcohol use and related health and social problems and there is strong evidence that privatization of retail alcohol sales leads to increases in excessive alcohol consumption; and

WHEREAS, according to other studies, privatization is often associated with an increase in sales outlets which correlates with high levels of alcoholism and violence, increased alcohol-related injury, crashes, and increased underage drinking; and

WHEREAS, Alcoholic Beverage Control Boards have established a ZERO TOLERANCE regarding alcohol sales to minors and employees are terminated for violations; and

WHEREAS, studies show that communities with greater access to liquor have a higher level of underage access to alcohol; and

WHEREAS, legislation has been introduced in the North Carolina General Assembly, House Bill 971 (Modern Licensure Model for Alcohol Control) which proposes to privatize the retail sale and wholesale distribution of liquor, with businesses being allowed to ship liquor directly to individuals in or out of the state; and

WHEREAS, the General Assembly's non-partisan Program Evaluation Division (PED) was directed to examine whether other systems of alcohol beverage control, including privatized systems are appropriate for North Carolina; and

WHEREAS, the PED report “Changing How North Carolina Controls Liquor Sales Has Operational, Regulatory, and Financial Ramifications”: (1) did not recommend privatization; (2) found that among southeastern states, North Carolina collects the most revenue per gallon of liquor sold, has the lowest outlet density, and has the second lowest per capita consumption; and (3) the PED expects retail liquor consumption to increase by 20% with privatization based on an additional 1,000 outlets;

NOW therefore be it

RESOLVED, that the Mecklenburg Board of County Commissioners supports and advocates for maintaining state and local regulation of alcohol beverage control in North Carolina.

Resolution recorded in full in Ordinance/Minute Book 48-A, Document # 57.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the following item(s):

19-5493 CONSTRUCTION CONTRACT - LITTLE SUGAR CREEK GREENWAY AND STREAM REHABILITATION I-485 TO POLK HISTORIC SITE

Award a construction contract to Eagle Wood, Inc. in the amount of $6,844,323.57 for the construction of Little Sugar Creek Greenway and Stream Rehabilitation from I-485 to the Polk Historic Site.

19-5563 CONSTRUCTION ENGINEERING AND INSPECTION SERVICES SELECTION

Authorize the County Manager to negotiate fees and execute contracts for Construction Engineering and Inspection Services with Alley, Williams, Carmen & King, Inc. (for the McDowell
Creek Greenway and Stewart Creek Greenway) and A. Morton Thomas and Associates (for the Little Sugar Creek Greenway and McAlpine Creek Greenway). In the event negotiations with these firms are unsuccessful, approve negotiations with the alternate firm of ESP Associates, Inc.

19-5566 STORM WATER PROGRAM - FY19 HAZARD MITIGATION FLOODPLAIN ACQUISITION

1. Accept the Offer of Sale of Real Estate from Leslie Michaels, Trustee for Leslie H. Michaels Trust, owner of property located at 5721 Wedgewood Drive, Charlotte, NC (tax parcel 171-091-05) for $410,623; and

2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to use the structure for training exercises.

Note: This acquisition is 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.)

19-5568 FLEET AUCTION REVENUE AND EXPENSES

Appropriate vehicle auction revenue received from the May 11, 2019 vehicle auction from Fleet Reserve Fund Balance in the amount of $68,745.10 to the Fleet Reserve Fund and from General Fund Balance of $525.77 to the DSS Transportation unit in the General Fund.

19-5570 CONSTRUCTION CONTRACT - INTERNAL AUDIT AND VICTIM ASSISTANCE RENOVATIONS

Award a construction contract to Tyler 2 in the amount of $1,276,953 for two renovation projects: 1) the Mecklenburg County Internal Audit Department on the third floor of the Judge Clifton E. Johnson Building (700 E. Fourth St.) because Internal Audit is relocating from the 4th floor of the Charlotte Mecklenburg Government Center; and 2) renovation for Victim Assistance at 800 E. Fourth St. (former Civil Courts Building) because Victim Assistance is relocating from a temporary location at the same facility.

19-5578 TAX COLLECTOR’S ANNUAL SETTLEMENT FOR FISCAL YEAR 2019

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.
MECKLENBURG COUNTY
Office of the Tax Collector

To:        Board of County Commissioners
Dena Diorio, County Manager
Mark Foster, Assistant County Manager

From:      Neal L. Dixon, Director/Tax Collector
Date:      July 19, 2019
Subject:   Tax Collector’s Settlement for Fiscal Year 2019

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 2019 (tax year 2018).

The total FY 2019 Real Estate, Personal Property, and Registered Motor Vehicle Tax charged to the Tax Collector for collection was $999,745,692.52.

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<th>Uncollected</th>
<th>Pct. Collected</th>
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<td>$996,479,532.42</td>
<td>$3,266,160.10</td>
<td>99.7%</td>
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</tbody>
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At the end of FY 2019 there were 27 tax bills totaling $30,606.72 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 239 real estate, personal property, and registered motor vehicle tax bills totaling $198,564.29. 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 99.70%.

Reference is hereby made to reports in the Office of the Tax Collector that list the persons owning real property and personal property whose taxes for the preceding fiscal year remain unpaid and the principal amount owed by each person. These reports are available for inspection and review upon request. The Tax Collector has made diligent efforts to collect the taxes due from the persons listed by utilizing the remedies available to him for collection.

PEOPLE ● PRIDE ● PROGRESS ● PARTNERSHIPS
3205 Freedom Drive, Suite 3000 (28208) ● P.O. Box 31457 ● Charlotte, North Carolina 28223-31457 ● 980-314-4488
Settlement recorded in full in Minute/Ordinance Book 48-A, Document # 58.

19-5579 ORDER OF COLLECTION - 2019 AD VALOREM TAXES

Authorize the Tax Collector to collect 2019 ad valorem taxes.

Note: Requirement of North Carolina General Statute (NCGS) 105-321(b)
NCGS 105-321(b) states: "Before delivering the tax receipts to the tax collector in any year, the board of county commissioners or municipal governing body shall adopt and enter into 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 judgement 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 Minute/Ordinance Book 48-A, Document # 59.

19-5587 MINUTES
Approve Minutes of Regular meeting held July 2, 2019 and Closed Session held July 2, 2019.

19-5591 CONSTRUCTION MANAGER AT RISK SELECTION - DISCOVERY PLACE NATURE
CENTER AT FREEDOM PARK
Authorize the County Manager to negotiate a fee and execute contracts with Rodgers-Leeper
for Pre-Construction and Construction Management at Risk services for the Discovery Place
Nature Center project, and in the event negotiations with this firm are unsuccessful, approve
negotiations with the second ranked firm, Edifice - Lil Associates.

19-5594 DONATION FROM UNDER ARMOUR, INC. TO NAOMI DRENAN RECREATION
CENTER
Recognize, receive and appropriate a donation of $25,000 in FY20 for programming and
supplies at Naomi Drenan Recreation Center from Under Armour, Inc.

19-5595 CONSTRUCTION CONTRACT - PLUM CREEK GREENWAY PROJECT
Award a construction contract to J.D. Goodrum Company, Inc. in the amount of $1,045,580.56
for the Plum Creek Greenway Project.

19-5597 RIGHT-OF-WAY ABANDONMENT - HOYT HINSON ROAD
1. Authorize the County Manager to execute all documents necessary to file a Right-of-Way
Abandonment petition with the North Carolina Department of Transportation (NCDOT)
requesting abandonment of maintenance of Hoyt Hinson Road (±1,056 linear feet) in Charlotte
along Tax Parcels 045-361-01, 045-362-09, 045-362-01 and 045-362-02 and accept the residual
property into adjacent Mecklenburg County owned properties; and

2. Authorize the County Manager to execute all documents necessary to file a Right-of-Way
Abandonment petition with the City of Charlotte for Hoyt Hinson Road (± 1,056 linear feet).

19-5598 LAND DONATION - LITTLE SUGAR CREEK
1. Accept the donation of Tax Parcel 221-097-61(± 6.912 acres) and a portion of Tax parcel 221-
096-54 (±5.373 acres) from DHG RP LLC for the future construction of the Little Sugar Creek
Greenway and Stream Enhancement Project; and

2. Accept the donation of a permanent greenway easement (± 2.9 acres) and a permanent
storm water easement (± 2.9 acres) on Tax Parcel 221-094-73 from DHG RP LLC for the future
construction of the Little Sugar Creek Greenway and Stream Enhancement project; and
3. Accept the donation of a temporary construction easement (±0.968 acres) from DHG RP LLC for the future construction of an access trail from Little Sugar Creek Greenway to Overlook Ridge Street in the Huntley Glen Neighborhood.

19-5599   \textbf{LAND DONATION - MCALEPINE CREEK}

Accept the donation of Tax parcel 193-022-26 (± 1.89 acres) from JDSI LLC for the future construction of the Mcalepine Creek Greenway.

19-5600   \textbf{NCDOT GRANT FUNDING FOR TOBY CREEK GREENWAY (PHASE 2B)}

Recognize, receive and appropriate additional NCDOT grant funding awarded by the Charlotte Regional Transportation Planning Organization (CRTPO) to fund construction completion of Toby Creek Greenway from Blue Rock Rd. to W. Rocky River Rd. in the amount of $400,000.

19-5605   \textbf{GENERAL FUND BALANCE APPROPRIATION}

Appropriate General Fund Balance in the amount of $60,000 to the County Manager's Office in FY20.

\textit{Note: $60,000 was budgeted in FY19 for the beginning of outreach efforts to encourage a complete and accurate count for the 2020 Census. While planning began in January 2019, funds were not spent during that fiscal year and closed to the General Fund Balance. The action would appropriate these funds to be used in FY20, to fund development of census outreach materials and resources for the community.}

19-5609   \textbf{CONSTRUCTION MANAGER @ RISK SUBCONTRACTOR PREQUALIFICATION METHODOLOGY FOR AMERICAN LEGION MEMORIAL STADIUM RENOVATION}

Authorize the Subcontractor Prequalification methodology and procedure provided by Barton Malow / Edifice for the American Legion Memorial Stadium Renovation.

19-5610   \textbf{TAX REFUNDS}

Approve tax refunds in the amount of $15,886.74 as statutorily required to be paid, as requested by the County Assessor.

\textit{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.}

\textbf{A list of the taxpayer recipients is on file with the Clerk to the Board.}

19-5614   \textbf{GRANT APPLICATION - NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY INTERMEDIARY AGENCIES}

1. Affirm the submitted formal grant application for funding in the amount up to $150,000 from the North Carolina Department of Public Safety (RFP# 19-RFP-014727-JJX); and

2. If awarded, recognize, receive and appropriate funds for the amount awarded for the duration of the grant period.
Note: Criminal Justice Services Re-Entry Services Division has delivered services to residents returning to Mecklenburg County from incarceration in State and Federal prisons since 2013. The requested funding will allow the Criminal Justice Services Re-Entry Services Division to increase educational and vocational opportunities available in Mecklenburg County through partnerships with Charlotte Area Fund, OMITT Trade School, and City Startup Labs. Employment retention skills training, introduction to skilled trades and entrepreneurship training and mentoring will be added to develop additional avenues for employment for the re-entering population. Grant funds are for a 1-year period with up to $150,000 beginning September 1, 2019 and ending August 31, 2020. A formal grant application was due to the North Carolina Department of Public Safety on July 31, 2019 to be eligible for funding.

19-5616 LEASE FOR ATM MACHINES AT COUNTY FACILITIES

Adopt a resolution titled “Mecklenburg County Board of Commissioners Resolution Declaring Intent to Lease Property to North Carolina State Employees Credit Union (NCSECU)” for ATM machines at the County facilities.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION DECLARING INTENT TO LEASE PROPERTY TO NORTH CAROLINA STATE EMPLOYEES CREDIT UNION

WHEREAS, Mecklenburg County is the owner of several park and recreation, jail and general government facilities in Charlotte, NC; and

WHEREAS, North Carolina State Employees Credit Union has submitted a proposal to lease space for one automated teller machine (ATM) at seven (7) Mecklenburg County owned facilities consistent with the following business terms:

Locations
(1) Mecklenburg County Courthouse (1)
(2) Mecklenburg County Jail Central (1)
(3) Wallace Kuralt Center (1)
(4) Valerie C. Woodard Center (2)
(5) Mecklenburg County Work Release (1)
(6) Mecklenburg County Jail North (1)
(7) Register of Deeds (1)

Lease Term
Seven (7) years

Base Lease Rate
Tenant shall pay County $100.00/month per machine.

Option to Renew
Lessee to have two options to renew for three years each.

Insurance
Bank shall carry comprehensive general liability insurance insuring against a combined loss of not less than $1,000,000.00 for each occurrence.

;and

WHEREAS, the County Asset and Facility Management Department has determined that the space to be leased to provide ATMs 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 North Carolina State Employees Credit Union; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby declare its intent to enter into a lease arrangement with North Carolina State Employee’s Credit Union, as described above, and
directs that the Clerk to the Board publish a notice of the Board’s intent to approve the lease arrangement with North Carolina State Employee’s Credit Union at the Board’s September 4, 2019 meeting as required by law.

Resolution recorded in full in Ordinance/Minute Book 48-A, Document # 61.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

19-5560 GRANT APPLICATIONS - NORTH CAROLINA GENERAL PURPOSE GRANTS (SENIOR CENTERS)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Approve a grant application of up to $5,000 for a NC General Purpose Grant for the North Mecklenburg Senior Center; and

2. Approve a grant application of up to $15,000 for a NC General Purpose Grant for the Tyvola Senior Center; and

3. Approve a grant application of up to $15,000 for a NC General Purpose Grant for the Shamrock Senior Center; and

4. If awarded, receive such funds.

Note: Funds will be used to continue existing programming at each center.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

19-5562 BUDGET AMENDMENT - DEPARTMENT OF SOCIAL SERVICES SPECIAL ADOPTION PROMOTION FUNDS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize, receive and appropriate an increase in State Adoption Promotion funding in the amount of $157,120.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

19-5569 BUDGET AMENDMENT - COMMUNITY SUPPORT SERVICES (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize, receive and appropriate an increase of $3,369 in federal funds received from North Carolina Council for Women and Youth involvement for prevention of domestic violence and teen dating violence.
Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

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

**19-5571 BUDGET AMENDMENT - DEPT. OF COMMUNITY RESOURCES, CHILD SUPPORT ENFORCEMENT DIVISION (REINVESTMENT REVENUE)**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1) Recognize, receive and appropriate $952,000 in Federal Child Support Reinvestment funds in the Child Support Reinvestment Special Revenue Fund for staff positions to include, an Attorney, a Legal Assistant, Administrative Support Assistant II, ten case coordinators, and two Social Services Program Supervisors; and

2) Recognize, receive and appropriate $220,000 in Federal Child Support Reinvestment funds in the Child Support Reinvestment Special Revenue Fund to contract for additional Child Support enforcement support.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

*Commissioner Cotham returned to the dais.*

**19-5572 GRANT APPLICATION - HUD CONTINUUM OF CARE 2019**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

A) Approve submission of three renewal grants from the U.S. Department of Housing and Urban Development (HUD):

1) Grant for $2,346,745 for the year 7/1/20-6/30/21 to provide Shelter Plus Care (SPC) targeted rental subsidies to homeless persons with disabilities (SPC Consolidated Renewal)

2) Grant for $63,000 for the year 6/1/20-5/31/21 to provide Coordinated Entry services for homeless individuals and families (Mecklenburg County Coordinated Entry Renewal 2019)

3) Grant for $163,000 for the year 4/01/2020- 3/31/2021 to administer the Homeless Management Information System (HMIS) expansion project for the Mecklenburg Continuum of Care (Mecklenburg HMIS Expansion - 2019); and

B) If awarded, recognize, receive and appropriate funds for the awarded grant amount.

*Note: The Shelter Plus Care renewal grant provides targeted rental subsidies to permanently house consumers who are chronically homeless and disabled. The Coordinated Entry renewal grant funds a position that provides assessment services for homeless individuals and families seeking shelter and housing assistance. The HMIS renewal grant provides funds to administer the local HMIS for the Charlotte-Mecklenburg Continuum of Care, as well as, funding one additional HMIS staff person to provide technical and training support to domestic violence agencies. The final renewal grant supports an increase in HMIS bed coverage by providing...*
support for additional agencies to participate in HMIS, support agencies with their federal funder required reporting, and work toward facilitating the entry of HUD Veterans Affairs Supportive Housing (VASH) and veteran coordinated entry data into HMIS. Participation in HMIS is required by HUD to provide data that informs resource allocation decisions and allows the community to determine whether it is making progress in reducing homelessness.

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

19-5576 BUDGET AMENDMENT - HEALTH DEPARTMENT (REVENUE INCREASE/DECREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize, receive, and appropriate:

a. A net increase of $284,079 in federal and state funds from the NC Department of Health and Human Services (NC DHHS) - Division of Public Health (DPH); and

b. A decrease of $191,373 from the Mecklenburg Partnership for Children.

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

19-5577 GRANT APPLICATION - CENTER FOR SHARING PUBLIC HEALTH SERVICES

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Approve the submission of a grant application totaling $10,000 for an eight-month period (September 20, 2019 - May 22, 2020) to the Center for Sharing Public Health Services; and

2. If awarded, recognize, receive and appropriate awarded funds.

Note: The Mecklenburg County Health Department requested approval to apply for funding from the Center for Sharing Public Health Services for an eight-month period (September 20, 2019 - May 22, 2020). Grant funds will be used to: Secure technical assistance from an appropriate consultant or national provider for guidance in implementing Strategic Business Plan Objective 3.1; Strategy 3.1a - Create a vision for the future of public health in Mecklenburg County; Develop awareness and understanding of Public Health 3.0. The grant application is due August 16, 2019.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

19-5580 GRANT APPLICATION - RYAN WHITE PART A

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Approve the submission of a grant application for $6,599,866 in Ryan White Part A funds covering the period of March 1, 2020 through February 28, 2021 from the U.S. Department of
AUGUST 7, 2019

Health and Human Services, Health Resources and Services Administration (HRSA) under the Ryan White HIV/AIDS Treatment Extension Act of 2009;

2. If awarded, recognize, receive and appropriate awarded funds; and

3. Approve the allocation process involving regional participation in accordance with HRSA of the U.S. Department of Health and Human Services guidelines.

Note: Under the Ryan White HIV/AIDS Treatment Extension Act of 2009, Part A funds are awarded by HRSA to serve HIV positive patients. Mecklenburg County is requesting to apply for year thirteen (13) funding for patients in the Transitional Grant Area (TGA) consisting of the following counties: Mecklenburg, Anson, Cabarrus, Gaston, Union, and York, SC. Ryan White Part A funding is used to assist this six-county region in developing and enhancing access to a comprehensive continuum of high quality, community-based care for low income individuals and families with HIV disease. In the current year twelve, twenty-two (22) providers in our region are providing medical or support-related services to 2,538 HIV clients in our region during the first five months of the year, as of July 17, 2019.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

19-5596 DONATION FROM CROWN JEWELS CHAPTER OF THE LINK, INC. TO IVORY BAKER RECREATION CENTER

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to receive a FY20 donation of $2,500 for scholarships for computer programs at Ivory Baker Recreation Center from the Crown Jewels Chapter of The Links, an international not-for-profit organization focused on making a positive difference and enriching the community.

Note: The organization's focus is on five facet areas: Health and Human Services, International Trends, National Trends and Services, Services to Youth, and The Arts. The contribution from this organization can be used for equipment and/or scholarships for computer programs. Ivory Baker Recreation Center will use the donation for scholarships.

Commissioner Leake removed this item from Consent for more public awareness. County Manager Diorio addressed this item.

19-5603 APPOINTMENT OF REVIEW OFFICERS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, 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 include Kimberly Carpenter, Shannon Hinson, Jonathan Paul, Patrick Turner, Nicholas Stanziale, Christopher Saunders, and N. Michael Garbark, and to remove Marvin Battle and Vorecia Johnson.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio and County Attorney Wade addressed this item.
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. Kimberly Carpenter, Shannon Hinson, Jonathan Paul, Patrick Turner, Nicholas Stanziale, Christopher Saunders, and N. Michael Garbark from Charlotte Water 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. Marvin Battle shall be deleted from the Resolution adopted on December 18, 2007 from Charlotte Water; Vorecia Johnson shall be deleted from the Resolution adopted on March 18, 2008 from Charlotte Water.

Resolution recorded in full in Ordinance/Minute Book 48-A, Document # 60.

19-5611 DONATION OF BASKETBALL COURT RENOVATION FROM THE CHARLOTTE HORNETS AND LOWE’S - GREENVILLE PARK

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize and receive the donation of an outdoor basketball court renovation at Greenville Park, valued at $100,000 from The Charlotte Hornets in partnership with Lowe’s.

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

19-5615 GRANT APPLICATION - SAFELY HOME TECHNICAL ASSISTANCE PROGRAM

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

(1) Affirm the submitted formal grant application for funding in the amount up to $400,000 from the Youth Advocate Programs, Inc. and the Center for Juvenile Justice Reform; and

(2) If awarded, recognize, receive and appropriate funds for the amount awarded for the duration of the grant period.

Note: The overall goal of the Safely Home Fund is to reduce the nation’s reliance on incarceration and other forms of out-of-home placement to meet the needs of youth and families, especially youth of color, through effective, evidence-informed community
AUGUST 7, 2019

programming. The requested funding will increase the Criminal Justice Services Recovery Courts capacity to work with youth in the community. It will strengthen resources for family engagement and reduce out-of-home placements, including a reduction in the number of juveniles placed in YFS custody or juvenile detention centers through effective, evidence-informed community programming. Grant funds are for a 14-month period with up to $150,000 beginning September 2019. A formal grant application was due to the Youth Advocate Programs, Inc. and the Center for Juvenile Justice Reform on August 2, 2019 to be eligible for funding. A match is not required.

Commissioner Leake removed this item from Consent for more public awareness. County Manager Diorio addressed this item.

ADJOURNMENT

Motion was made by Commissioner Jerrell, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:38 p.m.

Janice S. Paige, Clerk

Elaine Powell, Vice Chair
ATTENDANCE

Present: Chair George Dunlap and Commissioners
Patricia “Pat” Cotham, Trevor M. Fuller,
Susan B. Harden, Mark Jerrell, Vilma D. Leake,
Elaine Powell, 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: 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: 19-5626, 19-5628, 19-5632, 19-5634, 19-5635, 19-5636, and 19-5637.

STAFF BRIEFINGS - NONE

CLOSED SESSION

19-5567 PERSONNEL MATTER
19-5631 CONSULT WITH ATTORNEY
19-5647 BUSINESS LOCATION AND EXPANSION

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and
unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake,
Powell, Rodriguez-McDowell, and Scarborough voting yes, to go into Closed Session for the
following purpose(s): Personnel Matter, Consult with Attorney, and Business Location and
Expansion.

The Board went into Closed Session at 5:13 p.m. and came back into Open Session at 6:15 p.m.

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

AWARDS/RECOGNITION

19-5592 2019 NACO ACHIEVEMENT AWARDS

The Board recognized the County’s 2019 NACo (National Association of Counties) Achievement Awards winners.

Note: County staff won 16 2019 NACo awards for a variety of programs. Eight were being recognized at tonight’s meeting as noted below. The remaining winners will be recognized at the September 17, 2019 meeting.

NACo Award Winners:
1. Child Support Amnesty Week
2. The Housing First Charlotte-Mecklenburg
3. Narcan Community Distribution Program
4. Information Technology Services/DSS Daysheets Application
5. Information Technology Services/HHS Community Resource Center System Project
6. Comprehensive Foreclosure Strategy
7. Interactive Tax Foreclosure Web Tool
8. Notice of Bidder Solicitation

A description of the winning programs is on file with the Clerk to the Board.

PUBLIC APPEARANCE

19-5629 PUBLIC APPEARANCE

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

James Lee, Corine Mack, Willie Keaton, Neicy Mendez, Steven Cohen, Mary Kelly, and Peter Kelly addressed Brooklyn Village and the urban renewal that occurred years ago that resulted in the displacement of primarily African American families and businesses. They spoke as advocates for former Brooklyn Village families and asked that the forthcoming development of the area be inclusive, so that former residents and/or their descendants would be able to afford to live in the area, as well as, have businesses.

Apryyl Lewis addressed the Lake Arbor apartments issue. She addressed the need for accountability and the importance and need for Lake Arbor residents to be at the table when decisions were being made, impacting their lives.

APPOINTMENTS

19-5623 APPOINTMENTS
### CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

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

**Round 1**

<table>
<thead>
<tr>
<th>Nominee</th>
<th>Commissioners</th>
</tr>
</thead>
<tbody>
<tr>
<td>Patricia Banega Segura</td>
<td>Dunlap, Fuller, Rodriguez-McDowell and Scarborough</td>
</tr>
<tr>
<td>Emmitt Butts</td>
<td>Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough</td>
</tr>
<tr>
<td>Delma Kendrick</td>
<td>None</td>
</tr>
<tr>
<td>Erinn Rochelle</td>
<td>Cotham, Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough</td>
</tr>
</tbody>
</table>

**Round 2**

<table>
<thead>
<tr>
<th>Nominee</th>
<th>Commissioners</th>
</tr>
</thead>
<tbody>
<tr>
<td>Patricia Banega Segura</td>
<td>Cotham, Dunlap, Fuller, Harden, Powell, Rodriguez-McDowell, and Scarborough</td>
</tr>
<tr>
<td>Delma Kendrick</td>
<td>None</td>
</tr>
</tbody>
</table>

Chair Dunlap announced the appointments of Emmitt Butts, Erinn Rochelle, and Patricia Banega Segura to the Charlotte-Mecklenburg Community Relations Committee to fill unexpired terms expiring July 31, 2020.

*Note: They replaced Kendal Brooks, Jason Michel, and Gina Sirhan.*

### JUVENILE CRIME PREVENTION COUNCIL

The vote was taken on the following nominees for appointment to the Juvenile Crime Prevention Council as a General Public representative:

<table>
<thead>
<tr>
<th>Nominee</th>
<th>Commissioners</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ashley Murrell</td>
<td>None</td>
</tr>
<tr>
<td>Tysha Shaw</td>
<td>Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell</td>
</tr>
</tbody>
</table>

*Note: Tonja Brooks was nominated but asked to be removed from consideration at this time.*

Chair Dunlap announced the appointment of Tysha Shaw to the Juvenile Crime Prevention Council to fill an unexpired term expiring June 30, 2021.

*Note: She replaced Deandre Dukes.*

### LIBRARY BOARD OF TRUSTEES

Commissioner Jerrell, chair of the Board’s Library Board of Trustees Ad Hoc Interview Committee presented the Committee’s recommendation for appointments to the Library Board of Trustees. The other members of the Committee were Commissioners Harden, Leake, and Powell.

The Committee recommended the appointment of Kimmery Martin to fill an unexpired term expiring June 30, 2020 and Ricky Woods for a four-year term expiring June 20, 2023.
The vote was taken on the following nominees for appointments to the Library Board of Trustees:

<table>
<thead>
<tr>
<th>Name</th>
<th>Appointments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jakob Gattinger</td>
<td>None, Commissioners Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough</td>
</tr>
<tr>
<td>Kimmery Martin</td>
<td>Commissioners Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough</td>
</tr>
<tr>
<td>Ricky Woods</td>
<td>Commissioners Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough</td>
</tr>
</tbody>
</table>

Chair Dunlap announced the appointment of Ricky Woods to the Library Board of Trustees for a four-year term expiring June 30, 2023 and Kimmery Martin to fill an unexpired term expiring June 30, 2020.

Note: They replaced Molly Griffin and Hyong Yi.

**PLANNING COMMISSION**

Commissioner Powell, chair of the Board’s Planning Commission AdHocInterview Committee presented the Committee’s recommendation for an appointment to the Planning Commission. The other members of the Committee were Commissioners Leake, Rodriguez-McDowell, and Chair Dunlap.

The Committee recommended the appointment of Andrew Blumenthal to fill an unexpired term expiring June 30, 2021.

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

<table>
<thead>
<tr>
<th>Name</th>
<th>Appointments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andrew Blumenthal</td>
<td>Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough</td>
</tr>
<tr>
<td>Astrid Chirinos</td>
<td>Voting Ceased</td>
</tr>
<tr>
<td>Bridgett Luther</td>
<td></td>
</tr>
</tbody>
</table>

Chair Dunlap announced the appointment of Andrew Blumenthal to the Planning Commission to fill an unexpired term expiring June 30, 2021.

Note: He replaced Rajahm Sellers.

**19-5639 MECKLENBURG EMS AGENCY (MEDIC) BOARD APPOINTMENT**

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to appoint Joy Greear, President & Chief Operating Officer, Novant Health Mint Hill Medical Center, to the Mecklenburg EMS Agency Board to fill the unexpired term of Amy Vance, as a Novant Health representative, term expiring December 2019.

Note: 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

19-5633 TEFRA HEARING: ALDERSGATE AT SHALOM PARK, INC.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to open a TEFRA public hearing and receive comments on the proposed financing by Aldersgate at Shalom Park, Inc.

Note: Aldersgate at Shalom Park, Inc. (the “Borrower”) requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the “Authority”), issue its retirement facilities revenue anticipation bonds, in one or more series (the “Bonds”), in an aggregate principal amount not to exceed $15,500,000, for the following purposes:

(A) to finance the presconstruction and development expenses associated with the acquisition, construction, and equipping of an approximately 136-unit new life planned community to be known as Shalom Park located on or near the parcels of land with the following addresses: 4801, 4803, 4809, 4815, and 4825 Providence Road, and 1015, 1027, 1039, 1101, and 1115 Jefferson Drive, Charlotte, North Carolina 28226 (the “Project”); and

(B) pay certain expenses incurred in connection with the authorization and issuance of the Bonds.

Aldersgate at Shalom Park, 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, Shalom Park, 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.

No one appeared to speak.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake,
Powell, Rodriguez-McDowell, and Scarborough voting yes, to close the public hearing and adopt a 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 retirement facilities revenue anticipation bonds in an aggregate principal amount not to exceed $15,500,000.

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS RETIREMENT FACILITIES REVENUE ANTICIPATION BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $15,500,000.

WHEREAS, Aldersgate at Shalom Park, Inc. (the “Borrower”), a North Carolina nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (“Code”) has requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the “Authority”), issue its retirement facilities revenue anticipation bonds, in one or more series (the “Bonds”), in an aggregate principal amount not to exceed $15,500,000, and loan the proceeds of the Bonds to the Borrower for the following purposes:

(A) to finance the preconstruction and development expenses associated with the acquisition, construction, and equipping of an approximately 136-unit new life planned community to be known as Shalom Park located on or near the parcels of land with the following addresses: 4801, 4803, 4809, 4815, and 4825 Providence Road, and 1015, 1027, 1039, 1101, and 1115 Jefferson Drive, Charlotte, North Carolina 28226 (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 or an affiliate thereof.

WHEREAS, pursuant to Section 147(f) of the Code and related treasury regulations (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 Mecklenburg County, North Carolina (the “County”) is the “applicable elected representative” of the County for the Project;

WHEREAS, the Borrower has requested that the Board approve the Authority’s issuance of the Bonds and financing of the Project 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 $15,500,000, 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 Borrower with respect to the Bonds or the Project.

Section 3. This resolution is effective immediately on its passage.
19-5642 BUSINESS INVESTMENT GRANT: LOWE’S COMPANIES, INC

Motion was made by Commissioner Jerrell, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to open a public hearing to receive comments on a proposed Business Investment Program grant to Lowe’s Companies, Inc (Lowe’s).

Peter Zeiler, Director of Economic Development presented the request.

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

Note: Lowe’s is the second largest hardware and home improvement chain globally. It ranks #42 on the Fortune 100 list and is headquartered in Mooresville, NC. Lowe’s operates more than 2,000 stores and employs more than 300,000 people.

Lowe’s is establishing a new technology center to ensure business growth, transform supply chain management, deliver service and merchandise excellence and operate more efficiently.

This will be accomplished by creating a new facility with sufficient technology workforce to develop and implement the enhanced technology infrastructure for the company.

Lowe’s proposed project meets all the following Business Investment Program guidelines:
- A taxable investment of $153.88 million to be completed in the next three years.
- Creation of 1,612 new jobs with an average wage of $110,000 and the regional retention of 300 jobs.
- There is competition for this project from York County, South Carolina and Dallas, Texas.

The Business Investment Program grant is a 90% grant over 10 years, with a not to exceed amount of $10,160,514.

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 10 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 June 4, 2019. In an open session meeting on July 22, 2019, the City of Charlotte approved a Business Investment Program grant of $6,031,880.

Reginald Henderson, Vice President of Government Affairs for Lowe’s thanked the Board for its support of their request. He said Lowe’s was excited about the opportunity to call Charlotte the home of its Global Technology Hub. He said Lowe’s looked forward to a continued and strong collaborative partnership with the community.

Several Commissioners expressed thanks to Mr. Henderson for communicating with them and sharing information regarding Lowe’s and how they plan to reach out to the community.

Commissioner Leake said she’d like Mr. Henderson to come back in a year, assuming the request is approved, and give the Board an update on what had occurred since the receipt of the grant, as it related to jobs, training, and community outreach.

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Commissioner Leake said she’d like Mr. Henderson to come back in a year, assuming the request is approved, and give the Board an update on what had occurred since the receipt of the grant, as it related to jobs, training, and community outreach.
Commissioner Cotham noted that in her conversation with Mr. Henderson, she asked if Lowe’s now believed in giving individuals with a criminal record, after making a mistake, a “second chance.” Commissioner Cotham said Mr. Henderson’s response was yes.

Commissioner Cotham said she was glad to hear that response because this was something she’d complained about in the past because people deserved a “second chance.”

Commissioner Jerrell said he was pleased to hear about things Lowe’s was doing and would do in the community.

Commissioner Rodriguez-McDowell said 90% Business Investment Program Grant recipients should be located in opportunity zones and since the Lowe’s request would not be located in an opportunity zone, she would not be voting in favor of the request.

Betsy Mack, Executive Director, Charlotte Hornets Foundation and Shannon Hinson, Vice President of Organizational Advancement and Development, Habitat for Humanity spoke in support of the request. They also commented on their successful partnerships with Lowe’s. For example, Lowe’s partnership with the Charlotte Hornets for their Legacy Project, which involves re-doing basketball courts in different areas of the community for underprivileged students and communities. Their partnership with Habitat for Humanity (14 years) and their investment of $1.1 million in the last two years for affordable housing solutions in the Charlotte/Mecklenburg community.

They said although the Lowe’s facility would not be located in an opportunity zone, their community outreach does occur in opportunity zones.

Commissioner Fuller addressed the benefits of this proposed investment grant.

Chair Dunlap thanked Mr. Henderson and the other speakers for their comments.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-2 with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, and Scarborough voting yes, and Commissioners Powell and Rodriguez-McDowell voting no, to close the public hearing and adopt a resolution approving a Business Investment Program grant to Lowe’s for a total estimated amount of $10,160,514 and authorize the County Manager to negotiate and execute the contract.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION APPROVING BUSINESS INVESTMENT PROGRAM GRANT FOR LOWE’S COMPANIES, INC.

WHEREAS, Lowe’s Companies, Inc. is seeking to establish a new technology center in Charlotte, NC; and

WHEREAS, the company evaluated sites in York County, South Carolina and Dallas, 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 City of Charlotte and the County of Mecklenburg; and

WHEREAS, the Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on June 4, 2019 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 $153.88 million and will create 1,612 new jobs and transfer 300 jobs to Mecklenburg County within five years at an average annual salary of approximately $110,000. The
Business Investment Program grant is a 90% grant over 10 years, with an estimated total amount of up to $10,160,514. 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 as described above, and authorizes the County Manager to execute a contract for the same, with any necessary or helpful nonmaterial changes.

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #63.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

19-5650 BOCC FY2020 BUDGET PRIORITIES UPDATE

The Board received as information an update on the status of approved FY20 budget items associated with each of the Board’s FY20 Budget Priorities.

Budget Director Michael Bryant gave the update.

Note: BOCC FY2020 Budget Priorities:

1. Reduce Racial Disparities
2. Affordable Housing
3. Fund MeckPre-K
4. Mental Health Support
5. Parks & Greenways

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

Comments
Chair Dunlap encouraged Board members to submit any questions they had regarding the update to Director Bryant or the County Manager directly.

Commissioner Leake said she had some concerns regarding the funding set aside for the Race Matters-Juvenile Justice program and some of the things being promoted. She said she would follow up with Director Bryant.

Commissioner Harden expressed concern that Charlotte-Mecklenburg Schools funding from the state was still unknown. She asked what impact that had on the positions CMS requested for psychologists and social workers, as well as, teacher supplements, which the County provided funding for.

Commissioner Harden asked Board members to consider at a future meeting perhaps to make the teacher supplement retroactive, once the state approved its budget.

Chair Dunlap said it would be retroactive.
Commissioner Leake said the County had done its part with respect to CMS funding. She encouraged Board members to reach out to state legislators and encourage them to take action.

Commissioner Powell noted how the state had impacted local governments with respect to mental health support.

Chair Dunlap thanked Director Bryant for his report.

19-5661 COUNTY ASSISTANCE TO LAKE ARBOR RESIDENTS

The Board received an update on the County's role in assisting Lake Arbor residents.

Stacy Lowry, Community Support Services Director, gave the presentation.

Note: At the beginning of August, the owners of Lake Arbor Apartments notified all 177 households of their plans to close the complex and renovate the property. The majority of households (125) were given notice to vacate by the end of August. The remainder of households received move-out dates for later this year and during 2020.

The County joined the Project SAFE team to complete assessments and analyze data to determine household eligibility for relocation and/or financial assistance. An update will be provided on how the County will assist eligible residents.

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

Comments

Commissioner Rodriguez-McDowell asked for clarity regarding the $1.8 million Emergency Assistance funding.

Director Lowry said the $1.8 million was the annual allocation from the Department of Social Services to Crisis Assistance Ministries, that would be used for Lake Arbor, in addition to all of the other emergency responses that would occur between July 1 and June 30th of next year. She said they would also have the funds that the United Way of Central Carolinas was currently raising dollars for. She said she believed they had approximately $130,000 that they had also raised. Those funds would also be utilized specifically for Lake Arbor residents to help with their housing relocation and transition.

Commissioner Rodriguez-McDowell said she would like to be kept abreast of how the transition is taking place for the residents.

Commissioner Leake said this problem had been going on for at least four years. She said this was something that Charlotte City Council was aware of and that they were supposed to have addressed this issue and held the property owner accountable.

Commissioner Leake asked if persons were being required to pay rent if they still had personal belongings in their apartment.

Director Lowry said it was her understanding that of the 177 Lake Arbor residents, only 30 were currently paying rent.
Commissioner Leake asked if rent was being charged to those that remained there. Director Lowry said she was not aware of who had or had not paid rent, but that the property owner had stated they would be willing to forgive any rent in the rears.

Commissioner Leake asked was that in writing. Director Lowry said she didn’t know because that was a matter between the City of Charlotte and the property owner.

Commissioner Leake said the public needed to be aware of what the County Manager was doing with respect to this issue, even though it was outside the box of the County’s responsibility.

Commissioner Leake commented on immunizations for children in Lake Arbor apartments. She said she spoke with Health Director Gibbie Harris and per that discussion, the Health Department was going to go where those children were currently to make sure they were immunized, if there’s a need for this to occur. Commissioner Leake thanked the Health Department for doing this.

Commissioner Leake said she also reached out to the Board of Education regarding where Lake Arbor children would be sent to school. Commissioner Leake said she was assured the matter was being taken care of.

Commissioner Leake said Lake Arbor was in her District and that this was a matter she’d been trying to get addressed for quite some time. Commissioner Leake thanked Commissioner Jerrell for meeting with Lake Arbor residents, as well.

Chair Dunlap thanked Director Lowry for the report.

19-5561 CHARLOTTE-MECKLENBURG EMERGENCY OPERATIONS PLAN APPROVAL

The Board received information on the Charlotte-Mecklenburg Emergency Operations Plan.

Cynthia Bonham, Charlotte Fire Department Deputy Chief/Director of Emergency Management and Hannah Panicco, Emergency Management Planner, presented the matter to the Board.

Note: The revised Emergency Operation Plan (EOP) is the result of the collaborative efforts among the City of Charlotte, Mecklenburg County, the Towns, non-profits, and private partners that have assigned emergency roles and responsibilities. The final base plan incorporates comments and suggestions received from a variety of stakeholders that provide critical support during times of disaster. An EOP is a document which outlines how the community will respond to an emergency. The EOP sets guidelines to manage a disaster in an effective, efficient, and timely manner. The EOP is not written as a standalone document but instead establishes the basis for more detailed planning and development of agency-specific plans and standard operating procedures by the individual agencies to support the execution of their assigned responsibilities. The approval process requires the EOP to be approved by the Mecklenburg Board of County Commissioners, the Mayor of Charlotte, and the Mayors of all the towns within Mecklenburg County.

Comments

Commissioner Powell asked was the EOP implemented for the flood that recently occurred in District 1. The response was yes.
Commissioner Powell acknowledged the “good” work that was done by Emergency Management and other organizations during that time. She noted, however, that there was still a lot of frustration. She asked that going forward with respect to the Communication Plan that all elected officials be notified of what’s taking place. Commissioner Powell said she was aware of what was occurring because she lives in the area, but that there were many others who weren’t aware of what was taking place.

Deputy Chief Bonham said communications were provided and that emergency situations can cause frustration. She said since that time, they had identified ways to improve their communication efforts.

Commissioner Powell thanked Deputy Chief Bonham again for the work that they do.

Chair Dunlap expressed thanks as well for the work that was done in response to the recent flooding.

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez- McDowell and Scarborough voting yes, to approve the Charlotte-Mecklenburg Emergency Operations Plan (EOP).

Plan recorded in full in Minute/Ordinance Book 48-A, Document #64.

19-5567        CLOSED SESSION – PERSONNEL MATTER

Commissioner Powell, Chair of the Board’s Performance Review Committee, presented the Committee’s recommendation regarding the County Manager’s compensation. The other members of the Committee were Commissioners Fuller, Leake, and Rodriguez-McDowell.

The following was noted:

• The Committee convened on August 7, 2019 to review the FY19 performance of County Manager Dena R. Diorio.

• Based on its review, the Committee reached consensus on the following:
  o The County Manager performed all key initiatives as established in her FY19 Work Plan at an exemplary level;
  o The County Manager demonstrated all leadership competencies ascribed to her position; and
  o The County Manager met the established expectations set for the performance year and successfully delivered additional key projects and initiatives.

• As a result of these findings, the Committee presented its recommendation to the full Board during Closed Session at tonight’s meeting.

Motion was made by Commissioner Powell, seconded by Commissioner Leake and carried 8-1 with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, and Commissioner Rodriguez-McDowell voting no, to approve a 5.5% increase in the County Manager’s base salary, which, when combined with Deferred Compensation, a 5% 401k Match, and her Expense Allowance equals a total compensation of $404,651.

Note: This represents a total increase of $4,032.00 from last year.
Commissioner Leake noted that she received a second anonymous letter, which she found offensive and threatening. She read the letter for the public’s awareness. The letter is noted below.

Oh Poor, Poor VILMA,

You just don’t get it do you???? There wasn’t anything threatening in my letter. You need to go back and read it carefully AGAIN. It was filled with “hypothetical” thought and observations, wishful thinking, and possibly a bit of political rhetoric, which is NOT against the law. IF... you were really as smart as you think you are, you should know this. I wished to remain anonymous not because I am afraid of you, but because I am a PRIVATE person and wish to remain that way. Everything I said has already been said, is being said every day and will always be said about your brethren, until you SEE the LIGHT.

You and your people have been in this country for close to 400 years. You were not invited, and it was only on the backs of our LAZY ASS rich planters that you ended up in this nation. We cuss them every day and wonder what our country would be like if it were only more like New Zealand or Australia, which the slave trade did not reach, with its ugly, ugly stigma and scourge of the black mentality, or more appropriately, LACK OF.

While you have been here, you have yet learned to use proper English. You say “AX” instead of “ASK”, you say “SKREET” instead of “STREET”, you say “STRIMPS” instead of shrimp. You order “Oyster” instead of “OYSTERS” and not only do you not know you nouns, from your pronouns, you know very few adjectives, and God help us on the adverb piece of proper English. You could not diagram an English sentence if your very own life depended on it. You don’t know how to follow-up with a succinct letter to potential employers. And on top of that YOU are LOUD and obnoxious and try to the death (literally) to talk over one another, let alone anyone else in the room. Possibly if you would SHUT up and listen, try to learn and emulate your race would NOT be viewed as being so disgusting and loathed by other races in this country.

Additionally, as a so called county commissioner… WHAT HAVE YOU DONE FOR OTHERS IN THIS COUNTY???? You are so concerned and obsessed with elevating black people, you totally ignore the HEBREWS (Jewish People), the HISPANIC people, the ‘GERMAN’ people, the FRENCH people, the INDIANS, both native Americans and from the country of INDIA” These are but a few.
SEPTEMBER 4, 2019

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

19-5604 GOVERNANCE MODEL FOR SUPPORTING THE ARTS/SCIENCE/HISTORY SECTOR

County Manager Diorio addressed the Governance Model for supporting the Arts/Science/History Sector. Prior to doing so, she addressed the proposed governance for Parks & Schools funding. It was noted that this governance model would be brought back at a later date for the Board’s consideration.

The following was noted with respect to Parks & Schools Funding:

- The budget would segregate these funds from general operating dollars.
- The budget ordinance would include provisions restricting these funds for these purposes.
- Funds would be placed in Restricted Contingency requiring that a detailed plan be presented to the Board of County Commissioners before released for spending.
Governance Model for supporting the Arts/Science/History Sector

Note: With the passage of the advisory referendum on the November 5, 2019 ballot for the one-quarter cent sales and use tax, a governance model will be needed. It’s believed any model created must not only provide stability to existing and emerging cultural organizations, it must also ensure cultural equity across the county. Arts & Science Council’s (ASC) working definition of cultural equity was used to guide the work of the committee that studied the issue of governance. ASC’s definition of cultural equity: To truly achieve ASC’s vision of “Culture for All, “ all Charlotte-Mecklenburg residents must have equitable opportunity to participate in the cultural life of our region as audiences, volunteers, artists, administrators, board members and donors.

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

The following models were presented, along with their pros and cons:

- Create a supporting organization of Foundation for the Carolinas (Not recommended)
- Create a new 501(c)(3) (Not recommended)
- Re-envisioned Arts and Science Council
  - Retains the ASC as a well-respected non-profit organization
  - Cease all programming
  - No longer involved in fund raising
  - Optimizes existing expertise and infrastructure
  - Eliminates redundant and unnecessary overhead
  - Newly appointed Board of Directors to include BOCC members
  - Significant County oversight with regular reporting to the BOCC
  - Ensures equity is leading criteria for distributing funds across the County
  - Ensures county-wide, coordinated strategic planning
The following persons appeared to speak regarding this matter:

Martha Connerton, dance company director and representing small organizations addressed how ASC funding to her organization had decreased over the years. She said she hoped the new structure would ensure continued funding for organizations with a proven track record like hers. She said the new structure should have a built-in system whereby established artists driven non-profits would be “honored for their accomplishments and valued for their offerings.”

Ms. Connerton said she and other long-time artists should have been included in the discussions regarding the tax initiative from the beginning. Ms. Connerton said in order to get her support, that of her board of directors and social media followers, assurance was needed for her organization and others like hers that “substantial and annual programming support would be provided.”

The following persons spoke in support of the proposed Re-envisioned Arts and Science Council governance model:

Kathryn Hill (CEO of the Levine Museum of the New South), Marcie Kelso, Andrew Goh, Sherri Belfield (Chair of the Public Arts Commission & member of the ASC Board of Directors), Deborah Wellington, Jeep Bryant (President of the ASC), Kevin Patterson, Goeff Owen, and Camerin Watson (an independent artist).

Comments
Chair Dunlap addressed the Re-envisioned Arts and Science Council governance model. He noted the Board’s representation on the Board of Directors, as well as, representation from the northern and southern towns.

Commissioner Scarborough expressed her support of the Re-envisioned Arts and Science Council governance model.

Commissioner Rodriguez-McDowell expressed her support of the Re-envisioned Arts and Science Council governance model and made the following motion:

Motion was made by Commissioner Rodriguez-McDowell, seconded by Commissioner Scarborough, to approve the Re-envisioned Arts and Science Council governance model for supporting the Arts/Science/History sector.

Commissioner Cotham expressed opposition to the Re-envisioned Arts and Science Council governance model. Commissioner Cotham said she needed more information. She said she wanted to know also if the County would be auditing the ASC.

Chair Dunlap said the issue before the Board was only about governance.

Commissioner Leake said she had concerns and questions, such as would the ASC structure be the same; what their staffing would look like; would music be put back into the schools.

County Manager Diorio said what was being presented was a broad framework of how to move forward. She said it wasn’t about operational issues.

Commissioner Leake said she was not supportive of the taxpayers “bailing” the ASC out.

Commissioner Powell acknowledged her “no” vote to place the sales tax matter on the ballot. She said nonetheless, she had been very engaged around this matter.

Commissioner Powell said she would like to see more input from the general public regarding the governance models before being able to support the request.

Commissioner Fuller questioned whether a governance model needed to be approved at this time, since this was contingent upon the passage of the referendum in November. He said it may be better to wait.

Commissioner Fuller said he was glad to see consensus around a governance model, with the understanding that there were more details to come.

Commissioner Fuller said if the referendum passes and the tax levied, then it should be the responsibility of the elected body (BOCC) to make sure funds were spent properly.

Commissioner Fuller said the ASC Board should make a funding recommendation to the Board of County Commissioners and that the Board of Commissioners would make the final decision.

Commissioner Fuller suggested an amendment to the motion made by Commissioner Rodriguez-McDowell, seconded by Commissioner Scarborough, to approve the Re-envisioned Arts and Science Council governance model for supporting the Arts/Science/History sector; but that it be amended to state that the final decision with respect to allocating funding would be made by the Board of County Commissioners based on a recommendation from the ASC Board.
Chair Dunlap questioned whether the Board would actually review all of the applications received by the ASC for funding or would the Board just “rubber stamp” them.

Commissioner Fuller said he was not comfortable with giving a non-elected body that authority over taxpayer dollars.

Commissioner Harden noted the participation of County Commissioners as Board members on the ASC Board of Directors, which would provide oversight.

Commissioner Leake questioned ASC’s handling of their funds currently and in the past.

Chair Dunlap echoed Commissioner Harden’s comment that there would be County Commissioners serving on the ASC Board of Directors.

Commissioner Jerrell asked could the proposed governance model be revised at a later date. The response was yes.

Commissioner Fuller addressed public accountability.

Chair Dunlap said to move the matter forward, then perhaps the Board should remove for now, the statement under ASC Board Responsibilities that says, “Makes Final Allocation Decisions.”

Substitute motion was made by Commissioner Fuller, seconded by Commissioner Harden and carried 8-1 with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell and Scarborough voting yes and Commissioner Powell voting no, to approve the Re-envisioned Arts and Science Council governance model for supporting the Arts/Science/History sector, but that the statement under ASC Board Responsibilities that says “Makes Final Allocation Decisions” be removed.

Commissioner Cotham asked the Board to reconsider the prior vote on the substitute motion, because she wanted to change her vote. She said she misunderstood what was being voted on.

Motion was made by Commissioner Cotham, seconded by Chair Dunlap and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to reconsider the prior vote on the substitute motion.

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

Substitute motion was made by Commissioner Fuller, seconded by Commissioner Harden and carried 7-2 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell and Scarborough voting yes and Commissioners Cotham and Powell voting no, to approve the Re-envisioned Arts and Science Council governance model for supporting the Arts/Science/History sector, but that the statement under ASC Board Responsibilities that says “Makes Final Allocation Decisions” be removed.

CONSENT ITEMS

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and
unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the following item(s):

19-5619    PUBLIC AUCTION FOR DISPOSAL OF SURPLUS EQUIPMENT

Adopt a resolution authorizing sale of surplus personal property by public auction on September 14, 2019, 9:00 a.m. at 5550 Wilkinson Blvd., Charlotte, NC.

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 14, 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 Minute/Ordinance Book 48-A Document #65.

19-5625    REVALUATION RESERVE FUND

Approve the FY20 appropriation of $200,000 of funds held in the Revaluation Reserve Fund for transfer and appropriation to the FY20 General Fund County Assessor’s Office Operating Budget.

Note: Funds have been approved for the Revaluation Reserve Fund to prepare for the next revaluation, now scheduled for 2023. This action provides for the expenditures by the Assessor in this fiscal year for an appraisal support company and legal services. Funding will be requested as needed to continue preparation for the revaluation.

19-5630    MINUTES

Approve Minutes of Regular Meeting held August 7, 2019 and Closed Session held July 2, 2019 and August 7, 2019.

19-5640    TAX REFUNDS

1. Approve refunds in the amount of $21,771.92 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 $14,824.72 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 an estimated accrued interest of $85.45 that is included in the $14,824.72 refunds.

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

19-5652 LEASE FOR ATM MACHINES AT COUNTY FACILITIES

Adopt a resolution titled "Mecklenburg County Board of Commissioners Resolution Authorizing Lease of Property to State Employees' Credit Union".

Note: At its August 7, 2019 meeting, the Board adopted a resolution titled "Mecklenburg County Board of Commissioners Resolution Declaring Intent to Lease Property to NCSECU." NCSECU would like to install Automated Teller Machines in the County facilities listed below. The Clerk to the Board subsequently published a notice of the Board's intent to approve the lease arrangement consistent with the business terms outlined in that resolution:

Locations
(1) Mecklenburg County Courthouse (1)
(2) Mecklenburg County Jail Central (1)
(3) Wallace Kuralt Center (1)
(4) Valerie C. Woodard Center (2)
(5) Mecklenburg County Work Release (1)
(6) Mecklenburg County Jail North (1)
(7) Register of Deeds (1)

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION AUTHORIZING LEASE OF PROPERTY TO STATE EMPLOYEES’ CREDIT UNION

WHEREAS, Mecklenburg County is the owner of several jail and general government facilities in Charlotte, NC; and

WHEREAS, State Employees’ Credit Union and the County entered into a contract on September 1, 2019 for the installation of Automated Teller Machines (ATM) in the County owned facilities below consistent with the following business terms:

Locations
(1) Mecklenburg County Courthouse
(2) Mecklenburg County Jail Central
(3) Wallace Kuralt Center
(4) Valerie C. Woodard Center #1
(4) Valerie C. Woodard Center #2
(5) Mecklenburg County Work Release
(6) Mecklenburg County Jail North
(7) Register of Deeds

Lease Term Seven (7) years
Base Lease Rate Tenant shall pay County $100 per month per machine
Option to Renew County to have Two (2) options to renew for three (3) years each
Insurance

Bank shall carry comprehensive general liability insurance insuring against a combined loss of not less than $1,000,000.00 for each occurrence.

WHEREAS, the County's Asset and Facility Management has determined that the space that State Employees' Credit Union desires 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 State Employees' Credit Union; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby approve a lease arrangement with State Employees' Credit Union, as described above, and authorizes and directs the County Manager, or her designee, to negotiate and execute a formal lease arrangement with State Employees' Credit Union consistent with the business terms outlined above.

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #76.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

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

19-5626 PRELIMINARY STREET LIGHTING ASSESSMENTS- SET PUBLIC HEARING

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt Preliminary Assessment Roll Resolutions for the operating cost of street lights in the Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood subdivisions and set a public hearing on October 1, 2019 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. A 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 FY19 fiscal year.

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

PRELIMINARY ASSESSMENT ROLL RESOLUTION STREET LIGHTING ASSESSMENT PROJECT CAPPS HOLLOW SUBDIVISION OPERATION COSTS FY 2019

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 $1,627.29 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 2019 Fiscal Year plus $300 in legal and other costs for a total of $1,927.29 spent for these street lighting fixtures in the Capps Hollow Subdivision during the 2019 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 2019 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets within the Capps Hollow Subdivision; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the method of payment for each property owner’s portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Capps Hollow Subdivision during the 2019 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 01, 2019 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 Capps Hollow 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 Minute/Ordinance Book 48-A, Document #66.

PRELIMINARY ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
CARDINAL WOODS SUBDIVISION AND CARDINAL WOODS ESTATE
OPERATION COSTS FY 2019

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 $4,133.64 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 2019 Fiscal Year and has incurred $300 in legal and other costs for a total of $4,630.63 spent for the operation of these acorn street lighting fixtures in the Cardinal Woods Subdivision and Cardinal Woods Estate during the 2019 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 2019 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on the streets in the Cardinal Woods Subdivision and Cardinal Woods Estate where the acorn street lighting fixtures are located; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the method of payment for each property owner’s portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax records, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it.

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the acorn street lighting fixtures in the Cardinal Woods Subdivision and Cardinal Woods Estate during the 2019 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 01, 2019 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 Minute/Ordinance Book 48-A, Document #67.
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 $1,981.27 to Duke Power Company for charges incurred for the operation of these street lights in the Hearthstone Subdivision during the 2019 Fiscal Year plus $300 in legal and other costs for a total of $2,281.27 spent for the operation of these street lights in the Hearthstone Subdivision during the 2019 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 2019 Fiscal Year, plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the method of payment for each property owner’s portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it.

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Hearthstone Subdivision during the 2019 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 01, 2019 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
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 $2,618.84 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 2019 Fiscal Year plus $300 in legal and other costs for a total of $2,918.84 spent for the operation of these street lighting fixtures in the McGinnis Village Subdivision during the 2019 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 2019 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on the streets in the McGinnis Subdivision within Mecklenburg County; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the method of payment for each property owner’s portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it.

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the McGinnis Village Subdivision during the 2019 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 01, 2019 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 Minute/Ordinance Book 48-A, Document #69.

PRELIMINARY ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
MOUNTAIN POINT SUBDIVISION
OPERATION COSTS FY 2019

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 $5,350.88 to Duke Power Company for charges incurred for the operation of these street lights in the Mountain Point Subdivision during the 2019 Fiscal Year plus $300 in legal and other costs for a total of $5,650.88 spent for the operation of the street lights in the Mountain Point Subdivision during the 2019 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 2019 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 acorn street lighting fixtures in the Mountain Point Subdivision during the 2019 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 01, 2019 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
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 $1,838.42 to Duke Power Company for charges incurred for the operation of these street lights in the Mountain Point Estates Subdivision during the 2019 Fiscal Year plus $300 in legal and other costs for a total of $2,138.42 spent for the operation of the street lights in the Mountain Point Estates Subdivision during the 2019 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 2019 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.
SEPTMBER 4, 2019

Assessment Roll Resolution on the street lighting assessment project for the operational cost of the acorn street lighting fixtures in the Mountain Point Estates Subdivision during the 2019 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 01, 2019 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 Minute/Ordinance Book 48-A, Document #71.

PRELIMINARY ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
ROYAL OAKS SUBDIVISION
OPERATION COSTS FY 2019

WHEREAS, the Mecklenburg Board of County Commissioners has adopted street lighting assessment program pursuant to North Carolina law; and

WHEREAS, twenty-four acorn street lighting fixtures have been installed and are being operated on the streets within the Royal Oaks Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on February 6, 1996, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on the streets in the Royal Oaks Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating costs would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of $2,434.24 to Duke Power Company for the monthly operation costs incurred for these street lighting fixtures in the Royal Oaks Subdivision during the 2019 Fiscal Year and has incurred $300 in legal and other costs for a total of $2,734.24 spent for operation of these street lighting fixtures in the Royal Oaks Subdivision during the 2019 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 2019 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
SEPTEMBER 4, 2019

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 acorn street lighting fixtures in the Royal Oaks Subdivision during the 2019 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 01, 2019 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Royal Oaks Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #72.

PRELIMINARY ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
SPICEWOOD SUBDIVISION
OPERATION COSTS FY 2019

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 $1,514.90 to Duke Power Company for charges incurred for the operation of these streetlights in the Spicewood Subdivision during the 2019 Fiscal Year plus $300 in legal and other costs for a total of $1,814.90 spent for the operation of the street lights in the Spicewood Subdivision during the 2019 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 2019 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
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 special street lighting fixtures in the Spicewood Subdivision during the 2019 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 01, 2019 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Spicewood Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #73.

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

19-5628 GRANT RENEWAL APPLICATION – SAFETY AND JUSTICE CHALLENGE (CRIMINAL JUSTICE SERVICES)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, and Scarborough voting yes, to approve the submission of a grant application for private funding in the amount of $2,000,000 to the MacArthur Foundation; and if awarded, recognize, receive and appropriate such funds in the General Fund for the grant period.

Note: The Safety and Justice Challenge is a MacArthur Foundation initiative to reduce overincarceration by changing the way America thinks about and uses jails. Launched in February 2015, the initiative features a network of 52 sites that are working to create fairer, more effective local justice systems. Jurisdictions in the network are focused on two primary goals: achieving their jail population reduction targets and reducing racial and ethnic disparities. The MacArthur Foundation will be investing in two-year renewal grants for jurisdictions that have: 1) Demonstrated the commitment of local political leaders and system stakeholders to the goals of the Safety and Justice Challenge; 2) Made considerable progress on reducing their jail population; 3) Identified and implemented data-driven strategies to target drivers of incarceration and inequity for people of color; 4) Demonstrated a commitment to making their
local justice system fairer and more effective by engaging the local community; and 5) Committed to developing routines for measuring the impact of their jail population and disparities reduction strategies and produced data demonstrating their progress. The strategies the Mecklenburg County Safety and Justice Challenge Core Team will propose are: 1) Create a more meaningful first appearance process to release inmates earlier, 2) Seek funding for an electronic file system in the District Attorney’s Office, 3) Create a new case management plan for the court process, 4) Assess additional lethality instruments and create release options in Domestic Violence cases, and 5) Expand upon existing work within the jurisdiction to address behavioral health issues among justice involved populations.

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

19-5632 APPOINTMENT OF REVIEW OFFICERS

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and carried 7-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, 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 include Jeu Moua, Keith Schell, and Jessica Almaraz.

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

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:

Jeu Moua, and Keith Schell from the City of Charlotte Engineering Department and Jessica Almaraz from the City of Charlotte Planning Department 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.

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #74.

19-5634 NAMING APPLICATION–PICKLEBALL COURTS AT CLARKS CREEK COMMUNITY PARK TO "JOHN STEVENS PICKLEBALL CENTER"

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Acknowledge receipt of an application, submitted by Bill and Kathy Cooper, along with Rich
Cho, Gillian Stevens, Peter Popovich and Rodney Allman, to name the pickleball courts at Clarks Creek Community Park to “John Stevens Pickleball Center”; and

2. Schedule a public hearing on October 1, 2019 at 6:30 p.m. to receive public comment on the proposed naming and direct the Clerk to the Board to publish the notice of public hearing as required.

Note: John Stevens was a stalwart of North Carolina pickleball. A great ambassador for the sport. He worked to spread the word of pickleball to communities throughout North Carolina and was involved in conducting exhibitions to teach and showcase pickleball to people of all ages. John also spearheaded the effort to have Mecklenburg County Park and Recreation include pickleball lines on the tennis courts at Tuckaseegee Park in 2016. These outdoor pickleball courts were the first of its kind in the Charlotte area and are used regularly by players of all skill levels. He was also instrumental in persuading Park and Recreation to build the eight dedicated pickleball courts at the new Clarks Creek Community Park; the first of its kind in the greater Charlotte area. The application shares much more of John’s involvement and positions held in organizations, as well as, his many awards and honors.

This naming was endorsed by the North Park Region Advisory Council and by the Park and Recreation Commission.

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

**19-5635 REGISTER OF DEEDS AUTOMATION ENHANCEMENT AND PRESERVATION SPECIAL REVENUE FUND**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, and Scarborough voting yes, to recognize and appropriate $800,000 in fee revenue in the Register of Deeds Automation Enhancement and Preservation Special Revenue Fund 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 recognized, and appropriated revenue held in this fund for annual software and maintenance fees for the land records software and database at the Register of Deeds and Vital Records Offices, 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 and clarity.

**19-5636 GENERAL OBLIGATION BONDS RESOLUTION**

Commissioner Vilma D. Leake moved adoption of the following resolution and the motion was seconded by Commissioner Ella B. Scarborough.

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 community college facilities bond order adopted by the Board of Commissioners on September 3, 2013, the Issuer shall issue its bonds in the aggregate principal amount of $60,000,000. 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.

2. 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 $140,000,000. 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. The bonds to be issued pursuant to the bond orders described in the preceding paragraphs 1 and 2 shall be issued as one consolidated bond issue in the principal amount of $200,000,000 and designated “General Obligation Public Improvement Bonds, Series 2019” (the “Bonds”). The Board of Commissioners has ascertained and hereby determines that the average period of usefulness declared in the preceding paragraphs 1 and 2 is not less than 40 years computed from the date of the Bonds. The Bonds shall be dated 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 shall be payable on March 1, 2020, and semi-annually thereafter on September 1 and March 1. The Bonds shall mature annually on March 1, as follows:

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<tr>
<th>Year</th>
<th>Principal Amount</th>
<th>Year</th>
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<tr>
<td>2021</td>
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<td>2031</td>
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<td>2030</td>
<td>$10,000,000</td>
<td>2040</td>
<td>$10,000,000</td>
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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.
4. The Bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of The Depository Trust Company, New York, New York ("DTC") or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the Bonds in the principal amounts of $5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on 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.

5. The Bonds shall bear the manual or facsimile signatures of the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners of the Issuer, and the official seal or a facsimile of the official seal of the Issuer shall be impressed or imprinted, as the case may be, on the Bonds.

The certificate of the Local Government Commission of North Carolina to be endorsed on all Bonds shall bear the manual or facsimile signature of the Secretary of that Commission or of a representative designated by that Secretary, and the certificate of authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as provided below.

In case any officer of the Issuer or the Local Government Commission of North Carolina whose manual or facsimile signature appears on any Bonds shall cease to be that officer before the delivery of those Bonds, that manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until delivery, and any Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of the Bond shall be the proper officers to sign the Bond although at the date of the Bond those persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it has been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

6. The Bonds and the endorsements thereon shall be in substantially the following form:
Unless this certificate is presented by an authorized representative of The Depository Trust Company, a
New York corporation (“DTC”), to issuer or its agent for registration of transfer, exchange, or payment and
any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an
authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is
requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR
VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof,
Cede & Co., has an interest herein.

NO. R- $__________

United States of America
State of North Carolina
COUNTY OF MECKLENBURG
GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND, SERIES 2019

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<th>INTEREST RATE</th>
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<tr>
<td>March 1, ___</td>
<td>September 26, 2019</td>
<td>584002</td>
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REGISTERED OWNER: CEDE & CO.
PRINCIPAL SUM: ______________________________ DOLLARS

The County of Mecklenburg (the “County”), a county of the State of North Carolina, acknowledges
itself indebted and for value received hereby promises to pay to the registered owner named above, on the
date specified above, upon surrender hereof, at the office of the Director of Finance of the County, 700 East
Fourth Street, Charlotte, NC 28202 (the “Bond Registrar”), the principal sum shown above and to pay to the
registered owner hereof, by check mailed to the registered owner at its address as it appears on the bond
registration books of the County, interest on that principal sum from the date of this bond or from the
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, 2020, 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,
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 bonds maturing on and after March 1, 2030, shall be subject to redemption prior to their stated
maturities at the option of the County on or after March 1, 2029, 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
monies 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 26, 2019.

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

By: ___________________________
Authorized Signature

Date of Authentication: September __, 2019

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

the within Bond and irrevocably appoints ____________________________
named 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
7. The Bonds maturing on and after March 1, 2030 shall be subject to redemption prior to their stated maturities at the option of the Issuer on or after March 1, 2029, in whole or in part at any time at a redemption price equal to 100% of the principal amount of each Bond to be redeemed, together with accrued interest thereon to the redemption date. If less than all the Bonds are called for redemption, the Issuer shall determine the maturities and the amounts thereof of the Bonds to be redeemed. If less than all the Bonds of any one maturity are called for redemption, the Bonds of such maturity to be redeemed shall be selected by lot; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of $5,000 or an integral multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar shall treat each Bond as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by $5,000. For so long as a book-entry system is used for determining beneficial ownership of the Bonds, if less than all of the Bonds within a maturity are to be redeemed, The Depository Trust Company ("DTC") shall determine by lot the amount of interest of each Direct Participant in the Bonds to be redeemed.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether the redemption be in whole or in part, the Issuer shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. Each notice shall identify the Bonds or portions thereof to be redeemed by reference to their numbers and shall set forth the date designated for redemption, the redemption price to be paid and the maturities of the Bonds to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall also state that on or after the redemption date, upon surrender of the Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of the Bond will be issued.

The notice of redemption may state that the Issuer retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the Issuer gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any Bonds as to which redemption has been rescinded shall remain outstanding.

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay the principal of the Bonds or portions thereof called for redemption, as well as the interest accruing thereon to the redemption date.

On the date fixed for redemption, notice having been given in the manner and under the conditions provided above, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to the redemption date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, are held by the Bond Registrar in trust for the registered owners of Bonds or portions thereof called for redemption, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no
rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his attorney or legal representative shall present and surrender that Bond to the Bond Registrar for payment of the principal amount thereof so called for redemption and the Bond Registrar shall authenticate and deliver to or upon the order of such registered owner or his legal representative, without charge therefor, for the unredeemed portion of the principal amount of the Bond so surrendered, a Bond or Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

8. Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

The transfer of any Bond may be registered only on the registration books of the Issuer upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for the Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of the Bond so surrendered, of the same maturity, and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The Issuer or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to the exchange or registration of transfer, but no other charge shall be made for exchanging or registering the transfer of Bonds under this resolution. The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of that mailing or of any Bond called for redemption in whole or in part pursuant to this Section.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or redemption price of any Bond and the interest on any Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon that Bond including the interest thereon, to the extent of the sum or sums so paid.

The Issuer shall appoint such registrars, transfer agents, depositaries or other agents and make such other arrangements as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to commercial standards then applicable and for the timely payment of principal and interest with respect to the Bonds. The 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,
9. 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.

10. 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.

11. The Issuer covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended (the “Code”), to the extent required to preserve the exclusion from gross income of interest on the Bonds for federal income tax purposes.

12. The 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.

13. The Issuer hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide to the Municipal Securities Rulemaking Board (“MSRB”):

(a) by not later than seven months from the end of each fiscal year of the Issuer, audited financial statements of the Issuer for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the Issuer are not available by seven months from the end of such fiscal year, unaudited financial statements of the Issuer for such fiscal year to be replaced subsequently by audited financial statements of the Issuer to be delivered within 15 days after such audited financial statements become available for distribution.

(b) by not later than seven months from the end of each fiscal year of the Issuer, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under heading “The County - Debt Information and - Tax Information” in the Official Statement relating to the Bonds (excluding any information on overlapping or underlying units) and (ii) the combined budget of the Issuer for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:
(1) principal and interest payment delinquencies;

(2) non-payment related default, if material;

(3) unscheduled draws on debt service reserves reflecting financial difficulties;

(4) unscheduled draws on any credit enhancements reflecting financial difficulties;

(5) substitution of any credit or liquidity providers, or their failure to perform;

(6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;

(7) modification to the rights of the beneficial owners of the Bonds, if material;

(8) bond calls, if material, and tender offers;

(9) defeasances;

(10) release, substitution or sale of any property securing repayment of the Bonds, if material;

(11) rating changes;

(12) bankruptcy, insolvency, receivership or similar event of the Issuer;

(13) the consummation of a merger, consolidation, or acquisition involving the Issuer 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;

(15) incurrence of a financial obligation (as defined below) of the Issuer, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the Issuer, any of which affect security holders, if material; and

(16) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the Issuer, any of which reflect financial difficulties: 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.

For the purposes hereof, “financial obligation” means a debt obligation, a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or a guarantee of either. The term “financial obligation” shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with Rule 15c2-12.

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 Patricia “Pat” Cotham, George Dunlap, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Susan Rodriguez-McDowell, and Ella B. Scarborough

NAYS: None

Extracts/Resolution recorded in full in Minute/Ordinance Book 48-A, Document #75.

Commissioner Powell returned to the dais.

19-5637 BUDGET AMENDMENT - DSS (INCREASE/DECREASE)
Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Recognize, receive and appropriate to the General Fund an increase of $50,341 in Federal funding from Centralina Council of Governments (COG) for the Home and Community Care Block Grant;

2. Recognize, receive and appropriate to the General Fund an increase of $600 in "Other" funding from Centralina Council of Governments (COG); and

3. Recognize and approve a decrease to the General Fund of $1,556 in State funding for the Family Caregiver Support Grant.

*Note: 1. Annually, the Department of Social Services (DSS) submits for Board approval of the Home and Community Care Block Grant (HCCBG) funding plan (also referred to as the County Aging Plan). There was an increase of funding for FY20 and Board approval is required before the budget can be adjusted. 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 2020 operating budget.

2. The Department of Social Services Senior Nutrition Program was awarded funds from the 2019 Older Americans Month Contest. The purpose of the contest was to connect youth and seniors through letters and help bridge the gap between generations.

3. The Family Caregiver Support Grant provides services for family members caring for individuals aged 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.*

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

Commissioner Fuller returned to the dais.

CLOSED SESSION

19-5647  CLOSED SESSION – BUSINESS LOCATION AND EXPANSION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to go into Closed Session to discuss Business Location and Expansion.

The Board went into Closed Session at 9:58 p.m. and came back into Open Session at 10:21 p.m.

ADJOURNMENT

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:23 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 17, 2019.

ATTENDANCE

Present: Chair George Dunlap and Commissioners Patricia “Pat” Cotham, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, 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: 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: 19-5643, 19-5651, 19-5656, 19-5660, and 19-5668.

STAFF BRIEFINGS -NONE

CLOSED SESSION

19-5682 PERSONNEL MATTER
19-5655 CONSULT WITH ATTORNEY
19-5658 LAND ACQUISITION
19-5675 BUSINESS LOCATION AND EXPANSION

Prior to going into Closed Session County Attorney Wade announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcel(s): 031-152-14, 031-152-15, 031-152-16, 031-152-17, 053-241-01, 053-241-02, 053-242-03, 053-242-05 (which shall be deemed to include 053-242-05A and 053-242-05B).

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to go into Closed Session for the following purpose(s): Personnel Matter, Consult with Attorney, Land Acquisition, and Business Location and Expansion.

The Board went into Closed Session at 5:10 p.m. and came back into Open Session at 5:55 p.m.
Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to move Item 19-5703-Proclamation-Constitution Week from Consent to Awards/Recognition.

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, which was followed by introductions, invocation by Commissioner Scarborough, followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

Chair Dunlap took a “Point of Personal Privilege” to acknowledge a “unity letter” that was recently published in the local paper, “signed by thousands of citizens of Mecklenburg County” supporting the work of the current Board and opposing racism. He said those that signed the letter were in agreement with the Board that racism was not good for the community and that they “reject people who are of that frame of mind.”

Note: The letter was done in light of recent letters received by some African American elected and appointed officials from an anonymous writer that was full of racist comments.

Chair Dunlap thanked the community for its support of the Board and for taking a stand against racism.

19-5682 PERSONNEL MATTER – COUNTY MANAGER FY20 WORKPLAN

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the County Manager’s FY 20 Workplan as discussed in Closed Session.

Commissioner Leake expressed thanks to County Manager Diorio for her leadership and management of the County’s operations. She said County Manager Diorio was “Strong and Powerful Sister” that gets the job done. Commissioner Leake asked that the minutes reflect her statement.

19-5658 LAND ACQUISITION CATAWBA RIVER PROPERTY ON RIVERSIDE DRIVE AND ON MOORES CHAPEL LOOP

Motion was made by Commissioner Scarborough, seconded by Commissioner Powell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcels 031-152-14, 031-152-15, 031-152-16, and 031-152-17 (+/- 1.185 acres) in the extra-territorial jurisdiction of the City of Charlotte from Courtney G. Jones for a purchase price of $110,000.

Note: The property is located on a tributary of the Catawba River and is entirely within the floodplain. Acquisition of these parcels will remove the potential of development in an area that has experienced significant damage from recent and past flooding.

Motion was made by Commissioner Powell, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-
McDowell, and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcels 053-241-01, 053-241-02, 053-242-03, 053-242-05 (which shall be deemed to include 053-242-05A and 053-242-05B) totaling +/- 7.158 acres in the extra-territorial jurisdiction of the City of Charlotte from Burns Family Properties, LLC for a purchase price of $683,000.

Note: Acquisition of this property will provide increased access to Catawba River for County residents.

AWARDS/RECOGNITION

19-5669  2019 NACO ACHIEVEMENT AWARDS

The Board recognized the County's 2019 NACo (National Association of Counties) Achievement Awards winners.

Danny Diehl, Director of Public Information presented the winning programs.

Note: County staff won 16 NACo awards this year for a variety of programs. Eight were recognized at the September 4, 2019 meeting. The remaining eight winners were recognized at tonight's meeting as noted below.

Those recognized at tonight's meeting were:
1. Department of Community Resources – Community Resources Center
2. Finance/LUESA GIS – Capital Improvement Plan Story Map for Transparency and Community Engagement
3. LUESA Storm Water Services - Scoop the Poop
4. Park and Recreation – Paralympic Youth Goalball
5. Park and Recreation – Vocational Skills Horticulture Program
6. Park and Recreation – Plant 4 Change
7. Public Health Department – Edible Landscape Project
8. Public Health Department – A Novel Model of collaboration to increase availability of pre-exposure prophylaxis (PrEP) to uninsured individuals

A description of the winning programs is on file with the Clerk to the Board.

19-5703  PROCLAMATION - 2019 CONSTITUTION WEEK

Motion was made by Commissioner Powell, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a Proclamation declaring September 17-23, 2019, as Constitution Week in Mecklenburg County.

The proclamation was read by Chair Dunlap and received by a representative for the N.C. District III, Daughters of the American Revolution. (Name was not given.)

Note: September 17th marks the 232nd anniversary of the signing of the U.S. Constitution by the Constitutional Convention. The N.C. District III, Daughters of the American Revolution respectfully requested that the proclamation be done to commemorate the celebration of Constitution Week for Mecklenburg County. Constitution Week is celebrated each year from September 12th through September 23rd. Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17th through 23rd as Constitution Week.
The following persons appeared to speak during the Public Appearance portion of the agenda:

**Lloyd Scher**, a former County Commissioner asked the Board to consider taking action to ban the sale of bullets for AK-47 and AR15 weapons. He said there was no N.C. law preventing the sale of these type bullets. He noted N.C. Ammo Laws: The State of N.C. prohibits the possession and sale of Teflon-coated bullets. He said beyond that there were no known unusual ammo laws in the state of N.C.; the state does not require a license to purchase ammo. He said federal laws still apply.

Former Commissioner Scher said this was one way to combat the issue of gun violence in the community.

*A copy of Former Commissioner Scher’s statement is on file with the Clerk to the Board.*

**Dumont Clarke**, a former County Commissioner asked the Board to consider holding a discussion around steps that could be taken to address protecting people from heat related illnesses. He said Charlotte/Mecklenburg County had experienced 65 days of 90+ degrees in temperature. He said a slowly developing weather event was occurring because of the extreme heat and that it would result in a public health crisis if not addressed.

**James Lee** registered to speak but was not present.
SEPTEMBER 17, 2019

19-5641 NOMINATIONS/APPOINTMENTS

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

Motion was made by Commissioner Scarborough, seconded by Commissioner Rodriguez-McDowell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to reappoint Yvette Townsend-Ingram to the Charlotte-Mecklenburg Community Relations Committee for a three-year term expiring September 30, 2022.

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

- Alexandra Alfaro by Commissioner Rodriguez-McDowell
- Sonya Black by Commissioner Cotham
- Daniel Estevez by Commissioner Powell
- Micha Simmons by Commissioner Rodriguez-McDowell

Note: An appointment will occur at the October 1, 2019 meeting.

GROUNDWATER ADVISORY COMMITTEE

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to reappoint Ralph Roberts as the General Public/Well Owner representative to the Groundwater Advisory Committee for a three-year expiring July 31, 2022.

Note: Mr. Roberts served two full consecutive terms, but was willing to serve another term since there were no applicants for the General Public/Well Owner slot.

WOMEN’S ADVISORY BOARD

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough to nominate and appoint Sonya Black and Katelyn Hogan to the Women’s Advisory Board as recommended by the Women’s Advisory Board, however, a vote was not taken because other applicants were nominated as noted below.

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

- Sonya Black by Commissioner Leake
- Katelyn Hogan by Commissioner Leake
- Alexis Kondratyk by Commissioner Jerrell
- Marci Parrott by Commissioner Powell

Note: An appointment will occur at the October 1, 2019 meeting.

PUBLIC HEARINGS

19-5664 TEFRA HEARING: CORVIAN COMMUNITY SCHOOL, INC.
At 6:50 p.m., Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to open a TEFRA public hearing and receive comments on the proposed financing by Corvian Community School, Inc.

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 (Corvian Community School) Series 2019 (the "Bonds"), in an aggregate principal amount not to exceed $30,000,000, the proceeds of which will be loaned to CCSSH, LLC (the "Borrower"), a North Carolina limited liability company whose sole member is Corvian Community School, Inc. (the "Corporation"), a North Carolina nonprofit corporation and an exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), for the purpose of

(a) financing or refinancing, including through reimbursement, the acquisition, construction, improvement, and equipping of land and certain charter school facilities of the Borrower and the Corporation, including but not limited to (i) acquiring the approximately 10.02 acres of land and structure located thereon at 4119 Johnston Oehler Road, Charlotte, North Carolina 28269 (the "Land"), the Borrower's and the Corporation's elementary school facilities consisting of one approximately 29,169 square foot building and approximately 17.01 acres of land located at 9501 David Taylor Drive, Charlotte, North Carolina 28262 (the "Elementary School") and middle school facilities consisting of one approximately 35,800 square foot building and approximately 14.47 acres of land located at 4125 Johnston Oehler Road, Charlotte, North Carolina 28269; (ii) constructing, improving, and equipping a multi-purpose synthetic turf athletic field and track with lighting and 400-seat stadium seating and an approximately 1,700 square foot press box and fieldhouse building on the Land; and (iii) painting and repairing and renovating flooring, walls, and HVAC equipment in the Elementary School ((a)(i) through (iii), together, the "Project");

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

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

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

The Project is or will be located at 4119 Johnston Oehler Road, Charlotte, North Carolina 28269, 9501 David Taylor Drive, Charlotte, North Carolina 28262, and 4125 Johnston Oehler Road, Charlotte, North Carolina 28269. The Project is or will be owned by the Borrower and leased to and operated by the Corporation.

On September 10, 2019, 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 and operator of the facilities and the location of the facilities, among other things.

The names, address and testimony of the persons who were present and who offered comments on the proposed issuance of the Bonds or who responded in writing to the notice of public hearing are as follows: Rebecca Chapin with McGuire Woods, Legal Counsel for Corvian Community School, Stacey Haskell, Executive Director of Corvian Community School, and Stephanie Cook, Corvian’s Director of Marketing and Fundraising were present in support of the request and addressed questions from Board members.

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 Fuller moved that the public hearing be closed. The motion was seconded by Commissioner Leake and was unanimously adopted.

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

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLEMBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS EDUCATION REVENUE BONDS (CORVIAN COMMUNITY SCHOOL) SERIES 2019 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $30,000,000**

**WHEREAS,** Corvian Community School, Inc. has requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the "Authority"), issue its Education Revenue Bonds (Corvian Community School) Series 2019 (the "Bonds"), in an aggregate principal amount not to exceed $30,000,000, and loan the proceeds thereof to Corvian Community School, Inc. or a limited liability company the sole member of which is Corvian Community School, Inc. (the "Borrower") for the following purposes:

(a) financing or refinancing, including through reimbursement, the acquisition, construction, improvement, and equipping of land and certain charter school facilities of the Borrower and the Corporation, including but not limited to (i) acquiring the approximately 10.02 acres of land and structure located thereon at 4119 Johnston Oehler Road, Charlotte, North Carolina 28269 (the "Land"), the Borrower's and the Corporation's elementary school facilities consisting of one approximately 29,169 square foot building and approximately 17.01 acres of land located at 9501 David Taylor Drive, Charlotte, North Carolina 28262 (the "Elementary School") and middle school facilities consisting of one approximately 35,800 square foot building and approximately 14.47 acres of land located at 4125 Johnston Oehler Road, Charlotte, North Carolina 28269; (ii) constructing, improving, and equipping a multi-purpose synthetic turf athletic field and track with lighting and 400-seat stadium seating and an approximately 1,700 square foot press box and fieldhouse building on the Land; and (iii) painting and repairing and renovating flooring, walls, and HVAC equipment in the Elementary School ((a)(i) through (iii), together, the "Project");

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

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

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

**WHEREAS,** the Elementary School and the Middle School are currently owned by unrelated third parties and are currently leased to and operated by the Corporation. The Project is or will be owned by the Borrower and leased to and operated by the Corporation; 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,** 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; 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 or refinancing of the Project located within the County in order to satisfy the requirements of Section 147(f) of the Code; and

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; 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 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 $30,000,000 and (b) the financing or refinancing of the Project located in the County.

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

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

On motion of Commissioner Fuller, seconded by Commissioner Leake, the foregoing resolution entitled "RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS EDUCATION REVENUE BONDS (CORVIAN COMMUNITY SCHOOL) SERIES 2019 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $30,000,000" was duly adopted by the following vote:

AYES: Commissioners Patricia “Pat” Cotham, George Dunlap, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, Susan Rodriguez-McDowell, and Ella B. Scarborough

NAYS: None

Extracts/Resolution recorded in full in Minute/Ordinance Book 48-A, Document #77.

19-5674 TEFRA HEARING: MOUNTAIN ISLAND DAY COMMUNITY CHARTER SCHOOL PROJECT

At 6:52 p.m., Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to open TEFRA public hearing and receive comments on the proposed financing of Mountain Island Day Community Charter School Project.
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 (Mountain Island Day Community Charter School) Series 2019 (the "Bonds"), in an aggregate principal amount not to exceed $24,000,000, the proceeds of which will be loaned to Mariner Foundation (the "Borrower"), a North Carolina nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), for the purpose of

(a) financing the acquisition, construction, renovation, improvement, and equipping of certain land and charter educational facilities of Mountain Island Day Community Charter School (the "Lessee"), a North Carolina nonprofit corporation and an organization described in Section 501(c)(3) of the Code, and the Borrower to be leased to the Lessee for use as a charter school known as "Mountain Island Day Community Charter School," including but not limited to (i) the acquisition of approximately 0.66 acres of land and structure located thereon at 6231 Paw Creek Road, Charlotte, North Carolina 28214, and (ii) the acquisition of approximately 22.9 acres of land and a two-story approximately 46,000 square foot building located at 1209 Little Rock Road, Charlotte, North Carolina 28214, and the construction, improvement, and equipping of a two-story approximately 56,000 square foot building, athletic fields and related equipment, in each case to be located thereon (the "Project");

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

(c) paying capitalized interest on the Bonds; and

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

The Project is located at 6231 Paw Creek Road and 1209 Little Rock Road, Charlotte, North Carolina 28214, in the County of Mecklenburg. The Project will be owned by the Borrower and leased to and operated by the Lessee.

On September 10, 2019, a notice of public hearing was published in The Charlotte Observer, a copy of the affidavit of publication being attached, setting forth a general, functional description of the type and use of the Project to be financed, the maximum principal amount of the Bonds, the initial owner and operator of the Project and the location of the Project, among other things.

The names, address and testimony of the persons who were present and who offered comments on the proposed issuance of the Bonds or who responded in writing to the notice of public hearing are as follows: Rebecca Chaffin with McGuire Woods, LLP, Legal Counsel for Mountain Island Day Community Charter School and Tom Winstead, Mountain Island Day Community Charter School Dean of Operations were present in support of the request and addressed questions from Board members.

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 Scarborough moved that the public hearing be closed. The motion was seconded by Commissioner Fuller and was unanimously adopted. Commissioner Scarborough introduced the following resolution, a copy of which had been distributed to each Commissioner and the title of which appeared on the agenda:
WHEREAS, Mountain Island Day Community Charter School (the "Lessee"), a North Carolina nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), 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 (Mountain Island Day Community Charter School) Series 2019, in one or more series (the "Bonds"), in an aggregate principal amount not to exceed $24,000,000, and loan the proceeds thereof to Mariner Foundation (the "Borrower"), a North Carolina nonprofit corporation and an organization described in Section 501(c)(3) of the Code, for the following purposes:

(a) financing the acquisition, construction, renovation, improvement, and equipping of certain land and charter educational facilities of the Lessee and the Borrower to be leased to the Lessee for use as a charter school known as "Mountain Island Day Community Charter School," including but not limited to (i) the acquisition of approximately 0.66 acres of land and structure located thereon at 6231 Paw Creek Road, Charlotte, North Carolina 28214, and (ii) the acquisition of approximately 22.9 acres of land and a two-story approximately 46,000 square foot building located at 1209 Little Rock Road, Charlotte, North Carolina 28214, and the construction, improvement, and equipping of a two-story approximately 56,000 square foot building, athletic fields and related equipment, in each case to be located thereon (the "Project");

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

(c) paying capitalized interest on the Bonds; and

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

WHEREAS, the proceeds of the Bonds will be used by the Borrower to acquire, construct, improve and equip the Project, which will then be leased by the Borrower to and operated by the Lessee; 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, 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; 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 under the Code 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 Borrower has requested that the Board approve the financing 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, all of which govern the Authority; and

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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; 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 special limited obligations 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 Series 2019 Bonds;

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 $24,000,000 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 or the Lessee with respect to the Bonds or the Project.

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

On motion of Commissioner Scarborough, seconded by Commissioner 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 EDUCATION REVENUE BONDS (MOUNTAIN ISLAND DAY COMMUNITY CHARTER SCHOOL) SERIES 2019 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $24,000,000" was duly adopted by the following vote:

AYES: Commissioners Patricia "Pat" Cotham, George Dunlap, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, Susan Rodriguez-McDowell, and Ella B. Scarborough

NAYS: None

Extracts/Resolution recorded in full in Minute/Ordinance Book 48-A, Document #78.

19-5676 BUSINESS INVESTMENT GRANT: COLUMBUS MCKINNON CORPORATION

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to open a public hearing to receive comments on a proposed Business Investment Program grant to Columbus McKinnon Corporation.

Peter Zeiler, Director of Economic Development presented the request.

Note: Columbus McKinnon Corporation is a leading worldwide designer, manufacturer and marketer of motion control products, technologies, systems and services that efficiently and ergonomically move, lift, position and secure materials. Columbus McKinnon is headquartered in Buffalo, New York and has two facilities in North Carolina: Duff-Norton, located in Mecklenburg County, and North American Crane, located in Anson County.
Columbus McKinnon is seeking to establish a new state of the art research and development global headquarters which will employ engineering personnel resources and testing lab software, hardware and equipment and develop automation and control solutions for the global Columbus McKinnon Enterprise. The project is anticipated to create new technologies which will drive new sales and markets for the company.

Columbus McKinnon Corporation has announced its intent to locate the global research and development headquarters in Charlotte in leased office space and in the existing Duff Norton facility. Columbus McKinnon also considered expanding its current sites in New York and in Charleston, South Carolina.

Columbus McKinnon Corporation’s proposed headquarters project meets all the following grant guidelines for a five-year, 50% Business Investment Grant, specifically:
- A taxable investment of $3,140,000 to be completed in the next five years
- Creation of 25 new jobs with an average wage of $118,600 (which is equal to 232% of the average for the Charlotte-Gastonia-Rock Hill M.S.A.).
- There is competition for this project from New York and South Carolina.
- The project is an expansion of an existing industry in Mecklenburg.

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.

The Board of County Commissioners indicated their intent to approve this grant in a closed session on August 7, 2019.
Charlotte City Council indicated their intent to approve the City’s share of the grant at their August 26, 2019 closed session.
The State of North Carolina approved committing $1,000 - $1,200 in training support per new position created on March 11, 2019.

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

No one appeared to speak, however, Director Zeiler acknowledged the presence of Steve Babcock, Chief Procurement Officer for Columbus McKinnon Corporation in the audience. Mr. Babcock thanked the Board for its support of their request.

Commissioner Fuller, chair of the Board’s Economic Development Committee said the Committee voted to recommend approval to the full Board of a Business Investment Program Grant to Columbus McKinnon Corporation and moved that the Board do so.

Chair Dunlap called for a vote on the motion by Commissioner Fuller, to close the public hearing and adopt a resolution approving a Business Investment Program grant to Columbus McKinnon Corporation for a total amount not to exceed $62,234 and authorize the County Manager to negotiate and execute the contract, the motion carried 8-1 with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell and Scarborough voting yes and Commissioner Powell voting no.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR COLUMBUS MCKINNON CORPORATION
WHEREAS, Columbus McKinnon Corporation is seeking to establish a new global research and development center in Charlotte, NC; and

WHEREAS, the company evaluated sites in Buffalo, NY and Charleston, SC; and

WHEREAS, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the County of Mecklenburg, the Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on August 7, 2019 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 $3.14 million and will create 25 new jobs within five years at an average annual salary of approximately $118,600. The Business Investment Program grant is a 50% grant over 5 years, with an estimated total amount of up to $62,234. 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, the 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 Mecklenburg Board of County Commissioners does hereby approve the Business Investment Program grant and Economic Development grant as described above, and authorizes the County Manager to execute a contract for the same, with any necessary or helpful nonmaterial changes.

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #79.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

19-5646 COMMUNITY VIOLENCE/COMMUNITY SAFETY PRESENTATION

The Board received a presentation from Gibbie Harris, Health Director, on the Proposal to Address Community Violence/Community Safety in Mecklenburg County. She was assisted by Dr. Alisahah Cole, Community Impact Officer, Atrium Health.

Note: The Mecklenburg County Health Department is collaborating with Atrium Health, the community’s trauma center to utilize a public health approach to address community violence and community safety. The presentation included available data and a framework for the development and implementation of a plan for Mecklenburg County.

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

Comments

Chair Dunlap thanked Health Director Harris and Dr. Cole for the report. He also acknowledged the presence of Dr. Dave Jacobs (Trauma Surgeon) from Atrium Health as well.

Chair Dunlap said this was just the beginning with respect to ways the County could assist with combating the issue of violence in the community. He said the Board would be looking
to staff to assist the Board with developing policies, processes, and procedures to help address violence in the community.

Commissioner Harden addressed the homicide rate and posed the question, “Do we love our children?” She said the answer was yes and that the Board “must act.”

Commissioner Harden asked would additional information be ready in time for the Board’s retreat. Health Director Harris said staff should be able to provide a recommended framework for moving forward.

Commissioner Rodriguez-McDowell noted the leading causes of violent deaths. She said she liked the suggestion made by former County Commissioner Lloyd Scher regarding banning the sale of certain bullets.

Commissioner Leake said this was an issue the Board’s Health and Human Services Committee, which she chaired, had been discussing, so she’s glad to see this.

Commissioner Fuller said as a nation, too many mass shootings had occurred. He said something must be done. He said he liked the idea of this issue being looked at as a “public health issue,” because it was.

Commissioner Jerrell said what stood out to him the most in the report was the number of firearms deaths by race. He asked if there were immediate actions that could be taken while data was being gathered to share at the Board’s retreat.

Commissioner Cotham commented on the long-term impact on individuals and families that had experienced violence. She said this was definitely a community problem.

Commissioner Cotham said it was her understanding that Atrium Health did not hire individuals with a criminal record. She asked that they reconsider that policy. Dr. Cole said she would share that concern.

Commissioner Powell echoed also that this was a community problem. She said everyone needed to work together to address this issue and that it should not be a political issue.

Commissioner Powell posed the question of what could be done to create places for people to feel safe. She said she was hopeful after receiving the report.

Chair Dunlap said at the end of this process the Board would probably have to take a stand on some things. He noted that financial institutions could prohibit guns in their buildings and that department stores were beginning to do same thing. He said at some point, the Board would need to revisit discussion around banning weapons on County property. He said this issue was discussed years ago but the support to do so at that time was not there.

Chair Dunlap said this issue should be looked at from a comprehensive standpoint. He said violence was a public health problem, but that guns were still an issue. He said no one was talking about taking anyone’s gun, but rather, about “responsible gun ownership and what a responsible gun owner should be doing.”

Chair Dunlap said the County should continue to look for ways to keep youth engaged in positive things. He said the successful passage of the proposed sales and use tax referendum on the ballot in November would assist with this because it would provide opportunities for youth to be involved with the Arts.

Chair Dunlap said he looked forward to additional conversations around this issue. He said he wanted staff to explore all ways whereby the County could address the issue of...
19-5684  PROCEDURE FOR THE PURCHASE OF NEW VOTING SYSTEM

The Board received an update on the procedure to purchase new voting equipment and systems.

Michael Dickerson, Director of Elections gave the update.

Note: Before any piece of election equipment can be used in North Carolina elections, it must be certified by the N.C. State Board of Elections. This ensures that voting systems remain reliable, accurate, user-friendly, accessible to persons with disabilities, and capable of secure operation.

On August 23, 2019 the North Carolina State Board of Elections met and certified 3 vendors’ voting systems for use in North Carolina. Prior to approving the adoption of any new voting system by the Board of County Commissioners, the County Board of Elections must witness a demonstration of the voting systems. The current voting system will be decertified on December 1, 2019.

To comply with the legal requirement, the following steps are to be followed:

Step 1: Witness a demonstration of the certified type of voting systems. The demonstration will be organized as part of a public meeting with invitations sent to the Board of County Commissioners, the County Manager, the County Attorney, and the political parties in the county.

Step 2: A preliminary recommendation will be made to the Board of County Commissioners as to which type of voting system should be acquired by the county.

Step 3: The County Board of Elections must instruct the County Board of Elections staff to test the proposed voting system in at least one precinct. The voting system test must take place during an election.

· County Board of Elections staff must notify State Board voting systems staff of its intent to test the recommended voting system.
· The voting systems election management system and the components of the system must undergo Logic & Accuracy testing prior to use in the test election.
· After completing canvass, the county board of elections must determine that the recommended voting system has met the requirements for voting in that county.

Step 4: Obtain State Board approval to replace the current voting system. The County Board of Elections cannot replace any voting system, or any portion thereof, without approval of the State Board.

Step 5: Make a final recommendation to the Board of County Commissioners. The Board of Commissioners can decline to adopt or acquire any voting system recommended by the County Board of Elections, but it cannot adopt and acquire a voting system that has not been approved by the County Board of Elections. The public contracting and procurement statutes do not apply to the purchase of a certified voting system.

Along with the final recommendation, the County Board of Elections must submit the proposed vendor contract to the State Board of Elections for review and approval.

An invitation was sent to the Board of Commissioners from the Mecklenburg County Board of Elections to witness a demonstration of the recommended type of voting system, plus at least
one other certified type of voting system. Demonstrations will occur on September 23rd at the Valerie C Woodard Center, from 9am-11am, 1pm-3pm and 7pm-9pm.

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

Comments

Chair Dunlap asked would Elections be able to ensure that the equipment couldn’t be compromised. Chair Dunlap said he also received a call from the N.C. NAACP President concerned that Mecklenburg County might use electronic voting. He asked would a public hearing be held regarding the equipment. Director Dickerson said the equipment would not have internet access or telephone lines access. He said that was prohibited in NC law.

Director Dickerson explained how the current process worked, which he was very secure. He said the new equipment would be as well.

Director Dickerson said the Board of Elections was already receiving public comment regarding new equipment. He said the State would not certify a piece of equipment that didn’t work and that he was confident in the State system.

Director Dickerson said he had no idea at this point what his board, the Board of Elections, would recommend for its equipment choice. He said he was sure that the Board of Elections would hear from residents all across the County.

Commissioner Harden asked could the Board of County Commissioners “compel” or request the Board of Elections to have a public hearing. Director Dickerson said the Board of Elections would be meeting on September 27, 2019 at 1:00 p.m. at the Board of Elections Office and that the meeting was open to the public.

Commissioner Harden said the public may not be able to attend a meeting at 1:00 p.m. and asked was there another way they could share their concerns, perhaps by email. Director Dickerson said the public was welcomed to email the Elections Office. He said any emails received would be shared with the Board of Elections.

Commissioner Rodriguez-McDowell asked were the equipment demonstrations open to the public. The response was yes.

Chair Dunlap asked could the Board of County Commissioners hold its own public hearing regarding new voting equipment. County Attorney Wade said the Board could hold a public hearing if it liked, however, the final decision was that of the State Board of Elections.

Commissioner Rodriguez-McDowell shared with Director Dickerson that folks in her very own precinct were concerned about “voter intimidation.” She said there was a plan to write a letter to the Board of Elections to see what could be done to prevent this.

Chair Dunlap asked the County Manager to ensure that information regarding the equipment demonstration sessions was well publicized for the public’s awareness.

Commissioner Leake complimented Director Dickerson on how his office operated. She noted concern, however, for any equipment coming out of Alabama.

Commissioner Leake asked about the cost of the voting machines and how many would be purchased. Director Dickerson said at this point he could not specifically say what the cost would be. He said it would depend upon the type of equipment selected and that decision had not been made.
Director Dickerson said he wanted to make sure that whatever equipment was purchased that “it’s reliable to the voter, reliable to the ADA community and something that guarantees that what you put in is going to be exact.”

Commissioner Fuller said he’d often wondered why there wasn’t a national voting system.

Commissioner Fuller asked if the Elections Office worked with the County’s IT Department when it came to security matters. Director Dickerson said yes, some but that they worked with the State and Homeland Security, as well. He said the majority of their security, however, came through the State, since all of their information was through a statewide Election Information Management System. He said all NC counties have to be a part of that system.

Commissioner Fuller said voters had expressed concern regarding possible equipment tampering on the part of manufactures. He asked Director Dickerson to comment. Director Dickerson said that was a question that could be asked at the equipment demonstrations. He said the manufactures would be present to address any questions or concerns.

Commissioner Fuller asked for clarity on the process for obtaining new equipment and who makes the final decision, which was addressed.

Commissioner Powell encouraged the County’s PI Department to get the message out to the public regarding the equipment demonstration sessions. She said she would hope that someone would be there to capture public feedback.

Director Dickerson noted that the State sought public feedback prior to narrowing the three equipment choices down. He said the State had also publicized the demonstration sessions that would be taking place in the County on September 23rd.

Commissioner Jerrell asked Director Dickerson to comment on the impact of the voting system change, which he did.

Commissioner Jerrell said educating the community on the new equipment was going to be critical. He suggested to the County Manager that perhaps PI could produce a training video, similar to the animated style of video that Lawrence Corley with PI did for the budget process.

Commissioner Jerrell thanked Director Dickerson for the good work that he and his staff do on a daily basis.

Chair Dunlap thanked Director Dickerson for the report.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

19-5387 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information monthly department management reports for September 2019.

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.
The Board received the September Featured Department of the Month presentation, County Human Resources.

Paula Herman, Director of Human Resources, gave the report.

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

Comments

Commissioners thanked Director Herman for the report and complimented her on the progress that had been made to date.

Commissioner Jerrell shared that one concern he continued to hear from the community was the County’s lack of follow-up with applicants. Director Herman said the forthcoming new system would provide that follow-up.

Commissioner Cotham asked for information regarding Human Resources staff professional development and how many were certified and in what areas. Director Herman said she would provide that information.

Commissioner Leake said she also had heard concerns regarding Human Resources responsiveness.

Commissioner Leake said diversity was important when it came to the County’s workforce, with the understanding of course that individuals need to be capable of doing the job.

Commissioner Rodriguez-McDowell said she liked the dashboard that was covered in the report. She said she’d like to know more about upward mobility.

Commissioner Harden said she loved the branding efforts. She asked Director Herman what concerned her most. Director Herman said wondering would the County have the talent bank it needed. She said there needs to be a plan for “pipeline development,” which they would be working on developing.

Chair Dunlap said training opportunities were needed to equip and allow people to move up in the organization.

This concluded the discussion.

STAFF REPORTS & REQUESTS – NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the following item(s):
ITEM WAS REMOVED FROM THE AGENDA

19-5663 LANDSCAPE ARCHITECT SELECTION - MECKLENBURG COUNTY PARKS FY 2019-FY 2023 CAPITAL IMPROVEMENT PLAN (CIP)

Authorize the County Manager to negotiate fees and execute contracts with selected firms listed in this action item for landscape architecture and engineering services for the Mecklenburg County Parks as authorized in the FY 2019 - FY2023 Capital Improvement Plan, including Druid Hills Neighborhood Park, Ezell Farms Community Park, and Eastfield Regional Park, and in the event negotiations with any of the selected firms are unsuccessful, to approve negotiations with the alternate firms listed below.

Druid Hills Neighborhood Park
Selected Firm: Alfred Benesch & Company
Alternate Firm: Kimley-Horn

Ezell Farms Community Park
Selected Firm: Stimmel Associates
Alternate Firm: Design Workshop

Eastfield Regional Park
Selected Firm: Design Workshop
Alternate Firm: Stimmel Associates

19-5665 STORM WATER PROGRAM - HAZARD MITIGATION CATAWBA RIVER FLOODPLAIN ACQUISITION

1. Accept the Offer of Sale of Real Estate from Kenneth & Wilma Morgan, owners of property located at 925 Riverside Drive, Charlotte, NC (tax parcel 031-151-05), for $230,960; and

2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to use the structure for training exercises.

Note: This acquisition is 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.)

19-5671 TAX REFUNDS

1. Approve refunds in the amount of $24,240.73 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 statewide vehicle tax system.

2. Approve refunds in the amount of $2,881.33 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.
19-5643 JAIL HEALTH MEDICAL PLAN

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt the revised Jail Health Medical Plan as required by G. S. 153A-225.

Note: Any jurisdiction that operates a local confinement facility is required to develop a plan for providing medical care for resident detainees in the facilities. G.S. 153A-225 requires that the plan be adopted by the governing body. The Board of County Commissioners adopted the last plan in 2012. The Jail Health Medical Plan is designed to protect the health and welfare of resident detainees and to avoid the spread of contagious diseases. It provides for medical supervision of resident detainees and emergency medical care to the extent necessary for their health and welfare. It also provides for the protection, examination and treatment of resident detainees who are infected with tuberculosis or other communicable diseases. The revised plan was developed in coordination with the Sheriff’s Office Medical Provider and the Health Director and has been deemed adequate to protect the health and welfare of the resident detainees.

Commissioners Leake and Rodriguez-McDowell removed this item from Consent for more public awareness and clarity. Rachel Vanhoy with the Sheriff’s Office addressed this matter.

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

19-5651 GRANT APPLICATION - NC VOLKSWAGEN SETTLEMENT PROGRAM FUNDING

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

A. Approve submission of a grant application for up to $1.5 million in North Carolina Volkswagen Settlement Program funding to support County vehicle replacement projects and installation of electric vehicle charging infrastructure;

B. Upon award of grant, recognize, receive and appropriate the awarded amount to multi-year grant fund G001; and

C. Authorize the County Manager to execute grant-related activities including purchasing equipment and reimbursing departments with grant funds.

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

19-5656 BREATHING ROOM - IMPROVING AIR QUALITY BEYOND THE OZONE HEALTH STANDARD

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt the Breathing Room strategies and timeline.
Note: Despite dramatic improvements in local air quality over the last decade, there are still a few days each year when the Charlotte region experiences poor air quality. That’s why Mecklenburg County Air Quality Initiated Breathing Room, in partnership with the N.C. Division of Air Quality and the U.S. Environmental Protection Agency (EPA). The goal is to take proactive steps to reduce ozone-forming air pollution and put “breathing room” between our local air quality data and the health standard for ozone.

Breathing Room drew ideas for improving air quality from existing stakeholder-developed plans, like LivableMeck and the Air Quality Commission Review of Air Quality. Staff then sought community input on how to prioritize these voluntary and incentive-based ways to reduce air pollution. Community input, along with information about grant funding and policy priorities, was used to create a “Path Forward”, a list of strategies we will pursue to improve local air quality.

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

A copy of the Breathing Room Strategies & Associated Action document is on file with the Clerk to the Board.

19-5660 TRANSFER OF LAND DEVELOPMENT BONDS TO TOWN OF HUNTERSVILLE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to Assign Land Development Bonds in the amount of $509,000, Secured by Cash, to the Town of Huntersville and to transfer the related Cash Security to the Town of Huntersville in accordance with the June 2019 Amendment to Land Development Services Interlocal Cooperation Agreement with the Town of Huntersville.

Note: LUESA - Storm Water Services provides Land Development services on behalf of the six Towns. These services include enforcement of the Town’s zoning, subdivision, water quality, planning, floodplain and other ordinances.

In March 2018, the Town of Huntersville Board of Commissioners instructed Town staff to initiate discussions with the County on the potential for the Town to assume the responsibility of providing Land Development services. The County was informed that the Town’s reasons for assuming responsibility for providing these services were to create a one-stop shop; increase the Town’s control and ownership to match the Town’s accountability for roads, sidewalks, street trees, etc.; and enhance the ability of the Town to adjust fees. Since March 2018, Town and Storm Water staff have resolved most of the issues for a successful transition of Land Development services to the Town effective July 1, 2019. The County and the Town amended the Interlocal Agreement to proceed with the transition at their respective board meetings on June 18, 2019 and June 17, 2019.

This Action Item is an administrative matter related to the transition of services to the Town. LUESA currently holds the following four (4) Land Development Bonds Secured by Cash for projects in Huntersville or its ETJ:
- $58,000 Cash Bond from RHGC Huntersville LLC for Huntersville Dialysis Davita, Inc. Project.
- $154,000 Cash Bond from NLBP Phase One, LLC for North Lake Business Park Project.
- $290,000 Cash Bond from Keffer Properties Limited Partnership for Property of Keffer Properties Project.
- $7,000 Cash Bond from Wesley Community Development for Methodist Conference Center The Park Project.

LUESA requests the Board of County Commissioners to authorize the County Manager to assign all of Mecklenburg County’s interests in the aforesaid Cash Bonds to the Town of Huntersville, and to transfer the $509,000 in funds that the County holds to the Town in
Commissioner Leake removed this item from Consent for more public awareness and clarity.

ASSIGNMENT OF
LAND DEVELOPMENT BOND
SECURED BY CASH
[Huntersville Dialysis Davita]

This Assignment of Land Development Bond is made and entered into effective July 1, 2019 between Mecklenburg County and its Land Use and Environmental Services Agency ("LUESA") and the Town of Huntersville ("Town").

WHEREAS, LUESA is the Obligee or Beneficiary of a Land Development Bond, dated October 5, 2015 from RHGC Huntersville, LLC for the Project known as Huntersville Dialysis Davita, Inc., which bond is secured by $58,000 in funds being held by Mecklenburg County; and

WHEREAS, as of July 1, 2019, the Town is responsible for administering the ordinances for which the Land Development Bond was given, including the administration of the aforesaid bond.

NOW, THEREFORE, for and in consideration of the mutual covenants and promises herein, Mecklenburg County and its Land Use and Environmental Services Agency hereby ASSIGNS and TRANSFERS to the Town of Huntersville any and all rights, title, interest and obligations of Mecklenburg County and LUESA in the aforesaid Land Development Bond effective July 1, 2019. Mecklenburg County agrees to transfer to the Town all funds being held as security for the aforesaid bond.

The Town of Huntersville hereby accepts the ASSIGNMENT and TRANSFER and, upon receipt of the funds, the Town releases Mecklenburg County and its Land Use and Environmental Services from any and all claims, demands or obligations arising out of, or related in any way to the aforesaid Land Development Bond.

ASSIGNMENT OF
LAND DEVELOPMENT BOND
SECURED BY CASH
[North Lake Business Park]

This Assignment of Land Development Bond is made and entered into effective July 1, 2019 between Mecklenburg County and its Land Use and Environmental Services Agency ("LUESA") and the Town of Huntersville ("Town").

WHEREAS, LUESA is the Obligee or Beneficiary of a Land Development Bond, dated November 3, 2009 from NLBP Phase One, LLC for the Project known as North Lake Business Park, which bond is secured by $154,000 in funds being held by Mecklenburg County; and

WHEREAS, as of July 1, 2019, the Town is responsible for administering the ordinances for which the Land Development Bond was given, including the administration of the aforesaid bond.

NOW, THEREFORE, for and in consideration of the mutual covenants and promises herein, Mecklenburg County and its Land Use and Environmental Services Agency hereby ASSIGNS and TRANSFERS to the Town of Huntersville any and all rights, title, interest and obligations of Mecklenburg County and LUESA in the aforesaid Land Development Bond effective July 1, 2019. Mecklenburg County agrees to transfer to the Town all funds being held as security for the aforesaid bond.

The Town of Huntersville hereby accepts the ASSIGNMENT and TRANSFER and, upon receipt of the funds, the Town releases Mecklenburg County and its Land Use and Environmental Services from any and all claims, demands or obligations arising out of, or related in any way to the aforesaid Land Development Bond.

ASSIGNMENT OF
LAND DEVELOPMENT BOND
SECURED BY CASH
[Keffer Properties]
This Assignment of Land Development Bond is made and entered into effective July 1, 2019 between Mecklenburg County and its Land Use and Environmental Services Agency (“LUESA”) and the Town of Huntersville (“Town”).

WHEREAS, LUESA is the Obligee or Beneficiary of a Land Development Bond, dated June 17, 2015 from Keffer Properties Limited Partnership for the Project known as Property of Keffer Properties, which bond is secured by $290,000 in funds being held by Mecklenburg County; and

WHEREAS, as of July 1, 2019, the Town is responsible for administering the ordinances for which the Land Development Bond was given, including the administration of the aforesaid bond.

NOW, THEREFORE, for and in consideration of the mutual covenants and promises herein, Mecklenburg County and its Land Use and Environmental Services Agency hereby ASSIGNS and TRANSFERS to the Town of Huntersville any and all rights, title, interest and obligations of Mecklenburg County and LUESA in the aforesaid Land Development Bond effective July 1, 2019. Mecklenburg County agrees to transfer to the Town all funds being held as security for the aforesaid bond.

The Town of Huntersville hereby accepts the ASSIGNMENT and TRANSFER and, upon receipt of the funds, the Town releases Mecklenburg County and its Land Use and Environmental Services from any and all claims, demands or obligations arising out of, or related in any way to the aforesaid Land Development Bond.

ASSIGNMENT OF LAND DEVELOPMENT BOND SECURED BY CASH

This Assignment of Land Development Bond is made and entered into effective July 1, 2019 between Mecklenburg County and its Land Use and Environmental Services Agency (“LUESA”) and the Town of Huntersville (“Town”).

WHEREAS, LUESA is the Obligee or Beneficiary of a Land Development Bond, dated July 19, 2018 from Wesley Community Development for the Project known as Methodist Conference Center The Park, which bond is secured by $7,000 in funds being held by Mecklenburg County; and

WHEREAS, as of July 1, 2019, the Town is responsible for administering the ordinances for which the Land Development Bond was given, including the administration of the aforesaid bond.

NOW, THEREFORE, for and in consideration of the mutual covenants and promises herein, Mecklenburg County and its Land Use and Environmental Services Agency hereby ASSIGNS and TRANSFERS to the Town of Huntersville any and all rights, title, interest and obligations of Mecklenburg County and LUESA in the aforesaid Land Development Bond effective July 1, 2019. Mecklenburg County agrees to transfer to the Town all funds being held as security for the aforesaid bond.

The Town of Huntersville hereby accepts the ASSIGNMENT and TRANSFER and, upon receipt of the funds, the Town releases Mecklenburg County and its Land Use and Environmental Services from any and all claims, demands or obligations arising out of, or related in any way to the aforesaid Land Development Bond.

Assignment Documents recorded in full in Minute/Ordinance Book 48-A, Document #80.

19-5668 DEPARTMENT OF SOCIAL SERVICES (DSS) MECKLENBURG TRANSPORTATION SYSTEM (MTS) SYSTEM SAFETY PROGRAM PLAN AND TITLE VI PLAN

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Goham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1) Approve the revised Mecklenburg County Transportation System’s Safety Plan and operational policy that addresses the required six core elements of the safety plan;
2) Approve the revised Mecklenburg County Transportation System’s Title VI Plan; and

3) Allow DSS/MTS with support from the Transportation Advisory Board to make revisions to the plan as needed.

Commissioners Leake and Rodriguez-McDowell removed this item from Consent for more public awareness and clarity.

*A copy of the Plans are on file with the Clerk to the Board.*

**ADJOURNMENT**

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:28 p.m.

Janice S. Paige, Clerk

George Dunlap, 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 1, 2019.

ATTENDANCE

Present: Chair George Dunlap and Commissioners Patricia "Pat" Cotham, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, 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: 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: 19-5657, 19-5662, 19-5679, 19-5689, 19-5691, 19-5696, 19-5697, 19-5708, and 19-5715.

STAFF BRIEFINGS

19-5690 CMGC RENOVATIONS - COUNTY FLOORS

The Board received as information a presentation on proposed renovations to the 11th floor of the Charlotte-Mecklenburg Government Center (CMGC).

Mark Hahn, Director of Asset & Facility Management and Holly Christian with Gensler, the consultant firm, gave the presentation.

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

Comments

Commissioners Leake, Harden, and Rodriguez-McDowell again expressed concern regarding the desire that all commission offices have windows.

Note: The original plan had all Commission offices in the interior of the floor. The revised plan resulted in the Chair and Vice Chair having offices with windows and some but not all Commissioners.
Commissioner Harden said all commissioners should be treated equally. She said trying to determine, which commissioner, excluding the chair and vice chair, who would or would not get an office with a window was not a good thing.

County Manager Diorio said the thought behind the proposal took into consideration the amount of time commissioners were in their office, versus, staff who was present daily, eight hours or more.

Commissioners Powell and Leake asked about security on the floor, which was addressed. It was noted that with the renovation of the 11th Floor, security would be enhanced tremendously.

Commissioner Rodriguez-McDowell asked about the budget for the total renovation project. The response was $6 million, which included furniture and fixtures.

Chair Dunlap said he was okay with the original plan.

Commissioner Rodriguez-McDowell suggested consideration be given to eliminating some of the conference rooms that were planned and/or place the conference rooms in the interior of the floor.

County Manager Diorio said staff would review the plan again to see if there were other possible options.

Chair Dunlap said it should be kept in mind that the final decision regarding the renovation was that of staff.

CLOSED SESSION

- FORMAL SESSION -

Chair Dunlap called this portion of the meeting to order, which was followed by introductions, invocation by Chair Dunlap, followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.
Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to appoint Emily Kunze as Clerk to the Board of County Commissioners of Mecklenburg County, effective January 1, 2020; and in the interim, in a temporary capacity, as Clerk to Board in Training, alongside the current Clerk to the Board, Janice S. Paige, who will be retiring, effective January 1, 2020.

AWARDS/RECOGNITION

19-5704 RECOGNITION OF CONSERVATION CORPS NORTH CAROLINA 2019 SUMMER YOUTH PROGRAM PARTICIPANTS - COMMISSIONER JERRELL

The Board recognized students that were present and participated in the Conservation Corps North Carolina (CCNC) 2019 Summer Youth Program.

Commissioner Jerrell sponsored this agenda item and commented on what the program was about. He said this way a great example of youth giving back to the community.

Note: The CCNC Charlotte provided students the opportunity to work in parks across the County this summer. CCNC Charlotte empowers young adults to enhance North Carolina’s land and water through meaningful outdoor work. Park and Recreation’s partnership with CCNC Charlotte is an example of how the County engages the community and youth.

Commissioner Jerrell called upon Jan Pender with CCNC Charlotte to present the students who were present: Jacob Hayslip, Samantha Brennan, and Olivia Manning from Independence High School, and Satalya Espinosa from Hawthorn High School. The students commented on their experience with the program.

The Board thanked the students for their participation.

PUBLIC APPEARANCE

19-5685 PUBLIC APPEARANCE

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

APPOINTMENTS

19-5705 APPOINTMENTS

COMMUNITY RELATIONS COMMITTEE

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

Sonya Black  Commissioners Cotham, Dunlap, Fuller, Harden, Leake, Rodriguez-McDowell, and Scarborough
Daniel Estevez  Commissioner Powell
Chair Dunlap announced the appointment of Sonya Black to the Charlotte-Mecklenburg Community Relations Committee to fill an unexpired term expiring July 31, 2020 and Micha Simmons to fill an unexpired term expiring September 30, 2020.

Note: They replaced Rosanny Crumpton and Vivian Mitchell Spruill.

WOMEN’S ADVISORY BOARD

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough, but was withdrawn to appoint all three nominees, Katelyn Hogan, Alexis Kondratyk, and Marci Parrott to the Women’s Advisory Board and to allow the Clerk to the Board to assign the terms.

Note: Some Commissioners expressed the desire to vote on the nominees individually, which was why Commissioner Fuller withdrew his motion.

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

Katelyn Hogan  Commissioners Dunlap, Fuller, Harden, Jerrell, Powell, and Rodriguez-McDowell
Alexis Kondratyk  commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough
Marci Parrott  Commissioners Dunlap, Harden, Jerrell, Powell, and Rodriguez-McDowell

Note: Sonya Black was nominated, however, her preference was to serve on the Charlotte-Mecklenburg Community Relations Committee (CRC). She was appointed to the CRC as noted above.

Chair Dunlap announced the appointment of Katelyn Hogan and Alexis Kondratyk to the Women’s Advisory Board to fill unexpired terms expiring April 30, 2021 and Marci Parrott to fill an unexpired term expiring June 30, 2022.

Note: They replaced Samantha Abt-Bumgarner, Rahdreia Hannibal-Hawkins and Ruth Pierce.

19-5706 NOMINATIONS/APPOINTMENTS

ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate and appoint Jennifer Diviney, Patricia Moore, and Jacqueline Sinicrope to the Adult Care Home Community Advisory Committee for a one-year term expiring October 31, 2020.

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to reappoint Evelyn Moses to the Adult Care Home Community Advisory Committee for a three-year term expiring October 31, 2022.
Note: Ms. Moses served two full consecutive terms, but was willing to serve another term, since there continues to be a need from members on this committee. Ms. Moses continued service was vital as well, because of her experience and assistance with training new members.

GROUNDWATER ADVISORY COMMITTEE

Motion was made by Commissioner Fuller, seconded by Commissioner Powell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate and appoint Andres Acosta to the Groundwater Advisory Committee as the Industry/Manufacturing representative for a three-year term expiring July 31, 2022.

PUBLIC HEARINGS

19-5692 NAMING OF PICKLEBALL COURTS AT CLARKS CREEK COMMUNITY PARK TO "JOHN STEVENS PICKLEBALL CENTER"

Motion was made by Commissioner Scarborough, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to open a public hearing on the request to name the pickleball courts at Clarks Creek Community Park to "John Stevens Pickleball Center".

Note: This application to name the pickleball courts at Clarks Creek Community Park to "John Stevens Pickleball Center" was submitted by Bill and Kathy Cooper, along with Rich Cho, Gillian Stevens, Peter Popovich and Rodney Allman. John Stevens was a stalwart of North Carolina pickleball. A great ambassador for the sport, he worked to spread the word of pickleball to communities throughout North Carolina and was involved in conducting exhibitions to teach and showcase pickleball to people of all ages. John also spearheaded the effort to have Mecklenburg County Park and Recreation include pickleball lines on the tennis courts at Tuckaseegee Park in 2016. These outdoor pickleball courts were the first of its kind in the Charlotte area and are used regularly by players of all skill levels. He was also instrumental in persuading Park and Recreation to build the eight dedicated pickleball courts at the new Clarks Creek Community Park; the first of its kind in the greater Charlotte area. The naming application shares much more of John’s involvement with the game of pickleball and highlights the many positions held in various organizations as well as his many awards and honors. This naming has been endorsed by the North Park Region Advisory Council and by the Park and Recreation Commission.

Peter Popovich spoke in support of the request, as well as, Mrs. Stevens’ wife.

Michael Jackson, with Park and Recreation, also spoke in support of the request.

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to close the public hearing and approve naming the pickleball courts at Clarks Creek Community Park, the "John Stevens Pickleball Center."

19-5699 STREET LIGHTING FINAL ASSESSMENTS
Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to acknowledge receipt of certification that a notice of the public hearing was mailed by first class mail to all property owners in the Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions and open a 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 will allow property owners in these subdivisions to comment on the street lighting assessments for operating costs paid during the fiscal year 2019.

No one appeared to speak.

Commissioner Leake addressed the need for better lighting in communities on the westside of the County.

Commissioner Powell addressed the need for consistency in type of lighting in the Mountain Point Subdivision. She said Duke Energy needed to work with the community regarding this.

Motion was made by Commissioner Scarborough, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to close the public hearing and adopt Final Assessment Resolutions for Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions.

**FINAL ASSESSMENT ROLL RESOLUTION**

**STREET LIGHTING ASSESSMENT PROJECT**

**CAPPS HOLLOW SUBDIVISION**

**OPERATION COSTS FY 2019**

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 $1,627.29 to Duke Power Company for charges incurred for the operation of these street lights in the Capps Hollow Subdivision during the 2019 Fiscal Year plus $300 in legal and other costs for a total of $1,927.29 spent for the operation of the street lights in the Capps Hollow Subdivision during the 2019 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 2019 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 01, 2019 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 economical traditional street lighting fixtures during the 2019 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 2019 Fiscal Year which is $1,927.29.

Resolution recorded in full in Ordinance/Minute Book 48-A, Document #81.

FINAL ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
CARDINAL WOODS SUBDIVISION AND CARDINAL WOODS ESTATE
OPERATION COSTS FY 2019

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 $4,330.63 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 2019 Fiscal Year and has incurred $300 in legal and other costs for a total of $4,630.63 spent for the operation of these acorn street lighting fixtures in the Cardinal Woods Subdivision and Cardinal Woods Estate during the 2019 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 2019 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 01, 2019 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 acorn street lighting fixtures during the 2019 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 2019 Fiscal Year which is $4,630.63.

Resolution recorded in full in Ordinance/Minute Book 48-A, Document #82.

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 $1,981.27 to Duke Power Company for charges incurred for the operation of these street lights in the Hearthstone Subdivision during the 2019 Fiscal Year plus $300 in legal and other costs for a total of $2,281.27 spent for the operation of the street lights in the Hearthstone Subdivision during the 2019 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 2019 Fiscal Year, plus other costs as described in Section
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 01, 2019 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 special street lighting fixtures during 2019 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 2019 Fiscal Year, which is $2,281.27.

Resolution recorded in full in Ordinance/Minute Book 48-A, Document #83.

FINAL ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
McGINNIS VILLAGE SUBDIVISION
OPERATION COSTS FY 2019

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 $2,618.84 to Duke Power Company for charges incurred for the operation of these street lights in the McGinnis Village Subdivision during the 2019 Fiscal Year plus $300 in legal and other costs for a total of $2,918.84 spent for the operation of the street lights in the McGinnis Village Subdivision during the 2019 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 2019 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 01, 2019 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 economical traditional street lighting fixtures during the 2019 Fiscal Year in the McGinnis Village 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 2019 Fiscal Year which is $2,918.84.

Resolution recorded in full in Ordinance/Minute Book 48-A, Document #84.

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 $5,350.88 to Duke Power Company for charges incurred for the operation of these street lights in the Mountain Point Subdivision during the 2019 Fiscal Year plus $300 in legal and other costs for a total of $5,650.88 spent for the operation of the street lights in the Mountain Point Subdivision during the 2019 Fiscal Year; and

WHEREAS, Mecklenburg County has paid a total of $5,350.88 to Duke Power Company for charges incurred for the operation of these street lights in the Mountain Point Subdivision during the 2019 Fiscal Year plus $300 in legal and other costs for a total of $5,650.88 spent for the operation of the street lights in the Mountain Point Subdivision during the 2019 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 2019 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 01, 2019 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 acorn street lighting fixtures during the 2019 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 2019 Fiscal Year which is $5,650.88.

Resolution recorded in full in Ordinance/Minute Book 48-A, Document #85.

FINAL ASSESSMENT ROLL RESOLUTION STREET LIGHTING ASSESSMENT PROJECT MOUNTAIN POINT ESTATES SUBDIVISION OPERATION COSTS FY 2019

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 $1,838.42 to Duke Power Company for charges incurred for the operation of these street lights in the Mountain Point Estates Subdivision during the 2019 Fiscal Year plus $300 in legal and other costs for a total of $2,138.42 spent for the operation of the street lights in the Mountain Point Estates Subdivision during the 2019 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 2019 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 01, 2019 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 acorn street lighting fixtures during the 2019 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 2019 Fiscal Year which is $2,138.42.

Resolution recorded in full in Ordinance/Minute Book 48-A, Document #86.

FINAL ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
ROYAL OAKS SUBDIVISION
OPERATION COSTS FY 2019

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 $2,434.24 to Duke Power Company for the monthly operation costs incurred for these street lighting fixtures in the Royal Oaks Subdivision during the 2019 Fiscal Year and has incurred $300 in legal and other costs for a total of $2,734.24 spent for operation of these street lighting fixtures in the Royal Oaks Subdivision during the 2019 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 2019 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 01, 2019 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 acorn street lighting operation costs during 2019 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 $2,734.24.

Resolution recorded in full in Ordinance/Minute Book 48-A, Document #87.

FINAL ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
SPICEWOOD SUBDIVISION
OPERATION COSTS FY 2019

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 $1,514.90 to Duke Power Company for charges incurred for the operation of these street lights in the Spicewood Subdivision during the 2019 Fiscal Year plus $300 in legal and other costs for a total of $1,814.90 for the operation of the street lights in the Spicewood Subdivision during the 2019 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 2019 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 01, 2019 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 special street lighting fixtures during the 2019 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 2019 Fiscal Year which is $1,814.90.

Resolution recorded in full in Ordinance/Minute Book 48-A, Document #88.

19-5700 BUSINESS INVESTMENT PROGRAM GRANT: TEKNOS US INC.

Motion was made by Commissioner Scarborough, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to open a public hearing to receive comments on a proposed Business Investment Program grant to Teknos US Inc.

Economic Development Director Peter Zeiler addressed the proposed business investment grant to Teknos US Inc.

Note: Teknos US Inc. produces sustainable paints and coating solutions to protect and prolong the lifespan of a variety of products in the construction, transportation, manufacturing machinery, mining and oil & gas industries. Teknos, based in Finland, has had a presence in Mecklenburg County since 2007 and currently employs 17 people.

Teknos’ expansion will allow the company to also manufacture exterior water-based paints and primers for construction applications in wood windows, doors and siding. The proposed new location will increase the company’s manufacturing capacity in Mecklenburg County.

Teknos US Inc. has announced its intent to locate in Mecklenburg County in leased industrial space. Teknos US Inc also considered relocating its operations to York County, South Carolina.

Teknos US Inc.’s retention and expansion project meets all the following grant guidelines for a five-year existing industry Business Investment Grant, specifically:
- A taxable investment of $4,200,000 to be completed in the next four years
- Creation of 25 new jobs with an average wage of $66,269 (which is equal to 130% of the average for the Charlotte-Gastonia-Rock Hill M.S.A.)
- There was competition for this project from South Carolina.

The general terms and conditions of this grant include:
- A portion of the grant must be repaid if the company moves this investment from Mecklenburg County within 3 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 indicated its intent to approve this grant in a closed session on August 7, 2019. The State of North Carolina estimated training support in the amount of $1,200 - $1,400 per new job created on July 30, 2019.

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

No one appeared to speak.
Michelle Alcock, Managing Director with Teknos was in the audience and thanked the Board for its support.

Motion was made by Commissioner Scarborough, seconded by Commissioner Fuller and carried 6-3 with Commissioners Cotham, Dunlap, Fuller, Harden, Rodriguez-McDowell, and Scarborough voting yes and Commissioners Jerrell, Leake, and Powell voting no, to close the public hearing and adopt a resolution approving a Business Investment Program grant to Teknos US Inc. for a total estimated amount of $88,417 and authorize the County Manager to negotiate and execute the contract.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR TEKNOS US INC.

WHEREAS, Teknos US Inc. is seeking to establish a new operations center in Mecklenburg County, NC; and

WHEREAS, the company evaluated a site in York County, SC; and

WHEREAS, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the County of Mecklenburg, the Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on August 07, 2019 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. The project will include a capital investment of approximately $4.2 million and will create 25 new jobs within five years at an average annual salary of approximately $66,269. The Business Investment Program grant is a 90% grant over 5 years, with an estimated total amount of up to $88,417. 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 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 48-A, Document #89.

19-5702 BUSINESS INVESTMENT GRANT: MOSACK GROUP

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to open a public hearing to receive comments on a proposed Business Investment Program grant to the Mosack Group.

Economic Development Director Peter Zeiler addressed the proposed business investment grant to Mosack Group.

Note: The Mosack Group imports and sells residential plumbing products to large-scale commercial retailers. The Mosack Group is presently located in Matthews, NC.
The Mosack Group is seeking to establish a new build-to-suit facility of approximately 115,000 square feet which will allow for the addition of extrusion lines for PEX pipe manufacturing. The Mosack Group has announced its intent to locate the investment of its new facility and manufacturing line in Mint Hill, NC. The Mosack Group also considered relocating its operations to Monroe, NC, Fort Mill, SC and Pageland, SC.

The Mosack Group’s expansion project, including a new facility, meets all the following grant guidelines for a five-year Business Investment Grant, specifically:

- A taxable investment of $9,700,000 to be completed in the next five years.
- Creation of 21 new jobs with an average wage of $43,810 (which is equal to 115% of the average for the Charlotte-Gaston-Rock Hill M.S.A.).
- There was competition for this project from Union County, NC and South Carolina.

The general terms and conditions of this grant include:

- A portion of the grant must be repaid if the company moves this investment from Mint Hill within 3 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 indicated its intent to approve this grant in a closed session on September 4, 2019.

The Town of Mint Hill indicated its intent to approve the Town’s share of the grant at their August 8, 2019 closed session.

The State of North Carolina offered the intent of $800 - $1,000 in training support per new position created on July 18, 2019.

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

No one appeared to speak.

Motion was made by Commissioner Scarborough, seconded by Commissioner Jerrell and carried 8-1 with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough voting yes and Commissioner Leake voting no, to close the public hearing and adopt a resolution approving a Business Investment Program grant to the Mosack Group for a total estimated amount of $134,839 and authorize the County Manager to negotiate and execute the contract.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR THE MOSACK GROUP

WHEREAS, The Mosack Group is seeking to establish a new build-to-suit facility with manufacturing capabilities in Mint Hill, NC; and

WHEREAS, the company evaluated sites in Monroe, NC, Fort Mill, SC, and Pageland, SC; and

WHEREAS, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the 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 September 04, 2019 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 Mint Hill. The project will include a capital investment of approximately $9.7 million and will create 21 new jobs within five years at an average annual salary of approximately $43,810. The Business Investment Program grant is a 50% grant over 5 years, with an estimated total amount of up to $134,839.

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, the 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 48-A, Document #90.

19-5691 PROCLAMATION -- DOMESTIC VIOLENCE AWARENESS MONTH

Motion was made by Commissioner Rodriguez-McDowell, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a joint proclamation declaring October 2019 as Domestic Violence Awareness Month in Mecklenburg County and the City of Charlotte.

The proclamation was read by Commissioner Rodriguez-McDowell and received by Neil Bloomfield, chair of the Domestic Violence Advisory Board and member Racquel Ward.

Chair Dunlap invited Ron Kimble, former Assistant City Manager for the City of Charlotte to the podium to address the issue of domestic violence and noted a press conference that was held today by Mr. & Mrs. Kimble on this issue.

Mr. Kimble thanked the Board for the County’s work in addressing domestic violence. He thanked the Domestic Violence Advisory Board as well.

Mr. Kimble addressed the Jamie Kimble Foundation for Courage established in honor of his daughter, Jamie Christine Kimbrell who lost her life as a result of domestic violence on September 3, 2012 in Tampa, Florida at the hands of an ex-boyfriend that she’d left 3 ½ months earlier.

He said the Jamie Kimble Foundation for Courage sponsored a report that talked about the cost of domestic violence in the state of NC. He said last year, it was $504 million. He said it was $50 million alone in Mecklenburg county, the highest number of any county in the State.

Mr. Kimble said “It takes partnerships. It takes all of us working together.”

Chair Dunlap noted to the community that the even though the Board of County Commissioners worked with the three northern towns in Mecklenburg County, Huntersville, Cornelius, and Davidson, to get funding to support having domestic violence workers in the northern part of the county, the County was still unable to make this a reality.

Chair Dunlap said the County wants to establish domestic violence services in the northern part of the County, because of the length of time it takes a victim of domestic violence, in that area, to travel to downtown Charlotte to obtain a warrant against someone.

He encouraged the community to reach out to NC State Legislators seeking their support to allow the County and northern towns to do what needed to be done in the area of domestic violence.

Commissioner Rodriguez-McDowell noted that the Domestic Violence Advisory Board was planning a town hall meeting for October 29th to be held in District 6. She said more information would be provided at a later date.
OCTOBER 1, 2019

PROCLAMATION
City of Charlotte/Mecklenburg County

WHEREAS, domestic violence is a serious crime that affects people of every age, race, socio-economic status, religion, nationality, sex, sexual orientation, and gender identity; and

WHEREAS, domestic violence is widespread and affects over ten million Americans each year; and

WHEREAS, one in four women and one in nine men have experienced severe physical violence, sexual violence, and/or stalking committed by an intimate partner; and

WHEREAS, more than half of transgender people have experienced some form of intimate partner violence; and

WHEREAS, children who are exposed to domestic violence are at greater risk for developing physical and mental health problems, entering abusive relationships as adults, or replicating abusive behaviors as adults; 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 the City of Charlotte, and George Dunlap, Chair of the Mecklenburg Board of County Commissioners, do hereby proclaim October 2019 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.

Vi Alexander Lyles
Mayor of Charlotte

George Dunlap
Chair
Mecklenburg Board of County Commissioners

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

19-5670 ABOVE & BEYOND AT WORK WINNER

County Manager Diorio acknowledged and asked the Board to recognize the ninth County Manager’s Above & Beyond at Work winner, Kristin Jones. Kristin is a Mecklenburg County Health Department Nurse who works at Barry Hill Elementary School.

Note: The Above & Beyond@Work Award was created by County Manager Diorio to recognize outstanding employees that go above and beyond in performing their duties.

The following was noted about Kristin “the students that she works with face challenges every single day, but Kristin is known among her colleagues by random acts of kindness and efforts to meet her students’ needs no matter what the cost, from donating clothes, to small bags of snacks and lending a helping hand to improve the campus.”

Kristin thanked the Board and the County Manager for recognizing her in this matter.

19-5688 RESOLUTION ADVANCING THE TIME FOR GENERAL APPRAISAL OF REAL PROPERTY
County Assessor Ken Joyner addressed advancing the time for the general appraisal of real property in Mecklenburg County from an eight year cycle to a four-year cycle.

Note: Pursuant to G.S. 105-283 and G.S. 317, each county must reappraise all real property in accordance with the initial statutory provisions and every eighth year thereafter, unless the county advances the date. Pursuant to G.S. 105-286, a County has the option to advance reappraisal of real property earlier than required by subdivision (1) or (2) of G.S. 105-283 if the board of county commissioners adopts a resolution providing for advancement of the reappraisal. Absent an advancement, the Octennial Cycle, for reappraisal for properties in Mecklenburg County will be January 1, 2027. Staff recommends, pursuant to NC G.S. 105-286(a)(3), that the Board advance the time for a general reappraisal of real property to a shorter period of January 1, 2023.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt Mecklenburg County Board of Commissioners Resolution Advancing the Time for General Appraisal of Real Property.

RESOLUTION
OF THE BOARD OF COUNTY COMMISSIONERS
OF MECKLENBURG, NORTH CAROLINA
ADVANCING THE TIME FOR GENERAL AND RE-APPRASALS OF REAL PROPERTY

WHEREAS, pursuant to G.S. 105-283 and G.S. 317, each county must reappraise all real property in accordance with the initial statutory provisions and every eighth year thereafter, unless the county advances the date; and

WHEREAS, pursuant to G.S. 105-286, a County has the option to advance reappraisal of real property earlier than required by subdivision (1) or (2) of G.S. 105-283 if the board of county commissioners adopt a resolution providing for advancement of the reappraisal; and

WHEREAS, absent an advancement, the Octennial Cycle for reappraisal for properties in Mecklenburg County will be January 1, 2027; and

WHEREAS, pursuant to North Carolina General Statutes 105-286(a)(3), the County may advance the time for a general reappraisal of real property to a shorter period to January 1, 2023, Now therefore be it;

RESOLVED:
1. The next general reappraisal of real property within the County of Mecklenburg, North Carolina shall be advanced to January 1, 2023, under the provision of the North Carolina General Statutes 105-286(a)(3).
2. The Tax Assessor shall promptly forward a copy of this Resolution to the North Carolina Department of Revenue.
3. The Tax Assessor shall promptly forward a copy of this Resolution to each of the taxing units located within the County.

Resolution recorded in full in Ordinance/Minute Book 48-A, Document #91.

19-5733 COLLECTION OF DELINQUENT MEDIC CLAIMS

The Board received information regarding the collection of delinquent emergency medical service claims through a partnership between Medic and the Office of the Tax Collector.

Medic Executive Director Joe Penner and Director/Tax Collector Neal Dixon addressed this matter with the Board.

Note: Medic and the Office of the Tax Collector entered into a partnership for the collection of delinquent emergency medical service claims. The anticipated long-term benefit of this
partnership is that it will have a positive fiscal impact on Medic and the County by reducing delinquency. Chapter 44, Article 9B, and 105-368 of North Carolina law addresses pursuing collections.

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

The persons below spoke in opposition to the garnishment of wages for delinquent medic claims. They addressed the financial hardships that persons often have, thus, prohibiting them from paying what’s owed. They also addressed the need for Medicare for All on a national level and asked the Board to adopt a resolution in support of this.

Christian Cano, Stephy Hamrick, Janice Allison, Tera Long, Erinn Rochelle, Dominic Harris, Kyla Knight, Joshua Richardson, Michael Merenstein, Stephanie Collins Frempong, Lilly Taylor, and Allen Smith.

Jennifer Tucker signed up to speak but was not present.

Comments

Commissioner Scarborough said she understood the sentiments expressed by the speakers and that she didn’t want anyone in Mecklenburg County to suffer and to go without when in need of emergency medical services.

Commissioner Fuller asked what was the main reason people don’t pay. Director Penner said some can’t and some won’t. He said there were mechanisms in place for charity care. He said staff had no way of knowing, nor should they, of what an individual’s financial circumstance was. He said staff was trying to sort this out.

Commissioner Fuller asked why was the cost for service so high for the delivery of services by Medic. Director Penner said there’s pricing components and that it cost to operate and provide the service. Director Penner said Medic was a government and not a private company. He said all excess funds either goes back to fund Medic for the next year or returned to the County or sits in an undesignated fund balance. He said it can’t be used by Medic “willy-nilly.”

Commissioner Fuller asked in light of all the attention to this issue what was being proposed.

Director Penner said two out of three claims were satisfied fully. The balance, roughly 30%, were not; and they can continue to accumulate at the debt setoff, which was a state mechanism. He said Medic had been participating in this state mechanism since early 2000’s; and that it was increasing at an increasing rate; and Medic’s volume was higher.

He said Medic was looking to see what could be done about it and how it could collect on existing claims before further increasing the price or asking for more County funding.

Commissioner Fuller said all of this was an example of why a national healthcare system was needed, something like Medicare for All. He said this was a federal issue that needed to be addressed.

Commissioner Fuller said when persons need emergency medical service, they shouldn’t think twice about calling Medic for help.

Commissioner Fuller asked staff to consider developing a policy relating to debt collection, particularly for Medic bills.

Commissioner Rodriguez-McDowell asked about the rates for non-emergency and emergency services. She also asked about charity care and who sets the amount, which was addressed.
Commissioner Rodriguez-McDowell asked about the role of the hospitals, which was addressed.

Commissioner Rodriguez-McDowell asked if the County could set thresholds for garnishment.

Chair Dunlap gave an overview of the governance of Medic, which he said was not under the Board’s authority.

Chair Dunlap asked was a vote taken by the Board of County Commissioners to implement the current policy regarding the agreement between Medic and the Office of the Tax Collector. County Manager Diorio said the Board did not vote to establish the policy, but that the matter was addressed in the budget and funding was approved for positions to support this initiative.

Chair Dunlap said the Board would have to consider if more resources could be provided, at least for those that can’t afford to pay.

Chair Dunlap suggested consideration be given to creating some type of ombudsman office where individuals could come and talk to someone regarding their financial situation.

Chair Dunlap said something needed to be done to address this concern.

Commissioner Harden asked who had the authority to decide if funds should be garnished. County Attorney Wade said NC General Statutes gives the County the authority to execute and collect using garnishment as a way to collect delinquent taxes. He said it was an option.

Commissioner Leake asked were there other County agencies that could assist in defraying the cost. County Manager Diorio said she would check.

Commissioner Powell said the concerns expressed were heard. She encouraged those that spoke and others, to not say negative things on social media regarding the Medic Director. She said Medic provided great service throughout the community. She said Medic cares about the residents of Mecklenburg County.

Commissioner Cotham echoed Commissioner Powell’s sentiments regarding the services provided by Medic under the leadership of Director Penner.

Commissioner Cotham said the tax office was successful when it came to collecting taxes and that it was done in a compassionate manner.

Commissioner Cotham said it didn’t make sense to go after low income individuals, however, the taxes do need to be collected.

Commissioner Jerrell said he was “deeply” concerned about this issue. He said the Board had to take care of “marginalized and vulnerable citizens.

Commissioner Jerrell said he was not supportive of garnishment.

Commissioner Fuller asked that staff consider all of the tools allowed by NC statute to address this issue.

Chair Dunlap said a solution was needed and that the Board needed to give staff ample time to review other options and report back to the Board.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE
STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

19-5719  MECKLENBURG COUNTY RESOLUTION ADOPTING DETAILED GUIDELINES FOR THE ARTS AND SCIENCE COUNCIL GOVERNANCE MODEL AND SALES AND USE TAX FUNDING ALLOCATION PROCESS FOR PARKS AND GREENWAYS (CHAIR DUNLAP)

The Board considered adoption of a resolution titled: "Mecklenburg County Resolution Adopting Detailed Guidelines For The Arts And Science Council Governance Model And Sales And Use Tax Funding Allocation Process For Parks And Greenways."

Note: With the passage of the advisory referendum on the November 5, 2019 ballot for the one-quarter cent sales and use tax, a governance model will be needed for Arts and Culture funds, as well as, Parks and Greenways. The proposed resolution addresses the governance model framework approved by the Board on September 4, 2019. It's believed any model created must not only provide stability to existing and emerging cultural organizations, it must also ensure cultural equity across the county. ASC's working definition of cultural equity was used to guide the work of the committee that studied the issue of governance. ASC's definition of cultural equity: To truly achieve ASC's vision of "Culture for All," all Charlotte-Mecklenburg residents must have equitable opportunity to participate in the cultural life of our region as audiences, volunteers, artists, administrators, board members and donors.

The following persons appeared to speak in support of the resolution:

Richmond Baker, Banu Valladares, Rory Sheriff, and Linda DiTroia.

Comments

Commissioner Leake said her constituents wanted to see a higher percentage for education, so that music could be placed back in Middle Schools and High Schools. She said the needs of seniors needed to be kept in mind as well in this process.

Commissioner Leake said she was still concern that the organizational structure of the Arts and Science Council was not known. Commissioner Leake said she wanted to know who would be on their payroll.

Chair Dunlap said many of the Arts dollars would be used in the classroom.

Commissioner Harden spoke in support of the resolution and provided further clarification around the education piece.

Chair Dunlap said the County Manager would be developing the contract. He said what was before the Board tonight was a resolution.

Commissioner Leake said the contract should be very specific.

Motion was made by Commissioner Harden, seconded by Commissioner Rodriguez-McDowell and carried 7-2 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, and Scarborough voting yes and Commissioners Cotham and Powell voting no, to approve resolution titled: "Mecklenburg County Resolution Adopting Detailed Guidelines For The Arts And Science Council Governance Model And Sales And Use Tax Funding Allocation Process For Parks And Greenways."
WHEREAS, on July 2, 2019, the Board of Commissioners adopted a resolution on the statement of intent regarding appropriation of potential proceeds of a one-quarter cent sales and use tax as authorized by Article 46 of Chapter 105 of the North Carolina General Statutes; and

WHEREAS, the Board declared its intent to allocate the proceeds based on the following percentages:

- Arts and Culture: 45%
- Parks and Greenways: 34%
- Education: 16%
- Towns (Arts and Culture): 5%; and

WHEREAS, on September 4, 2019, the Board of Commissioners approved a framework for the governance of the additional sales and use tax proceeds for Arts and Culture informed by the guiding principles of accountability, transparency, strategic planning, leading with equity and being transformational; and

WHEREAS, the new Arts and Science Council will be governed by these values as outlined: “Accountability” defined as funds being spent as intended with minimal overhead and maximum dispersion; “Transparency” defined as funding decisions based on sound processes, data driven decision making, and a separation between programming and grant-making; “Strategic Planning” as defined as an inclusive and equitable process that sets vision for arts and culture for the community; “Lead with Equity” as defined as funding decisions that advance equity in the community and that all residents, particularly children, should have access to arts and culture; “Transformational” as defined by arts and culture that significantly advance the cultural sector, equity, and economic mobility; and

WHEREAS, to optimize existing expertise and infrastructure, a re-envisioned Arts and Science Council Board will be diverse, independent, comprised of many members with arts and education experience, will retain a non-profit status, cease all fund raising and programming and will be constituted with a newly appointed Board of Directors which will be on rotating terms; and

WHEREAS, the Arts and Science Council Board will be represented by an equal number of Mecklenburg County Elected Officials, (i.e. Board of County Commissioners); City of Charlotte Elected Officials, (i.e. Charlotte City Council); one Northern Town appointment; one Southern Town appointment; an equal number of citizens appointed by the Mecklenburg County Board of Commissioners and Charlotte City Council; and representatives from the private sector; and

WHEREAS, the responsibilities of the new Arts and Science Council Board will include the establishment of strategic priorities and provide oversight of grant requests, staff, and the public art process; and

WHEREAS, the categories of recipients of funding will include, but are not limited to:

- Arts Education and Schools
- Neighborhood Programming
- Emerging Artists
- Individual Artists
- Small Organizations
- Medium Organizations
- Large Organizations;

WHEREAS, the Board of County Commissioners believe that additional clarity is necessary to provide the public transparency as to how the sales and use tax dollars will be allocated and managed; NOW, THEREFORE,
BE IT RESOLVED, the Mecklenburg County Board of Commissioners does hereby approve the following process for the allocation of sales and use tax funding for Parks and Greenways:

1. Proceeds from the additional sales and use tax will be segregated from general operating dollars in the annual operating budget.
2. A detailed plan will be presented to the Board of Commissioners for the expenditure of these funds informed by citizen input and the new Parks and Recreation Master Plan including but not limited to programming for children and seniors, deferred maintenance, and land acquisition.
3. Expanding access to services and programming and keeping fees low.
4. The annual budget ordinance would include provisions restricting these funds for this purpose.

BE IT FURTHER RESOLVED, the Mecklenburg County Board of Commissioners does hereby approve the following requirements for the allocation of sales and use tax funding for Arts and Culture:

1. The Board of County Commissioners will contract annually with the new Arts and Science Council to manage the distribution of the proceeds.
2. The contract will include success measures and require an annual report to be presented to the County within 60 days of the fiscal year end.
3. Terms within the contract will be based upon information received from public input received during the budget hearing process.
4. The new Arts and Science Council Board will be responsible for establishing a funding request process and grant making decisions in accordance with terms of the contract and the guiding principles established herein.

Resolution recorded in full in Ordinance/Minute Book 48-A, Document #92.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the following item(s):

19-5673 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 include A. R. Poindexter (Andrew) and remove David T. Baker, and Mark Chapman.

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. A.R. Poindexter (Andrew) from City of Charlotte is hereby designated as a Review Officer in addition to those persons so designated in the Resolution of September 16, 1997, and other appointees as amended on prior occasions; thus, the Resolution is accordingly amended to add
2. David T. Baker from Charlotte Engineering shall be deleted from the Resolution adopted on September 18, 2012; Mark Chapman from Charlotte Engineering shall be deleted from the Resolution adopted on December 15, 2015.

Resolution recorded in full in Ordinance/Minute Book 48-A, Document #93.

19-5686 MINUTES

Approve Minutes of Regular meeting held September 4, 2019 and September 17, 2019.

19-5695 EASEMENT DONATION - STEWART CREEK

1. Accept the donation of a permanent greenway easement (± 1.666 acres) and permanent access easement (± 0.380 acres) on a portion of Tax Parcel 065-091-44 from the City of Charlotte for the future construction of the Stewart Creek Greenway; and

2. Accept the donation of a permanent greenway easement (± 0.014 acres) and permanent storm water easement (± 0.044 acres) on a portion of Tax Parcel 071-131-48 from the City of Charlotte for the future construction of the Stewart Creek Greenway.

19-5698 TAX REFUNDS

Approve tax refunds in the amount of $2,901.86 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.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

19-5657 BUDGET AMENDMENT - LAND USE & ENVIRONMENTAL SERVICES AGENCY - REVENUE INCREASE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize, receive and appropriate up to $33,000 in N.C. Fuel Tax revenue in the General Fund (0001) to be used for the procurement of a web-based electronic log book system to meet the US Environmental Protection agency criteria for data certification.

Note: In order to more efficiently track data collection activities, calibrations and audits, Mecklenburg County Air Quality will procure a web-based electronic log book system. This system will schedule, log, and track everything in one place including standard operating procedures, site and instrument maintenance activities, calibrations, and audits.

Commissioner Leake removed this item from Consent for more public awareness.
Motion was made by Commissioner Leake, seconded by Commissioner Harden and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize, receive and appropriate additional revenue in the amount of $30,357 in the General Fund (0001) from Cardinal Innovations for Community Support Services (CSS) Substance Use Program.

Note: In FY19, CSS exceeded the Cardinal Revenue Budget by $44,170. CSS is projecting to exceed their Cardinal Revenue budget in FY20 by $30,357 based on the number of clients served and prior year trends.

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

County Manager Diorio addressed this item.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize, receive and appropriate $190,000 in the General Fund for the third 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 3 (September 30, 2019 to September 29, 2020) 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.

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

County Manager Diorio addressed this item.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to award a construction contract to J. D. Goodrum Company, Inc. in the amount of $1,569,819.00 for the construction of the Starclaire section of Little Sugar Creek Greenway from Burnt Mill Road to Ramblewood Lane in Huntingtowne Farms Park. pending receipt of written concurrence by NCDOT.

Commissioner Leake removed this item from Consent for more public awareness and clarity.
County Manager Diorio addressed this item.

19-5696  LAND DONATION - BRIAR CREEK

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to accept donation of Tax Parcel 181-042-05 (± 0.091 acres) from Mary J Glasgow Heirs for the future construction of the Briar Creek Greenway.

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

19-5697  SET PUBLIC HEARING FOR CLOSING A PORTION OF RIGHT-OF-WAY FOR LAINE ROAD

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Set a public hearing for November 6, 2019 at 6:30 p.m. to hear all interested citizens who appear with respect to the closing of a portion of right-of-way for Laine Road; and

2. Adopt a resolution declaring the Board’s intent to close a portion of Laine Road right-of-way.

Note: The current property owner, Hope Community Church of Metrolina (formerly Westmoreland Baptist Church) has petitioned to close a 0.828-acre portion of the public right-of-way for Laine Road through the church campus. The portion of said right-of-way currently provides access to Sam Wilson Road. This access will be replaced by Bedford Road from Laine Road (SR 1627) to Sam Wilson Road (SR1625). At the May 21, 2019 Mecklenburg Board of County Commissioners’ (BOCC) meeting, the Board authorized the County Manager to request North Carolina Department of Transportation (NCDOT) to abandon maintenance of their portion of Laine Road from Bedford Road to Sam Wilson Road. On August 8, 2019, NCDOT released the right-of-way on Laine Road and abandoned state maintenance. NCDOT released all claims to said right-of-way on Laine Road. At the same meeting, NCDOT accepted maintenance on Bedford Road from Laine Road to provide access to Sam Wilson Road. To close a right-of-way in the unincorporated part of the County, General Statute 153A-241 requires the BOCC to adopt a resolution declaring its intent to close the public road and call a public hearing. Once closed, the 0.828-acre portion of the former public right-of-way will become vested to Hope Community Church (formerly Westmoreland Baptist Church). 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 a portion of Laine 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 have no objection to the closing of the portion of said right-of-way.

Commissioner Leake removed this item from Consent for more public awareness and clarity.
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 0.828-acre portion of right-of-way for Laine 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 0.828-acre portion of right-of-way for Laine 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 November 6, 2019 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 Laine 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 48-A, Document #94.

19-5708 GRANT APPLICATION - ENDING THE HIV EPIDEMIC

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Approve submission of a grant application totaling $11,000,000 for a five-year period (March 1, 2020 - February 28, 2025) to the Federal Health Resources and Services Administration (HRSA) to secure funding to implement Ending the HIV Epidemic: A Plan for America; and if awarded, recognize, receive and appropriate awarded funds in the General Fund; and

2. Approve the allocation process involving regional participation in accordance with HRSA of the U.S. Department of Health and Human Services guidelines.

Note: The Health Department will collaborate with community partners in implementing CDC recommended, evidence-based strategies that will engage and maintain HIV-positive individuals in care, reducing viral load and preventing transmission of the virus.

Grant funds will be used to:

1. Broaden the impact of the Ryan White Program to achieve these goals:
   a. Reduce new HIV infections;
   b. Increase access to care and improve health outcomes for people with HIV;
   c. Reduce HIV-related health disparities and health inequities


The grant application is due October 15, 2019 and will be effective March 1, 2020.

Commissioner Leake removed this item from Consent for more public awareness and clarity.
OCTOBER 1, 2019

County Manager Diorio addressed this item.

19-5715 ALCcoholic bev ERAGE CONTRol (ABC) BOARD CEO SALARY APPROVAL

Motion was made by Commissioner Leake, seconded by Commissioner Harden and carried 7-2 with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, and Scarborough voting yes and Commissioners Powell and Rodriguez-McDowell voting no, 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 $194,463.00 effective July 1, 2019.

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. § 188-700. 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. 188-101, 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 Rodriguez-McDowell removed this item from Consent for more public awareness and clarity.

ADJOURNMENT

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:19 p.m.

Janice S. Paige, Clerk

George Dunlap, 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 15, 2019.

ATTENDANCE

Present: Chair George Dunlap and Commissioners Patricia "Pat" Cotham, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, 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: 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: 19-5717, 19-5718, 19-5720, 19-5723, 19-5725, 19-5726, 19-5727, 19-5728, 19-5735, 19-5738, 19-5740, and 19-5747.

It was the consensus of the Board to move Item 19-5740 – Proclamation Domestic Violence Survivors Day from the Consent section of the agenda to the Awards/Recognition section of the agenda.

STAFF BRIEFINGS – NONE

MANAGER’S REPORT

County Manager Diorio as part of her Manager’s Report called on Officer John Rape with the Charlotte-Mecklenburg Police Department to brief the Board on the process to follow when there are disruptions at a meeting.

Note: Officer Rape is one of two police officers that provide coverage at Board meetings.

Commissioners thanked Officer Rape for the service that he and the other officer provided to the Board at their meetings.

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): 217-241-20, 017-042-05, and 017-042-18.

Motion was made by Commissioner Scarborough, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, 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 5:17 p.m. and came back into Open Session at 5:56 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, which was followed by introductions, invocation by Chair Dunlap, followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

19-5737 LAND ACQUISITION - PALISADES AREA PARK

Motion was made by Commissioner Leake, seconded by Commissioner Powell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 217-241-20 totaling +/- 57 acres in the extra-territorial jurisdiction of the City of Charlotte from the James S. Knox Irrevocable Lifetime Trust and the Ruann K. Hampson Irrevocable Lifetime Trust for a purchase price of $2,075,000.

Note: Acquisition of this property will provide land for a community park within an area that has been identified as lacking park amenities.

19-5737 LAND ACQUISITION - NORTHWEST AREA PARK

Motion was made by Commissioner Leake, seconded by Commissioner Powell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcels 017-042-05 and 017-042-18 totaling +/- 27.21 acres in the Town of Huntersville from Lynda Kay Locke Godlewski and Arthur Scott Agnew for a purchase price of $1,940,000.

Note: Acquisition of this property will provide land for a community park within an area that has been identified as lacking park amenities.

AWARDS/RECOGNITION – NONE

PUBLIC APPEARANCE

19-5730 PUBLIC APPEARANCE
The following persons appeared to speak during the Public Appearance portion of the agenda:

Dr. Jessica Schorr Saxe, Michael Merenstein, Stacy Staggs, Janice Covington Allison, Nimish Bhatt, Holly Smith and Terra Long spoke in opposition to the garnishment of wages by Medic for payment of claims. It was suggested that the County cover all of Medic’s costs. They also addressed hardships that many face, thus, preventing them from being able to pay for the service provided to them.

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 since appearing before the Board a year ago, the only thing that had occurred was the removal of trash. He asked about the removal of old foliage and when it would be removed. He said the property was in dire need of clean-up and had been for over a year. 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.

Judith Brown registered to speak but was not present.

19-5740 JOINT PROCLAMATION - DOMESTIC VIOLENCE SURVIVORS DAY

Motion was made by Commissioner Rodriguez-McDowell, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a joint proclamation declaring October 15, 2019 as Domestic Violence Survivors Day in Mecklenburg County and the City of Charlotte.

Note: Hannah Kay Herdlinger, a local domestic violence survivor and founder of Thread Talk, dreamt of having a proclamation recognizing a particular day in October as Domestic Violence “Survivors” Day. The Domestic Violence Awareness Month proclamation presented and adopted by the Board of County Commissioners and Charlotte City Council every year is an extension of the national recognition of October as Domestic Violence Awareness Month. The Domestic Violence Awareness Month proclamation has been a standard in the community for many years and includes numerous data statements demonstrating why domestic violence deserves attention and action. The Domestic Violence “Survivors” Day proclamation, initiated by Hannah Kay Herdlinger, does not have a precedent in the community and is survivor-centered and celebratory of the resilience of survivors. Going forward, the Board, as well as, Charlotte City Council will be asked to continue to support the adoption of both proclamations during the month of October.

Commissioners Leake and Rodriguez-McDowell removed this item from Consent for more public awareness.

The proclamation was read by Commissioner Rodriguez-McDowell and received by Hannah Kay Herdlinger.
OCTOBER 15, 2019

APPOINTMENTS

19-5741 NOMINATIONS/APPOINTMENTS

BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner Scarborough, seconded by Commissioner Cotham and failed 8-1 with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough voting yes and Commissioner Leake voting no, to reappoint Ezequiel Acosta, Glenn Berry, Terry Knotts, Aaron Moody and Paul Stefano to the Building Development Commission for three-year terms expiring July 31, 2022.

Note: It takes a unanimous vote for persons to get reappointed. If the vote is not unanimous, those eligible for reappointment must be nominated for consideration at the next meeting.

When the matter comes before the Board a second time, the vote does not have to be unanimous, only a majority.

Note: Appointments will occur at the November 6, 2019 meeting.

NURSING HOME COMMUNITY ADVISORY COMMITTEE

Motion was made by Commissioner Scarborough, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to reappoint Belle Leonard and Antoinette Mingo to the Nursing Home Community Advisory Committee for three-year terms expiring September 30, 2022.
Motion was made by Commissioner Fuller, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate and appoint Tarshia Faniel to the Nursing Home Community Advisory Committee for a one-year term expiring October 31, 2020.

PUBLIC HEARINGS

19-5743 BUSINESS INVESTMENT PROGRAM GRANT: TEGUAR CORPORATION

Motion was made by Commissioner Fuller, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to open a public hearing to receive comments on a proposed Business Investment Program grant to Teguar Corporation.

Peter Zeiler, Director, Economic Development Office, presented the request to the Board.

Note: Teguar is a leading provider of cutting-edge industrial and medical computer solutions specially designed to provide reliable performance in the most demanding environments such as medical and industrial applications. Teguar Corporation has announced its intent to locate in Mecklenburg County at a site located inside the City of Charlotte. Teguar Corporation intends to build a state-of-the-art headquarters facility. The company was established in Mecklenburg County in 2010 and has an office in Switzerland and a subsidiary in Taiwan. Teguar Corporation’s proposed headquarters project meets all the following grant guidelines for a 50% Business Investment Grant over five years, specifically:

- A taxable investment of $5,500,000 to be completed in the next two years
- Creation of 26 new jobs with an average wage of $52,684 (which is equal to 103% of the average for the Charlotte-Gastonia-Rock Hill M.S.A.).
- There is competition for this project from Indian Land, South Carolina.

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 3 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 indicated its intent to approve this grant in a Closed Session on September 17, 2019. Charlotte City Council approved the City’s share of the grant at their September 23, 2019 Closed Session meeting. The State of North Carolina approved funding for customized training estimated at $28,600 on September 16, 2019.

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

No one appeared to speak.

Chair Dunlap called on Commissioner Fuller, Chair of the Board’s Economic Development Committee to indicate the Committee’s recommendation.

Commissioner Fuller said the Board’s Economic Development Committee voted yes to recommend approval of the request to the full Board.

Commissioner Leake asked about salaries, which was addressed.
The vote was then taken on the recommendation of the Board’s Economic Development Committee and approved 7-2 with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Rodriguez-McDowell, and Scarborough voting yes and Commissioners Leake and Powell voting no, to close the public hearing and adopt a resolution approving a Business Investment Program grant to Teguar Corporation for a total estimated amount not to exceed $82,587 and authorize the County Manager to negotiate and execute the contract.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR TEGUAR CORPORATION

WHEREAS, Teguar Corporation is seeking to establish a new headquarters facility in Charlotte, NC; and

WHEREAS, the company evaluated sites in Indian Land, South Carolina; and

WHEREAS, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the City of Charlotte and the County of Mecklenburg, the Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a Closed Session meeting on September 17, 2019 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 $5.5 million and will create 26 new jobs within five years at an average annual salary of approximately $52,684. The Business Investment Program grant is a 50% grant over 5 years, with an estimated total amount of up to $82,587. 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 as described above, and authorizes the County Manager to execute a contract for the same, with any necessary or helpful nonmaterial changes.

Resolution recorded in full in Minute/Ordinance Book 48-A Document #95.

19-5748  TEFRA HEARING - CHARLOTTE CHRISTIAN SCHOOL

The Board considered approval of Resolution approving the issuance of not to exceed $15,000,000 of the public finance authority educational facilities revenue bond (Charlotte Christian School) series 2019 to finance and refinance certain costs of various projects on behalf of Charlotte Christian School.

Note: As more fully explained in the Resolution, Charlotte Christian School (the “Borrower”) 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 (Charlotte Christian School) Series 2019 (the “Bond”), in an aggregate principal amount not to exceed $15,000,000 and loan the proceeds thereof to Charlotte Christian School (the “Borrower”) for the following purposes:
OCTOBER 15, 2019

(1) finance and refinance the costs of constructing, improving and renovating school facilities, all located on the Corporation’s campus at 7301 Sardis Road, Charlotte, NC 28270 (collectively, the “Project”)

(2) pay certain expenses incurred in connection with the issuance of the Bond by the Authority.

Charlotte Christian School 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, Charlotte Christian School 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 Trevor M. Fuller, seconded by Commissioner Mark Jerrell and unanimously carried, with Commissioners Gotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to open the public hearing.

WHEREAS, at 7:15 P.M., the Chairman announced that the Board of Commissioners (the “Board”) would proceed to hold a public hearing and would hear anyone who wished to be heard on the proposed issuance by the Public Finance Authority (the “Authority”), a commission organized under and pursuant to the laws of the State of Wisconsin, of not exceeding $15,000,000 of its Educational Facilities Revenue Bond (Charlotte Christian School), Series 2019 (the “Bond”);

WHEREAS, the Authority will loan the proceeds of the Bond to Charlotte Christian School, a North Carolina nonprofit corporation (the “Borrower”) and designated as an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the “Code”), and the Borrower, pursuant to the plan of finance, will use the proceeds of the loan from the Authority to (1) finance and refinance the costs of constructing, improving and renovating school facilities, all located on the Corporation’s campus at 7301 Sardis Road, Charlotte, NC 28270 (collectively, the “Project”), and (2) pay certain expenses incurred in connection with the issuance of the Bond by the Authority;

WHEREAS, the Project will be initially owned and operated by the Borrower;

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

WHEREAS, the Borrower has requested that the Board approve the financing and refinancing of the Project, and the issuance of the Bond in an amount not to exceed $15,000,000 in order to satisfy the public approval requirement of Section 147(f) of the Code and the requirements of Section 4 of the Amended and Restated Joint Exercise of Powers Agreement Relating to the Public Finance Authority, dated as of September 28, 2010 (the “Joint Exercise Agreement”), and Section 66.0304(11)(a) of the Wisconsin Statutes;

WHEREAS, no later than October 8, 2019 a notice of public hearing was published in the Mecklenburg Times, setting forth a general description of the type of facilities to be financed and refinanced, the maximum principal amount of the Bond, the initial owner 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 Bond 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

WHEREAS, the purpose of the above-described public hearing and this resolution is to satisfy the public approval requirement of Section 147(f) of the Code (the “Code”), in order to qualify the interest on the Bond for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to the applicable provisions of the Code;

After the Board had heard all persons who had requested to be heard, Commissioner Trevor M. Fuller moved that the public hearing be closed. The motion was seconded by Commissioner Ella B. Scarborough and was unanimously adopted with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes.

Commissioner Trevor M. Fuller introduced the following resolution, a copy of which had been distributed to each Commissioner:

RESOLUTION APPROVING THE ISSUANCE OF NOT TO EXCEED $15,000,000 OF THE PUBLIC FINANCE AUTHORITY EDUCATIONAL FACILITIES REVENUE BOND (CHARLOTTE CHRISTIAN SCHOOL) SERIES 2019 TO FINANCE AND REFINANCE CERTAIN COSTS OF VARIOUS PROJECTS ON BEHALF OF CHARLOTTE CHRISTIAN SCHOOL

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF MECKLENBURG, NORTH CAROLINA:

Section 1. For the purpose of qualifying the interest on the Bond 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 Bond by the Authority for the purpose of providing funds to finance and refinance the Project, provided that in no event shall Mecklenburg County, the State of North Carolina or any political subdivision thereof be liable for such Bond nor shall the Bond 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 Bond by the applicable elected representative of the Project Jurisdiction for the Project, which is the governmental unit having jurisdiction over the area in which the Project is located, in accordance with Section 147(f) of the Code, and Section 66.0304(11(a) of the Wisconsin Statutes and Section 4 of the Joint Exercise Agreement.

Section 2. This resolution shall take effect immediately upon its passage.

Commissioner Ella B. Scarborough seconded the motion and the motion was adopted by the following vote:

AYES: Commissioners Patricia "Pat" Cotham, George Dunlap, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, Susan Rodriguez-McDowell, and Ella B. Scarborough

NAYS: None

Extract/Resolution recorded in full in Minute/Ordinance Book 48-A, Document #96.
The Board received the annual report of the Mecklenburg Domestic Violence Fatality Prevention and Protection Review Team.

Elyse Hamilton-Childrens, a Division Director in Community Support Services (CSS), Donovan Grant, CSS Supervisor, NOVA Program, and Carla Holloman with Youth and Family Services, gave the report.

Note: Per Session Law 2009 - 52 and Session Law 2013 - 70, the Mecklenburg Domestic Violence Fatality Prevention and Protection Review Team is charged with: studying the incidences and causes of death by domestic violence-related behavior in the community, making recommendations for system improvements and needed resources where gaps and deficiencies may exist, and reporting annually to the Mecklenburg Board of County Commissioners.

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

Comments

Commissioner Rodriguez-McDowell asked for clarity regarding the “Percentages of Cases in which Perpetrator Was Known to Human Service Agencies Prior to Homicide” noted in the report on page 6 and “Percentages of Cases in which Domestic Violence Was Known to Local Law Enforcement Prior to Homicide” noted in the report on page 7. She asked how those percentages could be increased, as well as, increased coordination and awareness between Human Service Agencies and Law Enforcement. Elyse Hamilton-Childress addressed the question and gave an example of a Human Service Agency that would be on the scene as a first responder, along with Law Enforcement and those that would not be made aware until later as a provider of ongoing services. She acknowledged the importance of strengthening that connection between all involved parties and noted things that were in place to strengthen those connections.

Commissioner Rodriguez-McDowell spoke in support of the Crisis Intervention Team Program. She noted an upcoming Town Hall meeting to be held in her district on October 29, 2019 on the topic of domestic violence. She said one of the themes for the meeting was highlighting the differences between communities and how they experience domestic violence, whether it was because of socio economics or racial and ethnic differences. She concluded by thanking that presenters for the report.

Commissioner Jerrell thanked the presenters for the report and expressed concern for how they and others working in this area were physically and mentally because of the stress associated with doing this type of work. He encouraged them to take care of themselves and to let the Board and the County Manager know if they’re in need of any resources.

Commissioner Jerrell asked about cultural differences when it came to dealing with domestic violence, which was addressed.

Commissioner Cotham thanked the presenters for the report. She commented on her interaction with women that had been incarcerated because of domestic violence issues. She said there were lots of women who in an attempt to save their lives, ended up killing their abuser and because of NC law, were incarcerated. She asked the presenters to remember those victims as well, who were now out of prison and trying to restart their life. She asked that their children be remembered also.

Commissioner Leake thanked the presenters for the report. She asked about staffing levels in Community Support Services and for the domestic violence division, specifically, which was addressed.
Commissioner Leake asked about collaboration with Charlotte Mecklenburg Schools, which was addressed. It was noted that there was a children's domestic violence program in place that provided free individual counseling, as well as, group therapy services, starting at age 2. It was stated further, that counselors visit schools, as well as, see children at their office and other community locations. It was noted that a prevention curriculum was implemented in the schools for 8th and 9th graders, per a memorandum of understanding with Charlotte Mecklenburg Schools.

Commissioner Leake encouraged the presenters to visit schools on a more regular basis, rather than waiting until a request was received from the school, especially in middle and high schools.

Chair Dunlap thanked the presenters for the report. He asked about their efforts to get information out to the public regarding their services, which was addressed.

Chair Dunlap encouraged the presenters to promote their services more. He suggested they consider taking advantage of public service announcements, which he said was free.

Chair Dunlap commented favorably on Family Justice Centers. He said he’d like to see one in Mecklenburg County. He asked if staff was receiving data on the impact of having that type of center in a community to help deter domestic violence, which was addressed.

Chair Dunlap said Dr. Hayes, the chief surgeon at Atrium Health in Union County, theory regarding persons that commit violence, per his research, was that these individuals never learned how to control their anger and how to deal with disappointments and other issues. He said Dr. Hayes believes there needs to be some type of intervention to help people address those issues with the hope that they would never get to the point where they would become violent.

Chair Dunlap said he referred Dr. Hayes to the County’s Criminal Justice Committee and that hopefully Dr. Hayes’ message would get to the Health and Human Services Committee; and the County would incorporate what Dr. Hayes was talking about into what the County might do to address violence overall.

Chair Dunlap said the County was looking for a comprehensive approach to addressing violence in the community, with domestic violence being one of the most prevalent forms of violence in the community.

Commissioner Fuller thanked the presenters for the report. He said domestic violence was a “public healthy” issue and that access to firearms played a huge roll in this issue.

Commissioner Fuller said there was research that concluded that domestic violence stemmed from the inability of someone to control their emotions and reactions to negative things that happened in their lives.

Commissioner Fuller said both issues needed to be addressed, controlling one’s emotions and reactions and access to firearms, which leads to violence.

Commissioner Fuller said national attention was needed on these issues as well, not just local.

Commissioner Powell thanked the presenters for the report. She shared that she recently discovered an innovative way that persons were getting their message out regarding their services when she went to the hair salon. She gave the presenters a copy of a business card that she said was discreetly displayed.
Chair Dunlap concluded the discussion by again thanking the presenters on behalf of the Board. He said this issue of much concern for the Board and County staff.

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

MANAGER’S REPORT

19-5678 LIVABLE MECK UPDATE

The Board received an update from the County Manager on Livable Meck’s “Voice of the Community” research and revised community-wide plan.

Rebecca Herbert, the County’s Community Engagement & Strategy Manager and Ed Gagman with Customer Service Solutions gave the update.

Note: Livable Meck is an engagement infrastructure bringing together private businesses, nonprofits, and elected bodies to protect and enrich the quality of life in the community. Originally assembled in 2012 by Mecklenburg County, Foundation For The Carolinas and the City of Charlotte, Livable Meck now has over 130 partner organizations. Mecklenburg County government has two roles associated with Livable Meck - convener and partner. From August 2018 - May 2019, Livable Meck conducted the “Voice of the Community” research hosting forums, online surveys, and other engagement opportunities to find out what matters most to residents. Over 4,200 residents participated in “Voice of the Community.” Residents’ priorities are the foundation for the revised community-wide plan. “We want our community to be: Healthy, Affordable, Secure, Accessible, Educated, Innovative, Enjoyable, and Together.” These eight guiding principles and associated strategies serve as a collective road map to enhance the quality of life in the community.

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

Chair Dunlap left the dais during the presentation and was away until noted in the minutes.

Vice Chair Powell chaired the meeting until noted in the minutes.

Comments

Commissioner Harden asked if the report was “data based” and an example of “listening to the community.” The response was yes.

Commissioner Harden asked the presenters to comment on the statements made in the report regarding the Arts and Science Council, which they did. The Arts and Science Council’s partnership with the County’s Solid Waste Division was also addressed.

Commissioner Fuller thanked the presenters for the report. He said he liked the plan because it was a step towards having one cohesive planning document for the community.

He asked the presenters to comment on whether the objective had been achieved regarding combining the various community plans and having only one community plan. The following was stated in response: 1) the County was doing very well with its effort to achieve that objective, 2) Other entities were now willing to share information for the “good of all,” 3) there still may be multiple individual plans, and the County respects that decision by its partners, and 4) the important thing was that relevant information was being shared by everyone to avoid duplication of effort and to avoid having gaps.
Commissioner Fuller said he was glad to hear that planning efforts were being coordinated amongst the entities, however, his desire would still be to have one comprehensive plan with everyone participating in the development of that plan.

Commissioner Leake thanked the presenters for the report. She said a 10 or 20 year plan was always being developed and presented. She said she’d seen it done over and over, but that she still had not seen anything in any of the planning efforts to date, to eradicate the problems on the westside of Charlotte/Mecklenburg County. She said there were still needs on the westside in terms of a quality education, arts and culture opportunities, economic mobility, small businesses, affordable housing, etc.

Commissioner Leake said she didn’t see any reference to the faith community being involved in the process either.

Commissioner Leake said any plan developed needed to be inclusive of everyone.

Presenter Herbert thanked Commissioner Leake for her comments. She said they were aware of those issues and would continue to work to address them.

Chair Dunlap returned to the dais and resumed Chairing the meeting.

Commissioner Powell thanked the presenters for the report and for listening to the community. She said the concerns raised by Commissioner Leake should be considered and dived into going forward.

Chair Dunlap thanked the presenters on behalf of the Board.

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

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

19-5388     DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information monthly department management reports for October 2019.

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.

19-5677     FEATURED DEPARTMENT - COMMUNITY SUPPORT SERVICES

The Board received an overview of the Mecklenburg County Community Support Services Department, the featured department for the month of October.

Stacy Lowry, Director of Community Support Services, gave the report.

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

Comments
Commissioner Harden asked how much additional funding was the County able to provide to Legal Aid of NC with the adoption of this FY20 Budget. The response was $500,000 to serve 500 households.

Commissioner Harden asked was some of the funds to Legal Aid of NC used to help Lake Arbor residents. The response was that Legal Aid of NC used the funds to hire additional staff (lawyers), which would assist Legal Aid in handling cases, to include assisting Lake Arbor residents.

Commissioner Harden noted that Commissioners who voted in favor of the FY20 Budget helped make this happen as a result of that vote.

Commissioner Leake commented also on the passage of the FY20 Budget and asked that her comments be noted in the minutes.

Commissioner Leake said the eight (8) Commissioners that voted in favor of the FY20 Budget showed its support of the community via that vote. Commissioner Leake said those that voted yes for the FY20 Budget did so with “vigor and with all that they had within them, to do the right thing, for the right people, at the right time.”

Commissioner Leake said as a result of voting yes for the FY20 Budget and reviewing Director Lowry’s report, she voted to “keep families together and to prevent eviction and housing discrimination.”

Commissioner Leake said a vote in the affirmative for the FY20 Budget was a vote for the “life line” of the community and that if you didn’t vote yes for the FY20 Budget you’re not supporting that life line.

Commissioner Leake thanked County Manager Diorio for all of her hard work on developing a quality FY20 Budget.

Commissioner Leake also thanked staff for the work that they do on a daily basis.

Commissioner Rodriguez-McDowell thanked Director Lowry and her staff for all of their work.

Commissioner Jerrell complimented CSS for taking care of those that were “under-represented, the most marginalized and vulnerable” via the services they provide. He asked that CSS continue to “be the voice for those that don’t have a voice and remain under-represented.”

Commissioner Powell thanked Director Lowry for her leadership and her staff for all of their work.

Commissioner Scarborough thanked Director Lowry and her staff for all of their work.

Chair Dunlap asked Director Lowry about the location of the Supervised Visitation Safe Exchange Center. The response was that it’s at the Valerie C. Woodard Center.

Chair Dunlap asked that the location be publicized more for the public’s awareness.

Chair Dunlap concluded the discussion by thanking Director Lowry for her presentation, on behalf of the full Board.

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

STAFF REPORTS & REQUESTS - NONE
CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the following item(s):

19-5731 MINUTES

Approve Minutes of Regular meeting held October 1, 2019.

19-5736 LAND DONATION - TORRENCE CREEK

Accept the donation of a permanent greenway easement on a portion of Tax Parcel 017-413-82 (±0.689 acres) and a portion of Tax Parcel 017-411-01 (±0.371) acres from Mattamy Carolina Corporation for the future construction of the Torrence Creek Greenway.

19-5739 TAX REFUNDS

1. Approve refunds in the amount of $6,148.69 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 $1,528.36 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.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner Cotham left the dais and was absent until noted in the minutes.

19-5717 BUDGET AMENDMENT - HEALTH DEPARTMENT (REVENUE INCREASE/DECREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1) Amend the annual budget ordinance to recognize, receive, and appropriate an increase of $24,500 and approve a decrease of $26,714 in federal funds to the general fund (0001).

Note: NC DHHS awards federal funds to the Health Department to support public health...
The Department received notification that funding has been modified. This includes an increase of $4,500 for TB Control, an increase of $20,000 for Emergency Overdose and a decrease in the amount of $26,714 for WIC Breastfeeding Peer Counselor.

2) Amend the annual budget ordinance to recognize, receive, and appropriate an increase of $17,585 in state funds to the general fund (0001); and

Note: NC DHHS awards state funds to the Health Department to support public health programs. The Department received notification that federal funding has an increase in the amount of $17,585 for Triple P.

3) Recognize, receive, and appropriate an increase of $25,000 of federal funds from Substance Abuse and Mental Health Services Administration (SAMHSA) to the general grant fund for the duration of the grant (G001).

Note: The Health Department was awarded a 5-year grant from SAMHSA to increase community resilience, improve behavioral health, empower residents and reduce trauma. For Year 2, an additional supplement funding of $25,000 has been awarded for the technical assistance.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

Commissioner Cotham returned to the dais.

19-5718 GRANT APPLICATION - FAMILY PLANNING SERVICES

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the submittal to apply for NC DHHS - Family Planning Services for grant application totaling up to $1,128,435 for a three-year period (June 1, 2020 - May 31, 2023) to NC DHHS Women’s Health Branch to secure renewal funding to continue providing family planning services to low income women.

Note: The grant application is due October 23, 2019 and will be effective June 1, 2020.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.


Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize, receive and appropriate $141,069 to the General Fund from the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG) for the duration of the grant.

Note: The Mecklenburg County Sheriff’s Office (MCSO) has been receiving the U.S. Department of Justice Edward Byrne Memorial Justice Assistance (JAG) grant since 2012. This federal grant will fund several public safety initiatives and/or programs. Estimates for the following initiatives are listed below:

- $62,714 - Detainee Resident Program - Will provide items that will enhance the delivery of vocational programs that will have a direct impact on recidivism and allow residents to
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seek employment in several trades.

- $40,280 - Radar Equipment - Will allow MCSO to purchase an additional 20 Bee III Radar units in addition to the 13 purchased from the 2017 and 2018 JAG grants.
- $8,075 - Audio/Video Recordings of Investigative Interviews - Will provide full audio and video recording of all investigative interviews for the newly formed Investigative Unit of MCSO. This is considered an industry best practice and gives a much more vivid account of the interviews.
- $25,768 - Tac Lights and Holsters for Field Operations - Will replace existing holsters with holsters that accommodate tac lights to enhance officer safety, so that officers are not encumbered by having to carry a separate flashlight to have more reliable visibility when performing their duties.
- $4,232 - Required NIBRS set-aside. The JAG program requires that 3% of the grant award be set aside for NIBRS conversion activities.

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

19-5723 BUDGET AMENDMENT - SHERIFF’S OFFICE - (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize, receive and appropriate $300.00 to the general fund from the Huntersville Chick-fil-A.

Note: The Huntersville Chick-fil-A has made a $300.00 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 fourth year of participation in the Presidential Volunteer Service Awards program that recognizes MCSO employees for their volunteer hours within the Charlotte community. We will use the funds 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.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

19-5725 GRANT APPLICATION - PART A COMMUNITY LINKAGES TO CARE FOR OVERDOSE PREVENTION AND RESPONSE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the submittal to apply for a Community Linkages to Care for Overdose Prevention and Response - Part A grant for implementing strategies that increase access and linkages to care services and build local capacity to respond to the opioid epidemic in North Carolina up to $275,000 in the general fund (0001); and if awarded, recognize, receive and appropriate the amount awarded to the general fund (0001).

Note: The Mecklenburg County Health Department is requesting approval to apply for funding to maintain and expand the partnership with the Center for Prevention Services that will increase utilization of syringe exchange program services and provide linkages to wrap-around services to connect participants to substance use treatment, HIV/HCV/STI screenings, and to service agencies that address homelessness, hunger, and mental health needs. This will assist in reducing transmission of infections through shared needles, prevent fatal and nonfatal opioid overdoses and increase linkages to care. The Center for Prevention Services will administer the project. Public Health will provide program guidance to ensure alignment with HIV Prevention
Plan. Grant application due October 25, 2019.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

Commissioner Leake said she’d like to know the number of persons served by Part A and Part B below.

19-5726 GRANT APPLICATION PART B - COMMUNITY LINKAGES TO CARE FOR OVERDOSE PREVENTION AND RESPONSE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the submittal to apply for a Community Linkages to Care for Overdose Prevention and Response - Part B grant for implementing strategies that increase access and linkages to care services and build local capacity to respond to the opioid epidemic in North Carolina up to $275,000 in the general fund (0001); and if awarded, recognize, receive and appropriate the amount awarded to the general fund (0001).

Note: The Mecklenburg County Health Department is requesting approval to apply for funding to develop an innovative, community-driven project to improve service delivery and access for people who use drugs. The goal is to establish a drop-in center to provide syringe exchange services, HIV and HCV rapid testing, space and personnel for support groups and educational sessions, and referral services. The Center for Prevention Services will administer the project. Public Health will provide program guidance to ensure alignment with HIV Prevention Plan. Grant application due October 25, 2019.

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

19-5727 RIGHT-OF-WAY ABANDONMENT - BRYANT PARK

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to file a Right-of-Way Abandonment petition with the Charlotte Department of Transportation (CDOT) requesting abandonment of a portion of unopened right-of-way (+/- 19,680 SF) on the western end of Bryant Street and acceptance of the residual property into Bryant Park.

Note: The County’s Storm Water Services Department is in the construction phase of the Historic Stewart Creek Stream Enhancement Project. Design has been completed on this 3.5-mile project that extends from I-85, south to Wilkinson Boulevard. The project will be constructed in three phases starting upstream from I-85. Phase III of the project is from State Street to Wilkinson Blvd and includes some stream enhancement work on a portion of Stewart Creek through Bryant Park. The stream enhancement project crosses several portions of CDOT right-of-way. In this case, the abandonment is being requested to avoid any future conflicts between the required Clean Water Management Trust Fund conservation easements and this unopened right-of-way. Upon the City’s approval of the abandonment petition, the County will place the conservation easements on the resulting residual property created through the abandonment process. Additionally, for park purposes, the residual property will close gaps between several of the individual Bryant Park parcels and increase the park’s acreage.

Commissioners Leake and Powell removed this item from Consent for more public awareness.
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19-5728  RIGHT-OF-WAY ABANDONMENT - DRUID HILLS PARK

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to file a Right-of-Way Abandonment petition with the Charlotte Department of Transportation (CDOT) requesting closure of a portion of Rodey Avenue (+/- 24,901 SF) and acceptance of the residual property into Druid Hills Park.

Note: Park and Recreation is in the planning stages of a 2019-2023 CIP Project to update the master plan for Druid Hills Park. Currently, the park is bisected by, CDOT maintained, Rodey Avenue such that there are park improvements on the north and south sides of the street. Park and Recreation’s goals with this abandonment are increased park user safety, with the elimination of vehicle traffic, and more cohesion between both sides of the park. Potential uses for the abandoned area include a staging area for festivals and food trucks as well as a small skills cycle track for youth.

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

19-5735  BUDGET AMENDMENT - COMMUNITY SUPPORT SERVICES - REVENUE INCREASE (CSS)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Recognize, receive and appropriate additional funds ($132,725) from Duke University as a sub-recipient of a Substance Abuse and Mental Health Services Administration (SAMHSA) grant to the general grant fund (G001) for the duration of the grant; and

2. Authorize two grant-funded positions in Community Support Services, Prevention and Intervention Services Division: 1 full-time Case Coordinator and 1 part-time Social Services Assistant.

Note: Community Support Services recently received an additional grant through Duke University’s Project Uplift that will expand substance abuse services offered by their Community Resources for Empowerment and Wellness (CREW) program. CSS will enter into a subcontract with Duke University as part of this project which is federally-funded through the Substance Abuse and Mental Health Services Administration (SAMHSA). For the project, CREW will expand substance abuse treatment services in Mecklenburg County for individuals with and at high risk for HIV for a 3-year period lasting until September 2022. The services provided by CREW will include individual and group substance use and mental health treatment, care coordination, and peer navigation. The budget for year 1 for the project is $132,725. The funding for 1 full-time Case Coordinator (annual market rate) is $46,750 and 1 part-time Social Services Assistant (annual market rate) $17,254 comes from these funds. The remaining funds are utilized for program operations. The total subcontract amount for the 3-year period is $398,175. The subcontract between Duke University and CSS will be managed by the Office of Research Support at Duke University.

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

19-5738  CMS CELL TOWER LEASE AMENDMENT
Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to decline the County's Statutory Right of First Refusal for property at Ardrey Kell High School to allow Charlotte-Mecklenburg Board of Education to enter into a cell tower lease amendment with Berkley Group, LLC.

Note: Berkley Group, LLC currently leases land at Ardrey Kell High School for a cell tower. That lease is scheduled to end March 31, 2021. Charlotte-Mecklenburg Board of Education (CMBE) and Berkley wish to enter into a lease amendment that will extend the lease for an additional five (5) years and change the lease rate from $1,850 per month to $2,145 per month. To do so, the County must decline its statutory first opportunity to acquire any school owned real estate that is proposed for disposition per North Carolina General Statute (NCGS) 115C-518 (a). The business terms of the lease amendment between CMBE and Berkley are as follows:

- Property - One (1) 80’ x 80’ tract of land and Two (2) tracts of land measuring 10’ x 10’
- Term Extension - Five (5) additional years or until March 31, 2026
- Rent - $2,145 per month
- Escalation - 3% increase each year on the anniversary of the lease amendment commencement date
- Maintenance - Tenant is responsible for all repairs and maintenance of the leased space.
- Termination clause - Either Landlord or Tenant may terminate the lease for any reason or no reason by providing three hundred and sixty-five (365) days advance written notice.
- Sub-lease - For consideration of the rental amount being paid, Tenant is allowed one (1) additional user of the property besides the Tenant. For any additional users of the property besides the Tenant and the one permitted user, the Tenant shall compensate the Landlord with an additional four hundred ($400.00) dollars per month.
- Insurance - Tenant shall maintain a public liability and property damage insurance policy in the amount of $5,000,000 per single event and an automobile liability policy in the amount of $2,000,000 per single event.

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

19-5747 SET SALARY FOR OFFICE OF REGISTER OF DEEDS FOR FILING FEE PURPOSES

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt Resolution to Establish Salary for the Office of Register of Deeds for Mecklenburg County.

Note: The amount of the fee that is charged to those who file to run for Office of Mecklenburg County Register of Deeds is set based on the starting salary of the Register of Deeds. Adoption of the resolution will set the starting salary of the Register of Deeds at $124,000.00, which is within the County’s compensation plan for this position. Consistent with the resolution, if the incumbent of this office is re-elected and takes office in December 2020, he shall retain his compensation as provided in the County’s compensation plan.

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

RESOLUTION TO ESTABLISH SALARY FOR THE OFFICE OF REGISTER OF DEEDS

WHEREAS, N.C.G.S. 153A-92(b)(2) provides that boards of county commissioners may reduce the salaries of elected officials only by a resolution adopted at least fourteen (14) days before the last day for filing notice of candidacy for the office; and
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WHEREAS, once adopted, the resolution may not be altered until the person elected to the office in the general election takes office; and

WHEREAS, the filing fee for the office shall be determined by reference to the reduced salary; and

WHEREAS, the Office of Register of Deeds in Mecklenburg County has been placed within the Mecklenburg County Compensation Plan; and

WHEREAS, the Mecklenburg County Compensation Plan establishes the starting salary for the Register of Deeds at $124,000.00. Now, therefore, be it

RESOLVED by the Mecklenburg County Board of Commissioners that

1. The starting salary for the Office of Register of Deeds for Mecklenburg County is hereby established at $124,000.00

2. The filing fee for the Office of the Register of Deeds shall be determined by the above referenced salary.

3. The starting salary for this office as established herein shall become effective upon adoption of this resolution.

4. Should the incumbent of this office be re-elected and take office in December 2020, he shall retain his compensation as provided in the Mecklenburg County Compensation Plan.

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #97.

ADJOURNMENT

There being no further business to come before the Board, Chair Dunlap declared the meeting adjourned at 8:59 p.m.

Janice S. Paige, Clerk

George Dunlap, Chair
The Board of Commissioners of Mecklenburg County, North Carolina, met in Budget/Public Policy Session in Conference Center Room 267 on the 2nd floor of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, NC at 2:30 p.m. on Tuesday, October 22, 2019.

ATTENDANCE

Present: Chair George Dunlap and Commissioners Patricia “Pat” Cotham, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, Susan Rodriguez-McDowell, and Ella B. Scarborough
Assistant County Manager/Chief of Staff Derrick Ramos
County Attorney Tyrone C. Wade
Clerk to the Board Janice S. Paige

Absent: None

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

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

19-5620 2019 MECKLENBURG COUNTY COMMUNITY SURVEY RESULTS

The Board received as information a presentation from Dr. Monica Allen, Strategic Planning and Evaluation Director, regarding the results from the 2019 Community Survey.

Note: Each year, the County’s Office of Management and Budget - Strategic Planning & Evaluation unit administers the Community Survey to gather data on Mecklenburg County residents’ perceptions on various aspects of County operations, particularly the level of awareness about County services, the perception of the value of County services provided and the level of satisfaction residents have with opportunities for citizen involvement, and insight into the most important issues facing Mecklenburg County. The perceptions are important to know because they inform the Board, County Management and employees, and the public about how well the County is performing in the eyes of the community and where there are opportunities for improvement.

Director Allen provided an overview of the methodology and demographics used for the survey; survey results with respect to residents’ Perceptions about the Mecklenburg County Community; residents’ Attitudes & Awareness about Mecklenburg County Government Programs and Services; and Communication Practices. Director Allen also highlighted survey results for the following County Departments: Park and Recreation, Land Use and Environmental Services Agency (LUESA), Charlotte Mecklenburg Library; and the Elections Office.

Commissioners Powell and Scarborough entered the meeting during the presentation.

Director Allen noted that while vision and benchmark questions declined from the previous year, the community still compares favorably to other cities and the U.S. overall. She said the most
important issue for respondents was affordable housing followed by crime and infrastructure. Director Allen said the results were useful for guiding outreach and programming efforts. She said the survey revealed a continued need to promote and market County programs and services to increase resident awareness.

Director Allen said staff would continue to monitor and inform for FY2021 planning, work with departments to make the data actionable, collaborate with others in the organization that could benefit from the survey results; and communicate to the public, post on MeckNC.gov and send to all employees via Employee NewsNow.

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

Comments

Commissioner Harden asked was there an age demographic and the response was yes (slide 7).

Commissioner Harden asked were respondents provided choices to select from with respect to the question regarding what’s the most important issue facing Mecklenburg County today. The response was no, because staff did not want to bias their thoughts.

Commissioner Harden asked for clarity on the Community Vision FY19 Results by gender, race-ethnicity, & age, specifically, the results for ages 18-34, which was addressed.

Commissioner Rodriguez-McDowell asked for clarity on the Communications: Communicating Information to Public (FY19) results. She suggested that perhaps the County needed to be more creative when it came to getting the County’s message out.

Commissioner Jerrell asked about Program Awareness: Pre-K Programs. He said he noticed that social media wasn’t listed. He also noted the increase in awareness for the PrEP Program, which he said was great. He expressed concern, however, that there was not a significant increase with respect to testing.

Commissioner Jerrell said County policies may have to be more specific to address some of the target groups, especially African Americans. He said there was a race problem in the community.

Commissioner Leake noted that sometimes the faith community takes issue with discussing sexuality issues, even though they should.

Commissioner Leake said economics was an issue, that affordable housing was needed, as well as, small markets in food desert areas.

Commissioner Fuller addressed people being disconnected in the community and about where the power and money was in the community. He said affordable housing was one indicator of disconnection economically. He said it didn’t appear that the community was doing very well with respect to eliminating racial inequity.

Commissioner Fuller said the County’s communication with the public had to be changed. He said there needed to be more focus on the results and determining were people doing better.

Commissioner Cotham asked if the City of Charlotte conducted a survey. Director Allen said she didn’t think so, but would check.

Commissioner Cotham commented on the language used in the survey. She asked if persons under age 18 were surveyed. The response was no and that there were other mechanisms within the community to capture data from youth.
Commissioner Cotham asked about the international community and whether the survey was offered in other languages. The response was that the results were in English, but that staff would check.

Commissioner Cotham asked if there was anything asked regarding the LBGT community. The response was no.

Chair Dunlap said he was optimistic about the results of the survey. He said it represented 10 months of the current Board being in place. He said as the Board continued to pursue its priorities, public awareness would go up.

Chair Dunlap asked if staff determined the survey categories. The response was that these were the things County Public Information determined that they wanted to know.

Chair Dunlap noted with respect to those things respondents thought were the most important issue facing the County, that Park and Recreation was not on the list.

Chair Dunlap said the County needed to do a better job of educating the public, to know what these things meant.

Chair Dunlap encouraged Board members to let Director Allen and her staff know if there were other things Board members would like to see included in the survey going forward.

This concluded the discussion.

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

19-5751  PUBLIC HEALTH UPDATES

The Board received a presentation from Health Director Gibbie Harris on Public Health Updates.

Note: 1. Mecklenburg County Health Department is required to conduct and present a State of the County Health Report every year between County Health Assessments. The Report serves to update the community on the health status of our community.

2. Public Health is required to provide an annual Communicable Disease report to the Board of County Commissioners.

Director Harris gave an update on the status of the Getting to Zero Meck Plan, our community HIV Plan and the national Ending the Epidemic efforts related to our community.

Note: North Carolina requires each local health department to conduct a Community Health Assessment (CHA) every four years for accreditation and as part of its consolidated contract. During the years between health assessments, health departments submit an abbreviated State of the County Health (SOTCH) report. In Mecklenburg County, this report consists of an overview of selected health indicators presented in tables and charts. Sections include information on demographics, maternal and child health and leading causes of morbidity and mortality. The report highlights progress in addressing the top four health issues as identified by Mecklenburg County residents; those include mental health, access to care, chronic disease prevention and violence prevention.

A copy of the presentation is on file with the Clerk to the Board.
Commissioner Harden requested information on the other southern counties included in the report. Commissioner Harden commented on the Births & Birth Outcomes data in the report. She highlighted the death rate between white and black children and asked how could that disparity be gotten to zero and what were other communities doing to reduce the disparity.

Director Harris said she was unaware of other communities that were close to a zero disparity with a comparable population of Mecklenburg County. She said this was something staff would be working on, trying to find a community comparable in size to Mecklenburg County. She said she just recently heard about some things that Wake County was embarking upon.

Commissioner Harden said the disparity was unacceptable. Director Harris said she agreed. She said there were many different causes for the disparity, per research that’s been done. She said there wasn’t one solid answer or explanation. She said the death rate was the same for “educated, well off,” African American females, as they were for “uneducated, poor,” African American females. Director Harris said some studies had shown it was related to the care received.

Commissioner Jerrell noted that per the report, one quarter of the County suffers from hypertension. He said it would be good to know how much this, as well as, the other indicators impact the County in terms of cost and was there an opportunity to redirect dollars. Director Harris said she would provide the cost data related to the various indicators.

Commissioner Leake asked about the new health facility built by Michael Jordan near the Valerie C. Woodard Center and whether there would be any intermingling between that facility and the County. She also questioned why County Officials weren’t involved in the announcement process with respect to Mr. Jordan’s facility, like Charlotte City Council was.

Director Harris said she could not address the question of why County Officials weren’t included in the announcement process. She said the facility was built by Michael Jordan in collaboration with Novant Health.

Commissioner Leake, Chair of the Board’s Health and Human Services Committee noted that the Committee had been holding meetings out in the community, in hopes of increasing public awareness of health and human services through the dissemination of information and to obtain citizen input and address concerns

Commissioner Leake questioned whether public health information was being disseminated at Johnson C. Smith University and Clinton College. She said if not, it should be.

Chair Dunlap requested that there be consistency in terms of how data was reported. He said in some instances in the report, information was listed as a 3-year average, rather than showing the yearly average.

Chair Dunlap commented on the Crisis Intervention Team training. He said he would be interested in knowing the retention rate of those trained, because a lot of the officers that had gone through the training had retired or were retiring.

Chair Dunlap said in an effort to get the total picture of public health in the community and with so many different agencies collecting data, that it would be good to collect data from all the various medical facilities. Director Harris said with respect to the diseases that were in the report, these were reportable diseases. She said the health department receives information from every clinic and every hospital system. She said they were required to report that information.
Commissioner Leake said she would like to see the County Manager's name listed on all future reports, in addition, to the presenters. Commissioner Leake said the County Manager was in charge and that the Board holds her accountable. She said it would also inform the public of who they could reach out to if they had questions. Commissioner Leake asked that her statement be reflected in the minutes.

Chair Dunlap said that would be the County Manager's decision to make and that she may or may not want to do that. He said otherwise, it would take a vote of the Board and that no one had made such a request.

Commissioner Fuller said the County was making progress with respect to the Getting to Zero (G2Z) Objective for Pre-Exposure Prophylaxis (PrEP). He complimented staff. He noted also that the PrEP initiative was something that he and Chair Dunlap found out about, per a conference they attended in San Diego and they brought the idea back to the County and funds were subsequently placed in the budget for this effort.

Commissioner Leake noted that former and the late County Commissioner Valerie C. Woodard was a big advocate for addressing HIV/AIDS in the community and worked to ensure the County's attention to this matter.

This concluded the discussion.

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

With there being no further business to come before the Board, Chair Dunlap declared the meeting adjourned at 4:56 p.m.

Emily A. Heneg, Clerk

George Dunlap, Chairman

Janice S. Paige, Clerk
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 6, 2019.

ATTENDANCE

Present: Chair George Dunlap and Commissioners Patricia “Pat” Cotham, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, 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: None

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-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: 19-5753, 19-5754, 19-5757, 19-5759, 19-5763, 19-5764, and 19-5779.

It was the consensus of the Board to move Item 19-5753 – Proclamation National Adoption Awareness Month and 19-5757 – Proclamation November 2019 Homeless Awareness Month from the Consent section of the agenda to the Awards/Recognition section of the agenda.

STAFF BRIEFINGS

19-5770 BILLINGSLEY MIXED-INCOME HOUSING RFQ AND RFP

The Board received as information an update on the Billingsley Mixed-Income Housing RFQ and RFP to be released for the financing, construction, and long-term property management of County-owned property in the Grier Heights neighborhood that is being repurposed for housing.

Mark Hahn, Director of Asset and Facility Management gave the update.

Note: At the Board’s March 26, 2019 Public Policy meeting, several affordable housing initiatives were advanced for fiscal year 2020. Included in those items was developing a Request of Qualifications (RFQ) and Request for Proposal (RFP) for development of mixed-income housing on +/- 14 acres of County-owned property at the intersection of Wheatley Avenue and Ellington Street in the Grier Heights neighborhood. Included in the proposed project is a parcel of land at the intersection of Wheatley Avenue and Roddman Street (+/- 0.196 acres) that is being offered for sale as well. Since the March meeting, County staff has been
conducting research on the project, have developed proposed project elements and requirements, a timeline, and have completed the RFQ that will be released.

The project’s major elements are:
− The Selected Developer and the County will enter into a ground lease for +/- 14 acres of Tax Parcel 157-041-01.
− The Selected Developer will purchase Tax Parcel 157-034-17 from the County.
− The Selected Developer will construct a variety of housing types (rental, for-sale, single, family, multi-family, apartments) and sizes.

The development will include a mix of income levels with an emphasis on those households in need of affordable housing. The target household income mix shall include:
− 20% - 25% of all units for household incomes at or below 30% AMI
− 25% - 30% of all units for household incomes between 31% to 80% AMI
− 25% - 30% of all units for household incomes between 81% to 120% AMI
− 25% of all units for market rate housing.

The Selected Developer must provide long-term property management of the development.

The County intends to ensure long term affordability by placing a 30-year deed restriction on the rental apartments and either a deed restriction, equity-sharing, other affordability assurance provision on the for-sale products.

The RFQ will be released on November 7th. The RFP will be released in January, and staff anticipates having the Selected Developer chosen in March 2020.

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

Comments

Commissioner Leake asked who were the neighborhood leaders and the association that staff met with. She questioned whether they were the true “neighborhood leaders.” Director Hahn said he would get that information to the Board.

County Manager Diorio asked Board members to share with staff the name(s) of person(s) they’re aware of who were neighborhood leaders in the Grier Heights neighborhood.

Commissioner Leake asked if there was a way to ensure that current/longtime residents of Mecklenburg County could be prioritized to have first access to the affordable housing. Staff said research was necessary to explore available options and that they would report back.

Commissioner Leake asked what qualified someone as a resident. County Attorney Wade addressed residency requirements.

Commissioner Cotham asked whether the developers staff met with would be interested in participating in the RFQ process. The response was yes.

Commissioner Rodriguez-McDowell asked could there be environment-friendly requirements (green buildings) in place for the construction of the units. Staff said they would explore what criteria could be put in place for Leadership in Energy and Environmental Design (LEED).

Commissioner Jerrell asked about the For-sale units and how the neighborhood would be protected from further gentrification, which was addressed.
Commissioner Powell asked about storm water management and protecting natural resources, especially the tree canopy, which was addressed.

County Manager Diorio said broad criteria could be placed in the RFQ so that the developers selected for the RFP process would be aware of expectations.

Chair Dunlap said it should be kept in mind that there were trade-offs. He said if the Board adds additional requirements it could impact the number of affordable housing units available, unless the Board was willing to invest more.

Chair Dunlap said the Board would need to hear from developers on what could and could not be done with respect to the concerns expressed around additional environmental desires.

Commissioner Leake asked when the housing would be available. A specific timeframe was not known currently. It could be six months, a year or longer, depending upon negotiations, but it’s anticipated it shouldn’t take too long.

Director Hahn said he would anticipate probably within three years there would be units ready for occupancy.

Commissioner Scarborough said affordability varied from person to person.

Chair Dunlap thanked Director Hahn for the report.

This concluded the discussion.

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

CLOSED SESSION

19-5767 CONSULT WITH ATTORNEY
19-5773 BUSINESS LOCATION AND EXPANSION
19-5800 PERSONNEL MATTER

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 Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrrell, Leake, Powell, Rodriguez-McDowell, 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 5:42 p.m. and came back into Open Session at 6:08 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 at 6:17 p.m., which was followed by introductions, invocation by Commissioner Fuller, followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.
Chair Dunlap took a “point of personal privilege” and noted the following:

He acknowledged the election that took place on Tuesday, November 5, 2019 and the unsuccessful passage of the Quarter-Cent Sales and Use Tax referendum. He thanked those that participated in the process. He said the Board respected the vote of the voters.

He thanked Michael Jordan and the Hornets Organization for redeveloping a third basketball court to add to the amenities offered by Park and Recreation.

Lastly, he thanked Park and Recreation staff for all that they do, which he said recently was a lot.

**AWARDS/RECOGNITION**

**19-5761 EXCELLENCE IN INNOVATION AWARDS (NCACC)**

The Board recognized Mecklenburg County staff who received the North Carolina Association of County Commissioners (NCACC) Excellence in Innovation Awards: The County Assessor’s Office (CAO) for their “2019 Revaluation Community Engagement Program” and Public Health for their "Model of Collaboration to Increase PrEP Availability" program.

The award was presented by Matt Bigelow, Program Development Manager for the NC Association of County Commissioners (NACC) and Carl Clark with the Local Government Federal Credit Union (LGFCU). The NCACC and LGFCU partner to sponsor this award.

*Note: The winning programs were recognized by the North Carolina Association of County Commissioners (NCACC) at their annual Excellence in Innovation Awards Program reception during the Annual Conference in Guilford County August 22-24, 2019.*

The CAO’s "2019 Revaluation Community Engagement Program" included 168 engagement sessions from 2017 to the present for community groups, neighborhood associations, faith organizations, and other civic groups. The four-phase approach used a dedicated website, community engagement events, technical documents, and media outlets to improve outreach to the community by offering easy to locate and read information, answering questions, and being accessible to customers to create confidence in the community for the 2019 Revaluation.

Public Health was recognized for their “Model of Collaboration to Increase PrEP [preexposure prophylaxis] Availability” which involved a 24-month pilot to provide PrEP to at least 320 individuals at high risk for HIV and are uninsured through contracts with community partners who provide clinical services to the population at high risk. Partner providers include Ballantyne Family Medicine/Amity Medical Group, The C.W. Williams Community Health Center, Inc., Eastowne Family Physicians, Quality Comprehensive Health Care Center Powerhouse Project, and Rosedale Assistance & Opportunities (RAO).

**19-5775 COUNTY ASSESSOR’S OFFICE INTERNATIONAL AWARDS AND DESIGNATIONS**

The Board recognized and congratulated the County Assessor’s Office for receiving numerous 2019 International Association of Assessing Officers (IAAO) Awards and Designations as noted below:

1) 2019 IAAO Distinguished Jurisdiction Award
2) IAAO Professional Development Lifetime Achievement Award (Kenneth Joyner, County Assessor)
3) Five (5) Professional IAAO Designations in the areas of Assessment Administration Specialist, Personal Property Specialist, and Residential Evaluation Specialist

County Assessor Ken Joyner presented the matter to the Board.

Note:
1) The County Assessor’s Office (CAO) was honored to receive the 2019 IAAO Distinguished Jurisdiction Award. This award is presented to a national, state/provincial, regional or local assessment agency that has instituted a technical, procedural or administrative program which is an improvement over prior programs in that jurisdiction and is generally recognized as a component of a model assessment system and a contributing factor to equity in property taxation.

2) County Assessor, Kenneth, “Ken” Joyner, was awarded the IAAO Professional Development Lifetime Achievement Award. This award is presented to an IAAO member who has dedicated him or herself to the organization and its members through education, instruction, and the Professional Designation Program over a long period of time. Nominees must have 25 or more years of IAAO membership and served IAAO for 15 or more years through committee work in the professional development areas, as an instructor, course coordinator, curriculum developer or reviewer, demonstration appraisal grader or professional designation advisor.

3) Several CAO employees obtained professional IAAO designations at the annual conference in September 2019. These designations required dedication, persistence, education, and a well-rounded knowledge of the profession. The designations were awarded to:

1) Christy Lantis received her Assessment Administration Specialist designation (AAS)
2) Kellianne Nagy received her Personal Property Specialist designation (PPS)
3) John Geier received his Assessment Administration Specialist designation (AAS)
4) Joel Shytle received his Residential Evaluation Specialist designation (RES)
5) Roger Webb received his Residential Evaluation Specialist designation (RES)

Board members expressed thanks to County Assessor Joyner and his staff for all of the work that they do.

19-5753 PROCLAMATION - NATIONAL ADOPTION AWARENESS MONTH

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a proclamation designating November 2019 as “National Adoption Awareness Month” in Mecklenburg County.

The proclamation was read by Commissioner Leake and received by Men Tchaas Ari, Deputy Director of the Adult and Economic Services Division at Mecklenburg County’s Department of Social Services.
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19-5757  PROCLAMATION - NOVEMBER 2019 HOMELESS AWARENESS MONTH

Motion was made by Commissioner Rodriguez-McDowell seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a joint proclamation declaring November 2019 as Homeless Awareness Month in Charlotte and Mecklenburg County.

The proclamation was read by Commissioner Rodriguez-McDowell and received by Hannah-Marie Warfle on behalf of the Homeless Services Network of Charlotte-Mecklenburg.
The following persons appeared to speak during the Public Appearance portion of the agenda:

Brian Kasher, Michael Merenstein, Jeffrey Reisberg, and Grant Mitchell spoke in opposition to Medic’s Garnishment of wages for payment of claims. It was suggested that the County cover all of Medic’s costs. They also addressed hardships that many face, thus, preventing them from being able to pay for the service provided to them. They urged the Board to come up with a better solution for the provision of the service.

**Note: A handout from Brian Kasher is on file with the Clerk to the Board.**

Tera Long, Cade Lee, Peri Alletto, Grace McLain, and Melba Evans signed up to speak to this issue but did not.

**Note: A handout from Tera Long, however, is on file with the Clerk to the Board.**

James Lee addressed the need for affordable housing. He thanked the Board for its efforts to assist in the area of providing affordable housing. He said he knew of some investors interested in the issue as well and that a report would be forthcoming.

Billy Shue and LiMia Bowen signed up to speak but were unable to be present.

**APPOINTMENTS**

19-5755 APPOINTMENTS
The vote was taken on the following nominees for appointments to the Building Development Commission:

**Ezequiel Acosta**
Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough

**Glenn Berry**
Commissioners Cotham, Dunlap, Fuller, Harden, Leake, Jerrell, Powell, Rodriguez-McDowell, and Scarborough

**Terry Knotts**
Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough

**Aaron Moody**
Commissioners Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough

**Paul Stefano**
Commissioners Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough

Chair Dunlap announced the appointment of Ezequiel Acosta, Glenn Berry, Terry Knotts, Aaron Moody, and Paul Stefano to the Building Development Commission for three-year terms expiring July 31, 2022.

**PUBLIC HEARINGS**

**19-5760**
**PUBLIC HEARING FOR CLOSING A PORTION OF PUBLIC RIGHT-OF-WAY FOR LAINE ROAD**

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough, and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to open the public hearing to hear comments with respect to the closing of a portion of public right-of-way for Laine Road.

**Note:** The current property owner, Hope Community Church of Metrolina (formerly Westmoreland Baptist Church), petitioned to close a 0.828-acre portion of the public right-of-way for Laine Road through the church campus. The portion of said right-of-way currently provides access to Sam Wilson Road. This access will be replaced by Bedford Road from Laine Road (SR 1627) to Sam Wilson Road (SR 1625).

At the May 21, 2019 Mecklenburg Board of County Commissioners’ (BOCC) meeting, the Board authorized the County Manager to request North Carolina Department of Transportation (NCDOT) to abandon maintenance of their portion of Laine Road from Bedford Road to Sam Wilson Road. On August 8, 2019, NCDOT released the right-of-way on Laine Road and abandoned state maintenance. NCDOT released all claims to said right-of-way on Laine Road. At the same meeting, NCDOT accepted maintenance on Bedford Road from Laine Road to provide access to Sam Wilson Road.

To close a right-of-way in the unincorporated part of the County, General Statute 153A-241 requires the BOCC to adopt a resolution declaring its intent to close the public road and call a public hearing. Once closed, the 0.828-acre portion of the former public right-of-way will become vested to Hope Community Church of Metrolina (formerly Westmoreland Baptist Church).

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 Laine Road would not deprive any individual owning land in the vicinity of said right-of-way of reasonable ingress and egress to
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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 have no objection to the closing of the portion of said right-of-way.

No one appeared to speak.

Motion was made by Commissioner Fuller, seconded by Commissioner Jerrell, and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to close the public hearing and approve the Order of Closing for the portion of Laine Road public right-of-way.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
ORDER OF CLOSING FOR A PORTION OF LAINE 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 a 0.828-acre portion of public right-of-way for Laine Road as shown on the Exhibit A map attached hereto be abandoned and 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 Laine 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; and has determined that the North Carolina Department of Transportation does not maintain said right-of-way; and

WHEREAS, on October 1, 2019, the Mecklenburg Board of County Commissioners declared its intent to close the 0.828-acre portion of public right-of-way for Laine 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 Laine Road for 6:30 pm on the 6th day of November, 2019 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 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 November 6, 2019, the Mecklenburg Board of County Commissioners gave an opportunity to all interested persons to speak on whether the closing of the 0.828-acre portion of public right-of-way for Laine 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 Laine 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 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 Laine 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 rec ordation of this Order for Closing shall provide conclusive evidence of the closing of the 0.828-acre portion of public right-of-way for Laine Road which as shown on the attached map hereeto.

Order recorded in full in Ordinance/Minute Book 48-A Document #98.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

County Manager Diorio informed the Board of the dates for the Board’s 2020 annual retreat, January 29-31, 2020 and that it would be held locally. The location has not been determined.

County Manager Diorio said Budget Director Michael Bryant would be reaching out to Board members regarding topics of interest.

Commissioner Leake questioned why the retreat was being held locally. County Manager Diorio said it was because of a scheduling conflict with the Grandover hotel in Greensboro, NC., where the retreat was held last year.

County Manager Diorio asked Board members to let staff know if they had location suggestions.

Chair Dunlap noted that Queens University offered to host the retreat if the Board was interested in meeting at one of their facilities.

19-5791 CHARLOTTE FUTURE 2040 A COMPREHENSIVE PLAN

The Board received as information a presentation from Taiwo Jaiyeoba, Assistant City Manager and Planning Director for the City of Charlotte on the "Charlotte Future 2040 A Comprehensive Plan".

Note: The City of Charlotte is preparing its first Comprehensive Plan since 1975. The Plan focuses on the physical development of Charlotte and the unincorporated area of Mecklenburg County over the next 20 years. It is intended to bring together the many plans and policies that guide growth and development and establish a shared vision for how and where we grow. The Plan will also guide future capital investments to support that growth.

A draft of the plan is scheduled to be completed in Fall 2020. During the current phase of the planning process, Charlotte is evaluating various ways Charlotte could grow, referred to as growth scenarios.

An overview of the Comprehensive Plan and scenarios were shared with the Board, which was the plan before establishing one preferred scenario, that would guide future growth over the next two decades.
A copy of the presentation is on file with the Clerk to the Board.

Comments

Commissioner Jerrell said as the Plan was being developed, how do you guard against the Plan being developed from a place of privilege, which was addressed.

Commissioner Jerrell asked what modes of transportation were being recommended, which was addressed.

Commissioner Fuller asked what the difference was between the scenarios. He said it seemed to cement what already occurs. He said this process should viewed from a regional perspective, beyond Mecklenburg County. He said by doing so, it would allow for bigger thinking when it came to transportation options. Assistant City Manager and Planning Director Jaiyeoba commented.

Commissioner Powell encouraged Assistant City Manager and Planning Director Jaiyeoba to continue to listen to the community. She also encouraged him to make sure that County departments like Storm Water Services, GIS, the Natural Resources Division of Park and Recreation, as well as, the Catawba-Wateree Water Management Group, were included in the process to ensure a healthy and livable Mecklenburg County.

Commissioner Leake asked when and where were the community meetings being held, which was addressed. She said it was important to communicate with seniors regarding the Plan.

Commissioner Leake asked about the role of Charlotte Center City Partners and other non-profits in the process, which was addressed.

Commissioner Leake said it still appeared to be a system of the "haves and have nots." She commented on gentrification and the negative impacts of that. In addition, she asked how the Plan would address decisions of land ownership by minorities, access to education, employment, food deserts, gentrification, and segregation, which was addressed.

Commissioner Cotham asked had there been any discussion with business leaders in different industries to understand their needs, especially as it related to workforce transportation options, which was addressed.

Commissioner Cotham commented on how day care was an issue for many in the workforce. She said especially those that rely on public transportation and/or if they have transportation, they still may have to drive some distance to get to the daycare from where they work. Assistant City Manager and Planning Director Jaiyeoba addressed this concern.

Commissioner Rodriguez-McDowell asked about the timeline for changes to occur as it related to idea of possibly reducing single-family homes, which was addressed.

Commissioner Harden asked what the role of the City of Charlotte would be in reference to the goal of celebrating quality public education, which was addressed. She said there was a disconnection between balancing economic/community growth and growth in schools.

Commissioner Harden asked if this piece of the plan could be implemented sooner rather than later, which was addressed. It was noted that it was really a matter of coordination and working together. Assistant City Manager and Planning Director Jaiyeoba said the education piece didn’t have to be necessarily tied to the long range plan. He said he concurred with Commissioner Harden.
that some things could be done sooner. He said it was a conversation that needed to happen between the involved entities.

Commissioner Harden asked Assistant City Manager and Planning Director Jaiyeoba what would be the next steps to ensure something happens sooner rather than later. He said he would follow-up with her directly.

Chair Dunlap said all of the various development plans, i.e. the City of Charlotte, the County, Charlotte Mecklenburg Schools, Townships within the County, and even the Department of Transportation plan, have to merge together at some point. He said the City of Charlotte had taken the lead on making this happen.

Chair Dunlap informed the Board that based on the rules for the Metropolitan Transit Commission (MTC), the chairmanship of the MTC rotates between the Mayor of Charlotte and the Chair of the Board of County Commissioners. He said 2020 would be the County’s opportunity for chairmanship. He said if reelected Chair of the Board in December, he would appoint Commissioner Harden to serve in that capacity.

Chair Dunlap asked about modes of transportation, specifically, whether greenways, bikes, and bike lanes were considered modes of transportation in the plan. The response was yes.

Chair Dunlap asked if the new Plan would allow for the consideration of requests for variances, because it defeats the purpose of a Plan, which was addressed.

Chair Dunlap encouraged Assistant City Manager and Planning Director Jaiyeoba to find out the best source for making the right connection to reach out to the Hispanic community for their involvement in the process.

Commissioners Rodriguez-McDowell and Harden said they would assist Assistant City Manager and Planning Director Jaiyeoba in reaching out to the Hispanic community.

Chair Dunlap said there needed be diversity at the table throughout the process.

Chair Dunlap thanked Assistant City Manager and Planning Director Jaiyeoba for the report.

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

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the following item(s):
Rescind action taken on July 2, 2019 (Agenda Item #19-5547) that appropriated the transfer of $1,600,000 from the Code Enforcement General Fund Balance Reserve to the Technology Reserve Fund for the Electronic Plans Management and Electronic Plan Review system replacement project; and appropriate the transfer of $1,200,000 from the Code Enforcement General Fund Balance Reserve and $400,000 from the Land Development General Fund Balance Reserve to the Technology Reserve Fund for the Electronic Plans Management and Electronic Plan Review system replacement project.

19-5758 SET PUBLIC HEARING: NAMING APPLICATION - CLEMSON AVENUE PARK TO THE DAVIS FLOHR MEMORIAL PARK

1. Acknowledge receipt of an application, submitted by Kati Hanlon Mayo, to rename Clemson Avenue Park to The Davis Flohr Memorial Park; and

2. Schedule a public hearing on November 19 at 6:30 p.m. to receive public comment on the proposed naming and direct the Clerk to the Board to publish the notice of public hearing as required.

Note: Kati Mayo submitted a renaming application on behalf of the parents, friends and neighbors of Davis Flohr to rename Clemson Avenue Park to The Davis Flohr Memorial Park. Davis, who was born with severe cardiac and congenital disorders, fought through 32 surgeries during his brief life. Despite his extreme medical circumstance, Davis always had an undeniable charisma and joy were full of energy and personality and made an impression on every person he met. He connected with people of all ages and backgrounds with his quick wit and infectious smile. He often volunteered at soup kitchens and participated in charity walks to help those less fortunate. Davis became known as the "Mayor of Noda". He was a constant presence at the Clemson Avenue Park, starting as an infant in his stroller up until he played basketball there with his friends just days before his death at the age of 13.

This renaming application was endorsed by the Central Park Region Advisory Council and by the Park and Recreation Commission.

19-5766 MINUTES

Approve Minutes of Regular meeting held October 15, 2019.

19-5768 BUDGET AMENDMENT - HEALTH DEPARTMENT (REVENUE INCREASE)

A) Amend the annual budget ordinance to recognize, receive, and appropriate an increase of $112,364 in HIV/STD Substance Abuse federal funds to the general fund (0001); and

Note: The NC Division of Public Health awards federal funds to the Health Department to support public health programs. The funding will be used to increase the number of individuals in substance abuse treatment programs being tested for HIV, knowing their status, and being referred to appropriate services for prevention, care and treatment services.

B) Amend the annual budget ordinance to recognize, receive, and appropriate an increase of $121,428 in Family Planning federal funds to the general fund (0001)
Note: The NC Division of Public Health awards federal funds to the Health Department to support public health programs. The additional Title X funding will be used to enhance the Family Planning program through purchase of medical and program supplies.

19-5769 TAX REFUNDS

Approve tax refunds in the amount of $3,751.67 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.

19-5795 POSITION REQUEST: EXECUTIVE DIRECTOR POSITION FOR THE HISTORIC LANDMARKS COMMISSION

Authorize the creation of an Executive Director position for the Charlotte-Mecklenburg Historic Landmarks Commission to be funded with lapsed salary.

Note: The Charlotte-Mecklenburg Historic Landmarks Commission (HLC) was created in 1973 to perform the functions which are enumerated in G.S. 160A-400:

1. To safeguard the heritage of Mecklenburg County by preserving any landmark therein that embodies important elements of the cultural, social, economic, political, or architectural history of the County; and,

2. To promote the use and conservation of such property for the education, pleasure, and enrichment of the residents of Mecklenburg County and the State as a whole.

The principal administrative officer of the HLC is the Director which is currently a consultant position while the staff (Sr. Preservation Planner and Administrative Assistant) are County employees. With the retirement of the existing Director, there is opportunity for this position to be consistent with the others.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

19-5754 BUDGET AMENDMENT - APPROPRIATION OF GENERAL FUND BALANCE FOR HUNTERSVILLE LAND DEVELOPMENT SERVICES

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to appropriate $33,869 from Land Development Funds balances in the General Fund (0001) for the Town of Huntersville to provide Land Development services in the future.

Note: LUESA - Storm Water Services provides Land Development services on behalf of the six Towns. These services include enforcement of the Towns' zoning, subdivision, water quality,
planning, floodplain and other ordinances. In March 2018, the Town of Huntersville, Board of Commissioners instructed Town staff to initiate discussions with the County on the potential for the Town to assume the responsibility of providing Land Development services. The County was informed that the Town’s reasons for assuming responsibility for providing these services was to create a one-stop shop; increase the Town’s control and ownership to match the Town’s accountability for roads, sidewalks, street trees, etc.; and enhance the ability for the Town to adjust fees. On June 18, 2019, the Board of County Commissioners approved revisions to the Land Development Interlocal Agreement resolving a number of items for a successful transition of services to the Town effective July 1, 2019.

Commissioners Leake and Powell removed this item from Consent for clarity. County Manager Diorio addressed the item.

19-5759  DONATION OF CONSTRUCTION FUNDS FROM LOWE’S OF CHARLOTTE - SHERIFF’S OFFICE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the donation of $5,000 in Lowe’s store credit to support the Sheriff’s Office National Center for Construction and Education Research (NCCER) construction skills program.

Note: Lowe’s Community Relations is working on a special project with the Mecklenburg County Sheriff’s Office Vocational Program to provide $5,000 in store credit to purchase materials to support our NCCER construction skills program. The construction skills program provides residents the opportunity to obtain their NCCER certification once they have demonstrated competency in the nine modules associated with the curriculum. Participants must demonstrate and apply skills in basic safety, construction math, power and hand tools, construction drawings, etc. and pass each module exam before obtaining their NCCER certification. The funds provided by Lowe’s will allow MCSO to obtain needed supplies and equipment that support participants’ hands-on learning experience.

Commissioner Leake removed this item from Consent for clarity. She requested a report from the Sheriff’s Office on what was purchased. She also asked that a thank you letter be sent to Lowe’s. County Manager Diorio addressed the item.

19-5763  STORM WATER PROGRAM - HAZARD MITIGATION CATAWBA RIVER FLOODPLAIN ACQUISITION

Motion was made by Commissioner Powell, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Accept the Offer of Sale of Real Estate from Peter Bartel, owner of property located at 1415 Riverside Drive, Charlotte, NC (tax parcel 031-161-19), for $350,958.05;

2. Accept the Offer of Sale of Real Estate from Jo Ann Rogers, owner of property located at 1905 Lake Drive, Charlotte, NC (tax parcel 031-472-04), for $274,939.32; and

3. Authorize the Charlotte-Mecklenburg Police and Fire Departments to use the structure for training exercises.

Note: Since late 1999, Mecklenburg County has used storm water fee revenue to acquire flood
prone property. Buyouts reduce the risk to life and property during floods, while also enhancing the natural and beneficial functions of the floodplain.

Commissioner Powell removed this item from Consent for public awareness.

19-5764 LANDSCAPE ARCHITECT/ENGINEER SELECTION - FISCAL YEAR (FY) 2020 MECKLENBURG COUNTY GREENWAY PROJECTS

Motion was made by Commissioner Leake seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to negotiate fees and execute contracts with selected firms for Landscape Architectural/ Engineering Services for FY 2020 Mecklenburg County Greenway Projects and in the event negotiations with any of the firms are unsuccessful, approve negotiations with the alternate firms, as noted below:

The selected firms and alternates to be assigned to the following projects:

<table>
<thead>
<tr>
<th>Project:</th>
<th>Selected Firm:</th>
<th>Alternate Firm:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Briar Creek Greenway</td>
<td>Kimley-Horn</td>
<td>Alfred Benesch</td>
</tr>
<tr>
<td>Paw Creek Greenway</td>
<td>Alfred Benesch</td>
<td>Kimley-Horn</td>
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<tr>
<td>Reedy Creek Greenway</td>
<td>Alfred Benesch</td>
<td>LandDesign</td>
</tr>
<tr>
<td>Long Creek Greenway</td>
<td>LandDesign</td>
<td>McAdams</td>
</tr>
<tr>
<td>Irwin Creek Greenway</td>
<td>Wirth &amp; Assoc.</td>
<td>LandDesign</td>
</tr>
<tr>
<td>Sugar Creek Greenway</td>
<td>McAdams</td>
<td>Kimley-Horn</td>
</tr>
<tr>
<td>Caldwell Station Greenway</td>
<td>Alta Planning</td>
<td>ColeJenest &amp; Stone</td>
</tr>
<tr>
<td>Walker Branch Greenway</td>
<td>ColeJenest&amp;Stone</td>
<td>Alta Planning.</td>
</tr>
</tbody>
</table>

Note: The following eight (8) FY20 greenway projects are included in the Request for Qualifications (RFQ):

- Sugar Creek Greenway - 3.3 miles from Billy Graham Parkway to McDowell Farms Drive
- Briar Creek Greenway - 1.7 miles from Central Avenue to Commonwealth Avenue to Monroe Road
- Irwin Creek Greenway - 2.2 miles from Old Statesville Road to Allen Hills Park
- Paw Creek Greenway - 1.5 miles from Little Rock Road to Loy Court
- Caldwell Station Tributary Greenway - 0.8 miles from Old Statesville Road (Northern Regional Recreation Center) to Existing Caldwell Station Creek Greenway
- Long Creek Greenway - 4.3 miles from Treyburn Drive to Oakdale Road
- Reedy Creek Greenway - 2.0 miles from Grier Road to Plaza Road Extension
- Walker Branch/Hoover Creek Greenway - 1.5 miles Sledge Road to Rathangan Drive

Commissioner Leake removed this item from Consent for public awareness.

County Manager Diorio addressed the item.

Commissioner Powell commented on the importance of protecting the nature preserves and greenways, which was addressed.

19-5779 DONATION OF OUTDOOR FITNESS EQUIPMENT FROM THE CAROLINA PANTHERS

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez McDowell, and Scarborough voting yes, to recognize and receive the donation of outdoor fitness equipment at Veterans Park, valued at $125,000 from the Carolina Panthers, to serve veterans and
the general public.

Note: The Carolina Panthers have worked with Park and Recreation in the past for previous donations, including NFL Play60 Playgrounds at Freedom Park, Reedy Creek Park and Hornets' Nest Park. This partnership will allow for the County to offer alternative fitness opportunities to adults and veterans. The Carolina Panthers, Lowe's and Veterans Bridge Home are seeking to execute a project in partnership with Park and Recreation as part of the NFL's Salute to Service initiative. The project would be comprised of constructing a new fitness amenity in Veterans Park. The fitness space would be available for general public use but would be designed as a place for veterans to gather for fitness and fellowship.

Commissioner Leake removed this item from Consent for clarity and public awareness. County Manager Diorio and Lee Jones, Director of Park and Recreation addressed the item.

ADJOURNMENT

Chairperson Dunlap announced that there being no further business to come before the Board that the meeting be adjourned at 8:52 p.m.

Janice S. Paige, Clerk

George Dunlap, 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 19, 2019.

**ATTENDANCE**

Present: Chair George Dunlap and Commissioners Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, 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: Commissioners Patricia “Pat” Cotham and Trevor M. Fuller

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**-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: 19-5762, 19-5781, 19-5782, 19-5789, 19-5801, 19-5805, and 19-5825.

It was the consensus of the Board to move Item 19-5825 Proclamation-World AIDS Day 2019 from the Consent section of the agenda to the Awards/Recognition section.

**STAFF BRIEFINGS**

19-5835 MECKLENBURG COUNTY GOVERNMENT POLICY GOVERNING BOCC TOWN HALL MEETINGS AND HATCH ACT UPDATE

County Manager Diorio provided the Board with an update on the Mecklenburg County Government Policy Governing BOCC Town Hall Meetings and County Attorney Wade provided an overview of the Hatch Act.

Note: The Town Hall Meetings Policy establishes policies and procedures for County staff in scheduling, coordinating, and providing board support for district or community meetings, referred to as Town Halls, that are organized or initiated by a member of the Board of County Commissioners. In addition, the Board received an update on the Hatch Act which restricts political activity of certain government employees.

County Manager Diorio said that Mecklenburg County’s Policy Governing Town Hall Meetings provides that during election cycles staff supported meetings and events are reduced to 2 (two) town hall style events (at which no political campaign signs or literature may be present or distributed) to address pertinent County concerns; from the beginning of the candidate
filing period for election to the Board of County Commissioners or other public office through Election Day, unless otherwise noted.

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

**County Attorney Wade** said the Hatch Act was federal legislation that restricts the political activity of certain government employees. It was enacted to ensure that the influence of partisan politics in government institutions was limited and to protect public servants from perceived pressure from political parties to work on political campaigns or give political contributions.

**Comments**

**Commissioner Jerrell** asked if the policy applied if a Board member had no opponent in the Election. The response was yes.

**Commissioner Rodriguez-McDowell** asked if a County facility could be utilized for community meetings during this time, such as a Park and Recreation Center.

**County Attorney Wade** said the policy only applied to campaigning and election related events, it did not apply to County business. However, if the facility was used for free, it could be viewed that a Commissioner was receiving preferential treatment.

**County Manager Diorio** said it would be better if a Commissioner paid as a regular citizen would to use a Park and Recreation facility during this time period.

**Commissioner Harden** questioned why a Commissioner’s candidacy for elected office was given more weight over a Commissioner’s duty to serve his or her district.

**County Attorney Wade** said the Hatch Act did allow use of County resources for performing County business; however, you wouldn’t want it to be perceived that government was providing favoritism. He said it would be better to proceed as a regular citizen would without special access to resources.

**County Manager Diorio** said she understood it would be difficult for Board members to go without support, especially since it’s a year long election cycle. She said that was why she was allowing two (2) town halls per Board member during this time.

**Chair Dunlap** thanked County Manager Diorio for the change of allowing two (2) town halls. He said this change was a substantial change. He said the policy was fair to everyone, including the public.

**Commissioner Rodriguez-McDowell** asked what the process was to achieve four-year terms for County Commissioners.

**County Attorney Wade** said the question must be brought before the public as a referendum.

**Chair Dunlap** said the question had been placed on the ballot in the past but failed.

**County Manager Diorio** said the referendum would have to be done in a non-election year for the Board of County Commissioners.

**Commissioner Jerrell** asked if board support was permitted to schedule individual meetings for Board members. The response was yes, but not for community meetings.
CLOSED SESSION

19-5787 CONSULT WITH ATTORNEY

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

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

-FORMAL SESSION-

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

Chair Dunlap took a “point of personal privilege” to request County Manager Diorio, Chair of the Mecklenburg County Complete Count Committee, to provide information regarding the upcoming 2020 Census.

County Manager Diorio said the Census was conducted once every 10 years; April 1, 2020 is Census Day. County Manager Diorio said in 2010 Mecklenburg County had a 75% count rate. Since 2010, the demographics in Mecklenburg County had changed. She said the census was important because billions of federal dollars were distributed based upon the count; the more people counted would result in more federal resources to the community. In addition, the census determined political representation in Congress. In 2010, North Carolina missed gaining an additional congressional seat by only 15,000 people.

County Manager Diorio said for the first time, the Census would be online making it much easier to participate. She said the County would leverage its resources to allow those without broadband to complete their census documents at County facilities such as libraries and recreation centers and that persons would be available to assist them. She said the most underrepresented demographics were African-Americans, Asian-Americans, the Latinx community, the homeless, seniors over 80 and children under age 5. She said trusted voices were needed in the community to encourage census participation and to communicate that the census was safe, required, and convenient. She said the federal government was prohibited from using census data for 70 years after the Census was complete.

County Manager Diorio said people needed to understand that when they get counted, their data was safe and there would be no repercussions from them completing the form.

County Manager Diorio said if anyone was interested in helping in the Census process to go to www.Meckcounts2020.com for more information.

County Manager Diorio thanked Chair Dunlap for giving her the opportunity to address the Census.

AWARDS/RECOGNITION

19-5825 PROCLAMATION - WORLD AIDS DAY 2019 (CHAIR DUNLAP)

Motion was made by Commissioner Leake, seconded by Commissioner Powell, and unanimously carried with Commissioners Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and
Scarborough voting yes, to adopt a Proclamation declaring December 1, 2019 as World AIDS Day in Mecklenburg County.

The proclamation was read by Chair Dunlap and received by Mecklenburg County Health Director Gibbie Harris.

Comments

Commissioner Leake said she had been actively involved in fighting AIDS for years and that it was important to address this issue 365 days a year. She asked about the availability of funding for treatment and if the number of AIDS cases had decreased.

Health Director Gibbie Harris thanked the Board for shining a light on the issue and addressed Commissioner Leake’s questions.

Commissioner Leake said the former and late Commissioner Valerie C. Woodard advocated strongly for the community to be involved in the fight against AIDS. She noted also the importance of Ryan White Funds.

PUBLIC APPEARANCE

19-5785 PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the agenda:
Deronda Metz, Director of the Salvation Army’s Center of Hope thanked the Board for its continued commitment to support the homeless. She also highlighted a new program of the Center of Hope effective December 1, 2019, in partnership with Blue Cross Blue Shield, will start a two (2) year pilot project to keep Dads with their families, at least 45-50 families. She said the end goal was for 80% of those families to move out of homeless into permanent housing. It was also noted that the goal of the Salvation Army was to have a new housing center/shelter in the next four (4) to five (5) years with the capacity to serve 450 individuals.

Ms. Metz ended her remarks by announcing an upcoming Candle Light Vigil that would be held on November 21, 2019 at 6:30 p.m. at the Salvation Army’s Center of Hope, honoring and remembering those in the homeless population that passed away this year.

Sydney Schwarz spoke in opposition to Medic’s garnishment of wages for persons unable to pay their claim. He suggested the Board fund Medic entirely by using property taxes.

James Lee spoke about Affordable Housing and thanked the Board for its efforts in this area. He also addressed the 2020 Census and noted that he was a part of the Complete Count Committee. Mr. Lee suggested that the County provide funds to pay persons for working with the Census effort, those that would be going out in the community to reach the underrepresented. He said he and others were having to seek grant funds to assist them in what they needed to do.

Keon Williams, Jr., Jennifer Roberts, John Harvey, Kaleia Martin, Mary Ellis Stevens, Jessica Finkel, Steve Rundle and Nancy Carter spoke about the need for a clean energy resolution. They addressed the negative impacts of a community that’s not environmentally healthy, including the impact on the lives of residents.

Note: Jennifer Roberts, a former Chair of the Board of County Commissioners and former Mayor of Charlotte, provided the Board with a copy of her remarks.

A copy of Ms. Roberts remarks is on file with the Clerk to the Board.

Martin Zimmerman and Tina Katsannos addressed climate change the environmental health impacts on adults and children, specifically, those with asthma. They urged the Board to adopt a resolution of action with respect to this issue.

Jonas Richardson, Gary Marion, Sarah Haley, and Leo Amon signed up to speak but did not appear for the Public Appearance portion of the meeting.

APPOINTMENTS

19-5756 NOMINATIONS/APPOINTMENTS

JUVENILE CRIME PREVENTION COUNCIL

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

Ashley Murrell by Commissioner Leake
Kathy Pate by Commissioner Jerrell

Note: An appointment will occur at the December 3, 2019 meeting.
REGION F AGING ADVISORY COMMITTEE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate and appoint Shalinda Williams to the Region F Aging Advisory Committee for the alternate slot to fill an unexpired term expiring June 30, 2020 and to reassign Jeffrey Dean from an alternate to a delegate slot on the Region F Aging Advisory Committee.

Note: Ms. Williams replaced Irene Phillips.

WOMEN’S ADVISORY BOARD

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to reappoint Jamilah Espinosa, Yolonda Holmes and Stacey Sandeford-Lyons to the Women’s Advisory Board for three-year terms expiring November 30, 2022.

Comments

Commissioner Leake said someone in the school system contacted her and said Dr. Yolonda Holmes serving was a conflict. Commissioner Leake said she did not think so, because the advisory board met in the afternoon and not during the school day.

Chair Dunlap referred the concern to the County Attorney to determine whether there was a conflict.

PUBLIC HEARINGS

19-5784 NAMING OF CLEMSON AVENUE PARK TO DAVIS FLOHR MEMORIAL PARK

Motion was made by Commissioner Scarborough, seconded by Commissioner Jerrell and unanimously carried with Commissioners Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to open a public hearing on the request to name Clemson Avenue Park to "The Davis Flohr Memorial Park".

Note: Kati Mayo submitted a renaming application on behalf of the parents, friends and neighbors of Davis Flohr to rename Clemson Avenue Park to The Davis Flohr Memorial Park. Davis, who was born with severe cardiac and congenital disorders, fought through 32 surgeries during his brief life. Despite his extreme medical circumstance, Davis always had an undeniable charisma and joy, was full of energy and personality, and made an impression on every person he met. He connected with people of all ages and backgrounds with his quick wit and infectious smile. He often volunteered at soup kitchens and participated in charity walks to help those less fortunate. Davis became known as the "Mayor of Noda." He was a constant presence at the Clemson Avenue Park, starting as an infant in his stroller up until he played basketball there with his friends just days before his death at the age of 13. This renaming application was endorsed by the Central Park Region Advisory Council and by the Park and Recreation Commission.

No one appeared to speak.
Commissioner Jerrell said he received a lot of communication from the community in support of the naming. He said although it was unusual to name a park after someone so young; it was clear that this young man made a significant impact on his community.

Motion was made by Commissioner Scarborough, seconded by Commissioner Harden and unanimously carried with Commissioners Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to close the public hearing and approve renaming Clemson Avenue Park to "The Davis Flohr Memorial Park" as recommended.

19-5794 BUSINESS INVESTMENT PROGRAM GRANT: MICROSOFT CORPORATION

Motion was made by Commissioner Leake, seconded by Commissioner Rodriguez-McDowell and unanimously carried with Commissioners Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to table Item 19-5794 Public Hearing Business Investment Program Grant: Microsoft Corporation.

Note: This item will be brought back to the December 3, 2019 Regular meeting for consideration.

ADVISORY COMMITTEE REPORTS

19-5788 PARK AND RECREATION COMMISSION ANNUAL REPORT

The Board received the annual report of the Park and Recreation Commission.

Park and Recreation Chairperson Heidi Pruess and members Ann Harrison and Paul Freestone, presented the report.

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

Comments

Commissioner Scarborough thanked the Park and Recreation Commission for their work.

Commissioner Rodriguez-McDowell thanked the Park and Recreation Commission for providing the thermometer in their presentation because it showed how far the County was behind in land acquisition. She asked how was the $910 million identified. Park and Recreation Chairperson Pruess addressed the question and said it was based upon FY2018 dollars.

Commissioner Rodriguez-McDowell asked would the new Master Plan have an updated number. The response was yes, it would provide a refinement of costs and more detail on how, where, and what would go on the properties.

Commissioner Rodriguez-McDowell thanked the Park and Recreation Commission. She said the number of dedicated volunteers was very impressive.

Commissioner Leake thanked the Park and Recreation Commission for the report. She asked what were the ratings of parks in Mecklenburg County. She said she’d received different information from Park and Recreation staff than what the report stated. Park and Recreation Chairperson Pruess said there were many different organizations that rank parks across the nation.
Commissioner Leake said she didn’t want the public to think that in the last 10 years the County had neglected Park and Recreation because that was not the case.

Commissioner Leake requested information on the number of new parks added to the park system in the last five years.

Commissioner Leake expressed concern about how land was valued throughout the County. She said all land was valuable and should be viewed as such.

Park and Recreation Director Lee Jones said 15 parks had been added in the last five years.

Commissioner Leake said the public needed to know that the County had not neglected the responsibility of providing parks. She said she wanted to know where those parks were.

Commissioner Leake expressed concern for personal safety while utilizing the greenways, which was addressed.

Commissioner Jerrell thanked the Park and Recreation Commission for the report. He said he appreciated the commitment to equity, deploying resources to those that were underserved, marginalized, and most vulnerable. He said for some communities it was a want; but for others, particularly those in east Charlotte and west Charlotte, it was a need.

Commissioner Jerrell said different communities had different needs and that there were competing priorities. He said bringing the Park and Recreation budget up from pre-recession levels was certainly a start, but that the County still had a long way to go. He said recreation centers were safe havens for many in the community and provided important programming and resources. He requested that the Park and Recreation Commission return with a recommendation of how the Board could further address the equity issue, particularly in the crescent area.

Commissioner Powell thanked the Park and Recreation Commission for the report and thanked the volunteers. She said the County was about quality of life and without the right park infrastructure, it wouldn’t be as an appealing place to live. She thanked the Park and Recreation Commission for using health and wellness, equity and conservation as pillars. She said as a former member of the Park and Recreation, she spent many years trying to be a voice for change, increase the amount of park space, protect the tree canopy, water quality and air quality.

Commissioner Harden thanked the Park and Recreation Commission for their report. She complimented them on the strength of the partnerships that came through park and recreation.

Chair Dunlap thanked the Park and Recreation Commission for the report. He asked how many park and recreation departments existed nationwide? Park and Recreation Chairperson Pruess said they did not know.

Chair Dunlap said there were over 3,500 counties in the nation and when it came to rankings, things should be kept in the proper perspective because not all park and recreation departments participate in studies that were conducted.

At the request of Chair Dunlap, Park and Recreation Director Lee Jones said in 2012 Mecklenburg County Park and Recreation won the Gold Medal Award for being the best Park and Recreation Department in the country.
Chair Dunlap said another concern he had was whether the goal of having every resident be within a 10-minute walk of a park, being realistic. He said it was a great aspiration, but questioned whether it’s a realistic goal. He asked that this be kept in mind with the development of a new Park Master Plan.

MANAGER’S REPORT

19-5832 FY20 CHILD CARE SUBSIDY UPDATE

The Board received an update from the County Manager on the FY20 Child Care Subsidy.

Note: In June 2019, the Board of County Commissioners approved $20 million in County funded child care subsidies, to reduce the number of children on the County’s child care subsidy waitlist. Although childcare subsidy is a federal benefit program, federal and state funding has not been allocated at a level sufficient to address the needs of low-income working families in the county. This county funded initiative has resulted in more children having access to quality early care and education while their families work.

County Manager Diorio highlighted the success of the County’s Child Care Subsidy initiative that was designed to fill in the funding gap for families who need help paying for high quality child care. The County, through a partnership with Child Care Resources Inc. (CCRI), worked diligently for the last three years to reduce the number of children ages birth to five, on the waitlist. After the adoption of the FY20 budget, CCRI invited 1,954 families from the waitlist to apply for funding through the County’s allocation.

County Manager Diorio said after determining eligibility, 1,134 previously unserved children ages birth to five were enrolled as of October 31, 2019. To date, a total of 1,688 children were now being provided childcare subsidies with County funding, an increase of 191% from June 2019. Additionally, the families of 803 children ages birth to five on CCRI’s subsidy waitlist have been invited to apply for funding with intake sessions currently taking place from now until the end of December. CCRI projects that 386 more children will be enrolled in the Wait List Reduction Initiative (WLRI) subsidy by mid-December. County Manager Diorio said the County’s investment in the childcare subsidy was also impacting education by helping improve school readiness. 91.5% of children served were enrolled in 4- and 5-star licensed child care programs. Further, the County’s investment in child care subsidies had a significant impact that could span generations by providing the resources necessary to enroll children in high quality early care and education programs. County Manager Diorio said that access placed children on the path to school readiness and fosters economic opportunity for working families.

Comments

Commissioner Leake spoke in support of the initiative. She said the community had been trying to find resources for years to defray childcare costs. Commissioner Leake said the County Manager needed to put her remarks into a report for the community’s awareness. She said the success of this initiative needed to be publicized.

County Manager Diorio said a press release was scheduled to go out tomorrow, November 20, 2019.

Commissioner Leake addressed food deserts. She said this issue needed to be a top budget priority. She asked when would the issue be addressed?

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County Manager Diorio said it would have to be addressed during the budget season. She said it could be a priority but must be approved by the entire Board as such. She said food deserts was a problem nationwide and that currently a solution was unknown.

Commissioner Harden said the Waitlist Reduction Initiative investment “profoundly” changed the trajectory for almost 2,000 children and would improve economic mobility. She said she was proud of what the Board had done. She congratulated and thanked the County Manager and the Board for making this commitment.

Chair Dunlap said the Board needed to be strategic and deliberate in how it could decrease the likelihood that the waitlist didn’t become long again. He said the Board needed to institute policies and procedures to ensure that community residents that were already established in Mecklenburg County were served first.

Commissioner Rodriguez-McDowell asked about the details of the data and whether it could be broken down even more by demographics. County Manager Diorio said she would reach out to Childcare Resources for that information.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

19-5389 DEPARTMENT MANAGEMENT MONTHLY REPORTS (ITEM WAS REMOVED FROM THE AGENDA)

19-5802 NOVEMBER FEATURE DEPARTMENT/AGENCY PRESENTATION: ASSET AND FACILITY MANAGEMENT

Mark Hahn, Asset and Facility Management Director, gave a presentation on the Asset and Facility Management Department (AFM), the featured department for the month, FY20-FY22 Strategic Business Plan, goals and objectives.

Chair Dunlap left the dais during the presentation and later returned. Vice Chair Powell chaired the meeting in his absence.

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

Comments

Commissioner Harden thanked Director Hahn for the report. She asked about adding a MWSBE goal, which was addressed.

Commissioner Rodriguez-McDowell asked about the Department’s goals around renewable energy and the use of electric and hybrid vehicles and how far along was the department in the study. Director Hahn said staff was just beginning to study this.

Commissioner Leake thanked Director Hahn for the work that he and his staff did. She expressed concern, however, that some County properties were not being maintained. She noted the hedges at the Hal Marshal Facility and the library on Beatties Ford Road as examples. She said a better job was needed with respect to maintaining County properties. Commissioner Leake said the Valerie C. Woodard Center looked “gorgeous,” and questioned why all County buildings couldn’t look that well.

Director Hahn addressed the concern.
Commissioner Rodriguez-McDowell asked how long would it take to complete the study on the energy goals.

Director Hahn said a presentation was forthcoming to the Board’s Environmental Committee and that things would move forward pending that input and any need for action by the Board.

Commissioner Powell asked Director Hahn to talk about Ed Tavares, a member of his staff, job title and exactly what he did.

Director Hahn said Mr. Tavares was the Energy Manager. The following components were noted regarding his responsibilities: 1) tracks all the utilities, uploaded from Duke Energy, Charlotte Water, and the gas as well; 2) looks for problems, like unusual readings; 3) manages energy savings projects; and 4) is the champion for energy in design projects to set targets for energy use and monitor that as the design moves forward.

Chair Dunlap thanked Commissioner Harden for asking about the MWSBE goals. He thanked staff for recognizing that as one of the Board’s priorities and following through on that. He said those goals increased as a result of the Board’s priorities.

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

19-5780  2020 BOCC MEETING SCHEDULE

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried 6 to 1 with Commissioners Dunlap, Harden, Jerrell, Leake, Powell, and Scarborough voting yes and Commissioner Rodriguez-McDowell voting no, to approve the 2020 Mecklenburg Board of County Commissioners Meeting Schedule

Note: Official approval is required. Once approved, the schedule will be published in the newspaper as required by NC General Statute and placed online. The schedule reflects 1) the continuation of Regular meetings on the first and third Tuesday of each month, with the exception of the months of July and August, when only one Regular meeting is held; 2) Budget/Public Policy meetings on the second Tuesday of each month and an optional fourth Tuesday if needed. The exception is when a holiday falls on Monday, an election day on Tuesday, or if there is a Tuesday scheduling conflict for other reasons, meetings are scheduled for Wednesday.

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

Comments

Prior to the above vote, Commissioner Rodriguez-McDowell said she and Commissioner Powell would be absent for a meeting in February due to a training conference and asked if the meeting day could be changed.

Chair Dunlap said as long as there was a quorum of the Board available, the meeting would not have to be rescheduled.
CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the following item(s):

19-5771 BUDGET AMENDMENT - LUESA AUCTION REVENUE

1. Recognize, receive and appropriate revenue of $9,537.05 from the vehicle auction approved by the BOCC on September 14, 2019; and

2. Appropriate from Code Enforcement, Air Quality and Storm Water Services Fund Balance of $11,750.96 that was received from the May 11, 2019 vehicle auction and approved by the BOCC on July 2, 2019.

19-5776 REVALUATION RESERVE FUND

Amend the Operating Budget Ordinance and approve the FY20 appropriation of $75,000 of fund balance held in the Revaluation Reserve Fund (RVAL) for transfer and appropriation to the FY20 General Fund (0001) County Assessor’s Office Operating Budget.

19-5786 MINUTES

Approve Minutes of Regular meeting held November 6, 2019 and Closed Session held November 6, 2019.

19-5799 TAX REFUNDS

1. Approve refunds in the amount of $4,056.70 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 statewide vehicle tax system.

2. Approve refunds in the amount of $10,619.37 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.

19-5807 BUDGET AMENDMENT - HEALTH DEPARTMENT (REVENUE INCREASE)

Amend the annual budget ordinance to recognize, receive, and appropriate an increase of $228,447 in HIV/STD Outreach in federal funds to the general fund (0001).

Note: The NC Division of Public Health awards federal funds to the Health Department to support public health programs. The Health Department received notification that funding for
the Ending HIV Epidemic Project has been awarded in the amount of $228,447. The funding will be used to accelerate the Ending HIV Epidemic, broaden stakeholder engagement, and speed implementation of the Getting to Zero Mecklenburg Plan’s activities. It will also improve collaborations in planning between the state, the Local Health Department, and multisector partners that will set the stage for expansion of effective prevention efforts and increased cooperation in the region.

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

19-5762   FIRE PREVENTION ORDINANCE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Adopt revised Fire Prevention Ordinance; and

2. Authorize the Clerk to the Board to publish notice of the proposed changes.

Note: The current Mecklenburg County Fire Prevention Ordinance dates back to July 8, 1985 with various revisions since that time. The recommended changes to the Fire Prevention Ordinance are strictly dealing with administrative edits to bring the ordinance into compliance with the 2018 North Carolina Fire Code. These amendments shall be effective thirty (30) days after publication in a newspaper qualified for legal advertising in Mecklenburg County.

Note: This matter requires a second vote since all nine Commissioners were not present. It will be placed on the next agenda, December 3, 2019; at which time, only a majority vote is necessary for final approval. The Clerk, however, can move forward with the required publication.

Mecklenburg County Fire Prevention Ordinance 2019 Revisions

Summary of Changes:

Section 4. Adoption of Technical Codes and Standards Reference

- Change: Sections previously referencing Volume V of the NC State Building Code have been changed to "current adopted edition of the 2018 North Carolina State Building Code: Fire Code or referred to as the "Fire Code"."

Section 6. Permits

- Change: Paragraph (e); added "County" to read the Board of County Commissioners.

Section 7. Service of Orders or Notices.

- Change: Paragraph (a); added "electronically by email".

Section 8. Fee Schedule

- Change: Paragraph (a); replaced current language with Land Use and Environmental Services Agency Fee Ordinance.
Section 9. Penalties

- Change: Paragraph (a) (1); has been re-written to show specific violations of the NC Fire Prevention Code or MC Fire Prevention Ordinance and their associated fines.

Section 10. Removal of Obstructions; Prohibited Parking

- Change: added "fire lane" or "fire department access road" to align with current Fire Code requirements.

Section 12. Investigation of Fires

- Change: Section has been re-written to reflect current policy and procedure.

Section 13. Records

- Change: Paragraphs (a) (b) and (c) terms and language revised to reflect overall investigation scope (not just fire), agency description and current fire department record keeping procedure.

Section 18. Effective Date

- Change: replaced State Building Code Council with Board of County Commissioners to reflect current approval process.

Commissioner Leake removed this item from Consent for more clarity. County Attorney Wade addressed this matter.

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

19-5781   GRANT APPLICATION - SUSAN G. KOMEN CHARLOTTE

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and carried 6-0 with Commissioners Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Approve the submittal to apply for a Susan G. Komen Charlotte grant for the support of early detection of breast cancer up to $100,000; and

2. If awarded, recognize, receive and appropriate the amount awarded to the general fund (G001).

*Note: The Mecklenburg County Health Department is requesting approval to apply for continuation funding from Susan G. Komen Charlotte, funding for one year (April 1, 2020 - March 31, 2021). The Health Department has been a grant recipient of Komen funding since 1997. Grant funds will be used to support the following services:*

Screening mammography and breast cancer diagnostic testing for uninsured and underinsured women living in Mecklenburg County. These funds supplement the Breast and Cervical Cancer Control Program (BCCCP) increasing the number of women who can be screened.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this matter.
Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, and Scarborough voting yes, to approve the application of the NC Division of Public Health – Improving Community Outcomes for Maternal and Child Health renewal grant for a two-year period (June 1, 2020 - May 31, 2022) for improving birth outcomes, reducing infant mortality and improving health among children ages 0-5 residing in Mecklenburg and Union Counties, and recognize, receive, and appropriate funds received in the General Fund (0001), up to $1,000,000.

Note: The Mecklenburg County Health Department is requesting approval to apply for renewal funding from the NC Division of Public Health to continue the Improving Community Outcomes for Maternal and Child Health program that works to improve birth outcomes, reduce infant mortality and improve health among children ages 0-5 residing in Mecklenburg and Union Counties. Programs include the Positive Parenting Program, support for breastfeeding, and Reproductive Life Planning.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed the item.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, and Scarborough voting yes, to recognize and receive the donation of 4,550 herbarium specimens, a collection of preserved plant specimens and associated data used for scientific study, and 7 storage cabinets for a total value of $87,712 from various entities for the James F. Matthews Center for Biodiversity Studies at Reedy Creek Nature Center.

Note: Mecklenburg County Park and Recreation (MCPR) has a responsibility to protect the county’s biological resources and natural areas, while providing opportunities for environmental education, nature-based programs, and outdoor recreation. The James F. Matthews Center for Biodiversity Studies at Reedy Creek Nature Center is a facility that houses a wonderful natural history collection, documenting the unique plants and animals that occur in our area. Scientists and researchers from all over the world coordinate with staff at the facility as they investigate natural resources in the Piedmont of the Carolinas.

Three allotments of plant specimens and storage cabinets are being donated to MCPR to add to the existing collections. Queens University is donating 350 mounted plant specimens (total value $8,750) and three metal storage cabinets (total value $6,198). Pfeiffer University is donating 1,500 mounted plant specimens (total value $37,500) and 200 unmounted plant specimens (total value $2,000). Dr. Mark Basinger (Barton College) is personally donating 2,500 mounted plant specimens (total value $25,000) and four metal storage cabinets (total value $8,264). Total value for all donations is $87,712.00.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed the item.

Commissioner Powell returned to the dais.
19-5801  BUDGET AMENDMENT - CRIMINAL JUSTICE SERVICES, JCPC LEVEL II DISPOSITIONAL ALTERNATIVES PROGRAM (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize, receive, and appropriate $50,000 of State funds from the North Carolina Department of Public Safety (NCDPS), Division of Adult Correction and Juvenile Justice, to the general grant fund for the duration of the grant period (G001).

Note: NCDPS and the Juvenile Crime Prevention Council (JCPC) program has awarded Level II funding for the Youth Development Initiatives (YDI) Vocational and Career Development Academy program. The sponsoring agency is Youth Development Initiatives (YDI), which will be providing services to youth and families in Mecklenburg County through the program. The program has been awarded $50,000 to serve approximately 25 level II juvenile clients, referred by juvenile court, in a 25-week vocational job training program that nurtures real world job readiness and individualized career planning skills. The agreement is entered into by and between NCDPS, Mecklenburg County, JCPC, and YDI.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed the item.

19-5805  BUDGET AMENDMENT - COMMUNITY SUPPORT SERVICES - REVENUE INCREASE (CSS)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Rescind action taken on October 15, 2019 (Agenda Item #19-5735) which recognized, received and appropriated additional funds ($132,725) from Duke University as a sub-recipient of a Substance Abuse and Mental Health Services Administration (SAMHSA) grant to the general grant fund (G001) for the duration of the grant; and instead,

2. Recognize, receive and appropriate additional funds ($126,725) from Duke University as a sub-recipient of a Substance Abuse and Mental Health Services Administration (SAMHSA) grant to the general grant fund (G001) for the duration of the grant.

Note: On October 15, 2019 the Board approved, recognized, received, and appropriated $132,725 from Duke University as a sub-recipient of a Substance Abuse and Mental Health Services Administration (SAMHSA) grant; however, the correct amount received was $126,725. The Board is being asked to amend the budget to reflect the correct amount received.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed the item.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Powell and unanimously carried with Commissioners Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:33 p.m.

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MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, December 3, 2019.

ATTENDANCE

Present: Chair George Dunlap and Commissioners Patricia “Pat” Cotham, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, 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: 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: 19-5793, 19-5808, and 19-5842.

STAFF BRIEFINGS - NONE

CLOSED SESSION

19-5829 CONSULT WITH ATTORNEY
19-5862 BUSINESS LOCATION AND EXPANSION

Motion was made by Commissioner Jerrell seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, 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 5:19 p.m. and came back into Open Session at 5:45 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, which was followed by introductions, invocation by Commissioner Harden, followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.
Chair Dunlap turned the meeting over to County Manager Diorio for the purpose of calling for the election of a Board chairman for a one-year term, effective December 3, 2019 and expiring December 7, 2020.

Note: In accordance with Section 39 of Chapter 153A of the North Carolina General Statutes, on the first Monday in December of each even-numbered year and at its first regular meeting in December of each odd-numbered year, the board of county commissioners shall choose one of its members as chairman to serve as the presiding officer of the board of commissioners for the ensuing year. The board of commissioners shall also at such times choose one of its members as a vice-chairman to act in the absence or disability of the chairman.

County Manager Diorio reviewed the Board’s Policy on the selection of a chairman and vice-chairman of the Board.

County Manager Diorio opened the floor for nominations for the position of chairman of the Mecklenburg Board of County Commissioners for a one-year term effective December 3, 2019 and expiring December 7, 2020.

Commissioner Leake nominated Commissioner George Dunlap.

No other nominations were made.

Motion was made by Commissioner Scarborough seconded by Commissioner Rodriguez-McDowell and carried 8-1 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, and Commissioner Cotham voting no, to re-elect Commissioner George Dunlap to the position of Chairman of the Board of County Commissioners for a one-year term effective December 3, 2019 and expiring December 7, 2020.

County Manager Diorio turned the meeting over to Chair Dunlap.

Chair Dunlap expressed thanks for being re-elected chair.

Vice-Chairman Nominations

Chair Dunlap opened the floor for nominations for the position of vice-chairman of the Mecklenburg Board of County Commissioners for a one-year term effective December 3, 2019 and expiring December 7, 2020.

Commissioner Rodriguez-McDowell nominated Commissioner Elaine Powell.

No other nominations were made.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake, and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to re-elect Commissioner Elaine Powell to the position of Vice-Chairman of the Board of County Commissioners for a one-year term effective December 3, 2019 and expiring December 7, 2020.

Commissioner Powell expressed thanks for being re-elected vice-chair.
Chair Dunlap said as Chair, he was responsible for making Committee assignments. He asked that Commissioners let him know if they had any requests for changes in assignments. He said he had one change that he would announce in January.

Points of Personal Privilege

Commissioner Leake asked what were the main duties of Commissioners?

County Attorney Wade said to set policy and approve the annual budget.

Commissioner Leake thanked Chair Dunlap for his first year of leadership and for his leadership going forward.

Commissioner Rodriguez-McDowell thanked Vice-Chair Powell for her first year of leadership as Vice-Chair and for her leadership going forward. She also noted Vice-Chair Powell’s years of service to the community, prior to becoming a County Commissioner.

Commissioner Harden thanked Chair Dunlap for his first year of leadership and for his leadership going forward.

AWARDS/RECOGNITION – NONE

PUBLIC APPEARANCE

19-5827 PUBLIC APPEARANCE

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

Corine Mack signed up to speak but was not present.

APPOINTMENTS

19-5804 APPOINTMENTS

JUVENILE CRIME PREVENTION COUNCIL

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

Ashley Murrell  Commissioners Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough

Voting Ceased

Kathy Pate

Chair Dunlap announced the appointment of Ashley Murrell to the Juvenile Crime Prevention Council to fill an unexpired term expiring June 31, 2021.

Note: Ms. Murrell replaced Brian Peay.

Comments

Commissioner Leake expressed concern that some people were applying to serve on advisory boards, but weren’t voting during election season, thus, not participating in the political
process. She said the Board needed a resolution requiring applicants be voting citizens and residents of the county to qualify for an appointment to an advisory board.

Commissioner Rodriguez-McDowell said she appreciated Commissioner Leake’s comments about the importance of voting. Commissioner Rodriguez-McDowell said it was important to take people where they were and to give them a chance. She said she didn’t want to discourage people from applying.

Commissioner Cotham echoed Commissioner Leake’s comments regarding the voting record of some applicants. She said there were people that had been appointed to advisory boards that were not registered to vote or did not vote in recent elections. She said serving on a committee appointed by the Board was very important. She said there should be more work done to identify applicants that had registered to vote and proven themselves as participants in the voting process.

PUBLIC HEARING

19-5839 BUSINESS INVESTMENT PROGRAM GRANT: MICROSOFT CORPORATION

Motion was made by Commissioner Harden seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to open a public hearing to receive comments on a proposed Business Investment Program grant to Microsoft Corporation.

Peter Zeiler, Director, Economic Development Office, presented the request to the Board.

Note: Microsoft Corporation is the world’s largest software maker by revenue with other products including hardware, consumer electronics and video games. Microsoft Corporation has over 144,000 employees and operates a client support and software engineering facility in Mecklenburg County with 1,148 employees.

Microsoft Corporation is seeking to expand its North American markets into lower cost and higher efficiency enterprises. Microsoft Corporation has announced its intent to expand its operations at the Charlotte campus. Microsoft Corporation’s proposed expansion meets all the following grant guidelines for a five-year Business Investment Grant, specifically:

- A taxable investment of $23,900,000.
- Creation of 430 new jobs with an average wage of $90,000 (which is equal to 176% of the average for the Charlotte-Gastonia-Rock Hill M.S.A.).
- There is competition for this project from Irving, Texas and Fargo, North Dakota.

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.
- Business Investment Grant Account; first payment is estimated to be paid in FY21.

The Board indicated its intent to approve this grant in a closed session on September 4, 2019. Charlotte City Council indicated its intent to approve the City’s share of the grant in closed session on August 26, 2019. The State of North Carolina approved a Job Development Investment Grant of $7,910,250 at their October 25, 2019 meeting.
A copy of the presentation is on file with the Clerk to the Board.

No one appeared to speak.

Director Zeiler acknowledged the presence, in the audience, of Seth Martindale, Senior Location Advisory with Microsoft. Mr. Martindale thanked the Board of considering the request.

Comments

Commissioner Leake asked questions about the project which were addressed. She said that she wanted the Board to receive a report with the number of Mecklenburg County residents hired and trained or dismissed for jobs created by Business Investment Program Grants.

Motion was made by Commissioner Scarborough seconded by Commissioner Fuller and carried 7-2 with Commissioners Gotham, Dunlap, Fuller, Harden, Jerrell, Rodriguez-McDowell, and Scarborough voting yes, and Commissioners Leake and Powell voting no, to close the public hearing and adopt a resolution approving a five-year, 90% Business Investment Program grant to Microsoft Corporation for a total estimated amount of $816,117 and authorize the County Manager to negotiate and execute the contract.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION APPROVING BUSINESS INVESTMENT PROGRAM GRANT FOR MICROSOFT CORPORATION**

WHEREAS, Microsoft Corporation is seeking to expand its North American markets into lower cost and higher efficiency enterprises; and

WHEREAS, the company evaluated sites in Irving, Texas and Fargo, North Dakota; and

WHEREAS, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the City of Charlotte and the County of Mecklenburg, the Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on September 04, 2019 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 $23.9 million and will create 430 new jobs within five years at an average annual salary of approximately $90,000. The Business Investment Program grant is a 90% grant over 5 years, with an estimated total amount of up to $816,117. 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 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 48-A Document #99.
MANAGER’S REPORT

19-5854 CAPITAL PROJECT ORDINANCE

Park and Recreation Director, Lee Jones provided a brief overview of the proposed Capital Project Ordinance amendment to amend the FY 2018 Authorization Park and Recreation Capital Project Ordinance adopted March 20, 2018 to cover additional construction costs for Memorial Stadium. He noted the following:

- The costs increases were driven by higher than expected construction costs, due to escalation and a limited number of available/interested contractors.
- The portions of the project that had gone out to bid came in at costs 15-20 percent higher than the original estimates informed by consultant and contractor analysis.
- It’s anticipated that the remaining portions to be put out to bid soon would also come in higher than estimated.
- Due to the reasons and trends behind higher than anticipated costs, County staff does not believe that delaying the work, or re-packaging/re-bidding the work would result in lower pricing.
- Staff reviewed several scenarios to reduce costs provided by the contractors, all of which had significant impacts to core project scope items and the final finish of the stadium.
- These potential cost reductions were deemed detrimental to the project with impacts to user experience, facility longevity, and the level of quality expected at American Legion Memorial Stadium.

Comments

Commissioner Jerrell said he wanted to ensure that the public was aware the amendment was due to economic factors and not due to anything the County had done. He said County Manager Diorio would conduct a comprehensive review of other projects to assess any other cost increases.

County Manager Diorio said the County and Charlotte-Mecklenburg Schools were seeing construction jobs coming in over budget. She said that a complete review of all projects would be conducted this budget cycle to take into consideration the escalating construction costs.

Commissioner Cotham asked if the increases were a result of tariffs imposed by the federal government.

Director Jones said the costs were a result of increases in the cost of materials and labor. He said he would investigate to see if tariffs had any impact on the rising costs.

Commissioner Harden asked what the total cost of the project was and how would it be funded.

Director Jones said the total cost of the project was $40.5 million and the funds would come from PAYGO funds.
Commissioner Fuller asked if the ordinance would reflect the total cost and would there be additional costs, which was addressed.

Commissioner Powell said it was very important not to compromise the success of the project and asked if Park and Recreation was taking additional community input regarding the project.

Director Jones said the department worked hard to bring forth this vision. He said Memorial Park was a jewel in this neighborhood and should be for the benefit of the entire community. He said trying to lower costs would take away from the original design and integrity of the project; these additional funds would allow the project to be completed according to its original design. He said the Department wanted to make Memorial Stadium accessible to the Little Sugar Creek Greenway and provide a seamless connection to the work completed at Independence Park.

This concluded the discussion.

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

Motion was made by Commissioner Leake seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to amend the FY2018 Authorization Park and Recreation Capital Project Ordinance adopted March 20, 2018 to cover additional costs.
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 48-A Document #100.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

19-5837 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information the monthly department management reports for November 2019.

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

19-5846 METROPOLITAN TRANSIT COMMISSION UPDATE (COMMISSIONER HARDEN)

The Board received an update on projects of the Metropolitan Transit Commission (MTC), specifically the Placemaking Program.

Note: The Metropolitan Transit Commission (MTC) is the policy board for the Charlotte Area Transit System and has responsibility for reviewing and recommending all long-range public transportation plans. The Board reviews the transit system’s operating and capital programs and makes recommendations to the affected governments for their approval and funding of those programs. The MTC is a public body, and in addition to holding monthly public meetings, it conducts public involvement programs designed to gain community input on transit planning. The MTC is composed of voting members from the cities and towns located in Mecklenburg County and non-voting members from the surrounding counties to ensure regional involvement. The voting members include the Mayors of Charlotte, Cornelius, Davidson, Huntersville, Matthews, Mint Hill and Pineville, the Chairman of the Board of Mecklenburg County Commissioners and the regional representative from the North Carolina Board of Transportation. The MTC is staffed by the City of Charlotte Public Transit Department. Commissioner Harden serves as the Board’s representative on the MTC.

Chair Dunlap announced that Commissioner Harden would be the Chairperson for the MTC next year.

Commissioner Harden introduced the presenters, Jason Lawrence with Charlotte Area Transportation System (CATS) and Monica Holmes with Charlotte-Mecklenburg Planning, Design and Development Department.
A copy of the presentation is on file with the Clerk to the Board.

Comments

Commissioner Leake thanked Mr. Lawrence and Ms. Holmes for the presentation. She asked what the project art work represented, if more projects were forthcoming, and how would the project be preserved, which was addressed.

Commissioner Fuller said he was in favor of these types of projects and hoped that there would be more projects in more places across the City and County. Commissioner Fuller said he would like a report about the Silver Line. He said the Board of County Commissioners, unlike other bodies, had not received the same communication flow from the MTC. He said the City just approved a $50 million contract for design and questioned whether there would be a funding request of the County.

Commissioner Harden said the County should be closely involved in those conversations and that she would bring back more robust information.

Commissioner Jerrell said he thought the Placemaking Program was a fantastic way to engage the community at a low cost with such a high return on investment. He said these were the types of investments that should be made. He said he appreciated Commissioner Harden’s leadership and representation on the MTC.

Commissioner Rodriguez-McDowell said the project demonstrated how important art was to the community; that it showed pride in the community. She said she hoped the City of Charlotte could give away a lot of the grant money.

Commissioner Scarborough said she was delighted with the project.

Commissioner Powell asked if any dollars were being spent outside of the City of Charlotte limits which was addressed.

Commissioner Leake asked if the community was asked to participate because she wanted to ensure inclusiveness and the preservation of the history of the west side community, which was addressed.

Chair Dunlap thanked the presenters for the presentation. He said the project added value to the community, and he was proud that such a project could be shared with other cities and counties.

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

CONSEN'T ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the following item(s):

19-5828 MINUTES

Approve Minutes of Regular meeting held November 19, 2019.
19-5833  TAX REFUNDS

Approve tax refunds in the amount of $10,185.22 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.

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

19-5838  FIRE PREVENTION ORDINANCE - SECOND READING

Adopt revised Fire Prevention Ordinance.

Note: The current Mecklenburg County Fire Prevention Ordinance dates back to July 8, 1985 with various revisions since that time. The recommended changes to the Fire Prevention Ordinance are strictly dealing with administrative edits to bring the ordinance into compliance with the 2018 North Carolina Fire Code. These amendments shall be effective thirty (30) days after publication in a newspaper qualified for legal advertising in Mecklenburg County.

The ordinance was first introduced at the November 19, 2019 Regular meeting and was unanimously approved by the Board; however, not all board members were present. According to North Carolina General Statute 153A-45: Adoption of Ordinances “To be adopted at the meeting at which it is first introduced, an ordinance or any action having the effect of an ordinance....must receive the approval of all the members of the board of commissioners. If the ordinance is approved by a majority of those voting but not by all the members of the board, or if the ordinance is not voted on at that meeting, it shall be considered at the next regular meeting of the board. If it then or at any time thereafter within 100 days of its introduction receives a majority of the votes cast, a quorum being present, the ordinance is adopted.”

A notice of the proposed changes was published in the Charlotte Observer on November 25, 2019. The revised ordinance will be effective 30 days from that date.

Mecklenburg County Fire Prevention Ordinance 2019 Revisions

Summary of Changes:

Section 4. Adoption of Technical Codes and Standards Reference

- Change: Sections previously referencing Volume V of the NC State Building Code have been changed to “current adopted edition of the N01th Carolina State Building Code: Fire Code or referred to as the “Fire Code”.

Section 6. Permits

- Change: Paragraph (e); added “County” to read the Board of County Commissioners.

Section 7. Service of Orders or Notices.

- Change: Paragraph (a); added “electronically by email”.

Section 8. Fee Schedule
DECEMBER 3, 2019

- Change: Paragraph (a); replaced current language with Land Use and Environmental Services Agency Fee Ordinance.

Section 9. Penalties

- Change: Paragraph (a) (1); has been re-written to show specific violations of the NC Fire Prevention Code or MC Fire Prevention Ordinance and their associated fines.

Section 10. Removal of Obstructions; Prohibited Parking

- Change: added "fire lane" or "fire department access road" to align with current Fire Code requirements.

Section 12. Investigation of Fires

- Change: Section has been re-written to reflect current policy and procedure.

Section 13. Records

- Change: Paragraphs (a) (b) and (c) terms and language revised to reflect overall investigation scope (not just fire), agency description and current fire department record keeping procedure.

Section 18. Effective Date

- Change: replaced State Building Code Council with Board of County Commissioners to reflect current approval process.

**Ordinance recorded in full in Ordinance/Minute Book 48-A, Document #102.**

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**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

**19-5793 FY20-21 CLEAN AIR ACT, SECTION 103, GRANT APPLICATION**

Motion was made by Commissioner Leake seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Approve the submission of the County’s FY20-21 Clean Air Act (CAA) Section 103, Special Purpose federal grant application in the amount of $375,000;

2. Upon award of grant, recognize, receive and appropriate the amount awarded to multi-year General Grant Fund (G001); and

3. 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. The data collected represents concentrations over a wide area and determines Mecklenburg County’s compliance with national ambient air quality standards.*

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item
Motion was made by Commissioner Leake seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to amend the current "Delegation of Authority to Deputy Clerk To Execute Documents Policy" to make it position specific only and not specified by the name of a designated person.

Note: The current "Delegation of Authority to Deputy Clerk to Execute Documents Policy," adopted January 18, 2012, authorizes former Deputy Clerk Tonette Spears to execute and certify documents in the absence of the Clerk to the Board. The proposed amendment would eliminate the need for a specific individual's name and would instead give blanket authority to the position itself. Thus, anyone serving in the capacity of Deputy Clerk would be authorized to execute and certify documents in the absence of the Clerk to the Board. This would also eliminate the need for future revisions, if there were changes in personnel.

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

Prior to the above vote the comments below were made.

Commissioner Fuller said while he had no problem with the current staff, he wanted to know what “absence” meant. He said the policy provided broad authority and could potentially be abused.

County Attorney Wade said the policy was written broadly. He said “absence” meant not available, when documents need to be executed.

MECKLENBURG COUNTY
BOARD OF COMMISSIONERS

DELEGATION OF AUTHORITY
TO DEPUTY CLERK TO EXECUTE DOCUMENTS

The Deputy Clerk to the Board is hereby authorized to execute and certify documents that would otherwise be executed and certified by the Clerk to the Board in the absence of the Clerk to the Board from her office.

Policy recorded in full in Ordinance/Minute Book 48-A, Document #101.

Motion was made by Commissioner Leake seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to amend annual budget ordinance to recognize, receive, and appropriate an increase in revenue of $1,000 from Cardinal Innovations to the general fund (0001).

Note: Cardinal Innovations is providing $1,000 to Mecklenburg County Criminal Justice Services for the sponsorship of the Critical Intervention Mapping workshop by Policy Research Associates, which will assist in the implementation of the Raise the Age legislation.
Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

ADJOURNMENT

There being no further business to come before the Board, Chair Dunlap declared the meeting adjourned at 7:24 p.m.

Janice S. Paige, Clerk

George Dunlap, Chair
CALL TO ORDER

The Board of Commissioners of Mecklenburg County, North Carolina, met for a Budget/Public Policy meeting on Tuesday, December 10, 2019 at 2:34 p.m. in Conference Room 267 of the Charlotte-Mecklenburg Government Center with Chair George Dunlap presiding.

Present: Chair George Dunlap
Commissioner Patricia "Pat" Cotham
Commissioner Trevor M. Fuller
Commissioner Susan Harden
Commissioner Vilma D. Leake
Commissioner Elaine Powell
Commissioner Susan Rodriguez-McDowell
Commissioner Ella B. Scarborough

Absent: Commissioner Mark Jerrell

The meeting was called to order by Chair Dunlap, followed by introductions and the Pledge of Allegiance to the Flag.

Chair Dunlap recognized Spencer B. Merriweather, III, Mecklenburg County District Attorney who was in the audience.

Commissioners Cotham and Scarborough arrived at 2:37 p.m.

19-5868: FAMILY JUSTICE CENTER

Dena Diorio, County Manager, said the first item on the agenda was a presentation on a proposed Family Justice Center for Mecklenburg County. She said staff had been working on this project with County partners for quite a while to determine a good strategy for moving forward. She said she thought the County was at a very good place.

Karen Parker, President and CEO of Safe Alliance and Chair of the Family Justice Center Steering Committee, said the Steering Committee had been performing planning and research for the establishment of the Center for almost two years. She said the Steering Committee had received strong support from the County Manager and staff in the effort to make the Family Justice Center a reality.

Andrea Oliver, CEO of Pat's Place - Children's Advocacy Center, said domestic violence, sexual assault, child abuse and human trafficking were an epidemic in the community. She said in 2017, 26% of all homicides in Mecklenburg County were related to domestic violence. Over the last four years, the Charlotte-Mecklenburg Police Department (CMPD) responded to an average of over 39,000 domestic violence related service calls annually. Since 2017, there was a 29% increase in calls to the sexual assault hotline. In 2018, over 14,200 children were reported abused or neglected in Mecklenburg County, over 1,100 cases of elder abuse were reported to the County's Social Services Department, and North Carolina ranked 10th in the number of reported U.S. human trafficking cases.

Ms. Oliver said Mecklenburg County had a long-standing support system providing support to victims of interpersonal and family violence. These organizations include Atrium Health, CMPD, the District Attorney's Office and Magistrate, the Foundation for the Carolinas, the Jamie Kimble Foundation for Courage, Mecklenburg County, the Mecklenburg County Sheriff's Office, Novant Health, Pat's Place, and Safe Alliance. She said Mecklenburg County had long been a leader and partner in efforts to end violence and abuse in our community. However, for survivors, the support system can feel difficult and intimidating to access. In Mecklenburg County, a victim of abuse can be asked to travel to nine different locations, share their traumatic experiences 27 times, complete 37 different forms, navigate up to 50 referrals and set aside 36 hours to seek assistance. This difficulty is compounded if the survivor works, does not have access to transportation, and/or must find childcare.
She said there can be improvements implemented to improve efficiency because of the impact to victim safety, but current system also contributes to millions of dollars in direct costs.

Ms. Oliver said that in 2018, in Mecklenburg County, there were more than 17,000 victims of domestic violence. The cost of domestic violence came to $49.7 million annually in Mecklenburg County; this includes incarceration costs, court costs, police costs, lost property, mental health care, programs and shelters, lost work productivity, physical health care and loss of life. She said the cost was over $1.6 billion in lifetime economic costs for child abuse cases in Mecklenburg County. She said all these reasons are why her organization is in partnership with the County and working to establish a family justice center in Mecklenburg County.

Ms. Oliver said that family justice centers were a proven approach to assisting survivors of abuse. The centers bring together all the partners investigating and treating abuse. Police officers, social workers, prosecutors, victim advocates and medical providers are all housed together so they can better share information and work collaboratively. The centers are trauma informed spaces that shift the model of victim support; it is a wrap around service model. It allows a survivor to choose all of the holistic support needed during the time of crisis. A center is a public and tangible demonstration of commitment and support. It is a collection of partners working together to improve outcomes for those impacted by violence and abuse. She said that documented outcomes of family justice centers include increased victim safety, autonomy and empowerment, reduced of fear and anxiety, reduced recantation and minimization, increased efficiency in collaborative services to victims, increased prosecution of offenders, increased community support through the family justice center model. She said in San Diego, domestic violence homicides fell 95% since 2003 and in Greensboro domestic violence homicides fell 77% since 2015 with the establishment of a family justice centers.

Ms. Parker said that Charlotte-Mecklenburg is ready for a Family Justice Center. She said there has been a lot of community input and assessment. She discussed Phase I of the Survivor Resource Center. She said the Steering Committee was searching for land in or around the uptown area for a 100,000 square foot facility. The facility would house waiting areas, forensic and general healthcare clinics, meeting and conference space, interview and therapy spaces, childcare, outdoor play spaces and sitting areas, and resource areas for food, clothing, technology, faith and wellness. She said core services would include advocacy, forensic interviews, trauma counseling, forensic and general healthcare, hotlines, law enforcement, magistrate services, prosecution and social services. She said that the total cost would come to $45 million. She said the proposed revenue would come from private fundraising ($25 million), a City of Charlotte Capital contribution ($10 million), and a Mecklenburg County Capital contribution ($10 million).

Commissioners made comments and asked questions about the presentation.

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

19-5867: 2019 MECKLENBURG COUNTY PERFORMANCE REPORT

Dr. Monica Allen, Director of Strategy Planning and Evaluation, provided an overview of the 2019 County Performance Report. She reviewed the community vision, highlighted results for goal areas (Accountable Government, Connected Community, Economic Opportunities, Healthy Community and Safe Community), and discussed next steps.

Dr. Allen discussed the key performance indicators related to Accountable Government. She reviewed employee motivation and satisfaction, the two-year retention rate, and hiring manager satisfaction with applicant pool, bond ratings, general bonded debt per capita, general fund expenditures per capita, customer satisfaction, satisfaction with County communication, long-term financial planning, business continuity, enterprise risk management, and grants management strategy. Dr. Allen discussed the key performance indicators related to Connected Communities. She reviewed capital park and recreation projects, Charlotte-Mecklenburg Library active cardholders, bringing Mecklenburg County to you, and the land disposition strategy. She reviewed the key performance indicators related
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to Economic Opportunities; including, homelessness rate per capita and work first training to employment. For the goal of Health Community, key performance indicators included HIV infection rates, youth smoking rates, colorectal cancer screenings, health and fitness program utilization, Ozone NAAQs compliance air quality indicators, and Health and Human Services integrated service delivery model – Community Resource Centers. Finally, Dr. Allen reviewed key performance indicators related to Safe Community. These indicators included court appearance rates, program-specific recidivism rates, and civil process service rates.

Dr. Allen said her department would print the final copy of the FY2019 performance report and make it available in January and the Strategic Planning and Evaluation team would work with Public Information to share the performance report online and make it available to the public.

Commissioners asked questions and made comments about the presentation.

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

19-5876: COMMUNITY DEVELOPMENT BLOCK GRANT UPDATE

Timothy Tibbs, Senior Assistant the County Manager, said since 2010 the County has received federal funding through the block grant program to focus on the housing and community development needs of low- and moderate-income persons within our community. Every five years, the County is required to complete a consolidated plan to identify needs and to develop specific goals and objectives to address in those five years. He said the County contracts through the Centralina Council of Governments (CCOG) to provide administrative support to our grant.

Victoria Avramovic, Centralina Council of Governments, provided an overview of the Community Development Block (CDBG) Program, discussed current priorities and program impacts, the consolidation process, and next steps. She said the CDBG Entitlement Program was authorized under Title I of the Housing and Community Development Act of 1974. The program provided annual grants on a formula basis to entitled cities and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. All activities must meet one of the following national objectives for the program and no less than 70% of CDBG funds must be used for activities that meet one of three objectives: benefit low- and moderate-income persons, prevention or elimination of slums or blight, or address urgency needs.

Ms. Avramovic said the program covers the Towns of Cornelius, Davidson, Huntersville, Matthews, Pineville, and all ETJ Areas. Funding was only eligible in the towns, the towns must maintain a population of 200,000, all town’s participation is optional, and more participation will increase the annual allocation. She said, up to 20% of the award was allowed for planning and administrative costs, up to 15% of the annual allocation was allowed for Public Service activities; if the entitlement community chooses to fund such activities, and the remaining 65% was then available for eligible projects that meet the goals and objectives defined in the Five-year Consolidated Plan. She said HUD awarded grants to entitlement community grantees to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development, and providing improved community facilities and services. Eligible activities include economic development, installation of public facilities, housing rehabilitation, community centers, code enforcement, homeowner assistance, public assistance, microenterprise assistance, and certain infrastructure projects.

Ms. Avramovic said current housing priorities include improving the condition of existing affordable housing in residential neighborhoods, retaining the stock of affordable housing where possible, increasing the availability of affordable permanent housing in standard condition, and providing affordable housing that is accessible to job opportunities. Other priorities include providing high quality public facilities, such as parks and community centers; provide adequate public improvements, such as ADA modifications, street lighting, streets, and sidewalks, in low- and moderate-income neighborhoods, promoting economic
development activities as a means to provide job opportunities and economic growth, and to reverse economic decline, especially for low- and moderate-income households, and improving citizens’ living environment including security and safety.

Ms. Avarmovic summarized the impact CDBG funding has had in Mecklenburg County since 2010. She said approximately $928,000 was invested in housing activities, including support for acquisition of land for new housing construction, acquisition of vacant housing for substantial rehabilitation and critical home repairs. She said approximately $469,000 was invested in childcare scholarships, approximately $2.66 million was invested in public facilities and infrastructure, including waterline installation, street connection neighborhood sidewalks, park improvements, new mini-park construction and construction was underway for a walking trail. She said over $1.34 million was invested in community facilities, including, ADA bathroom renovations, roof renovation, removal of architectural barriers to safety and HVAC energy efficiencies improvements. In addition, 4,517 residents have been served through health, education and human services.

Ms. Avarmovic discussed the upcoming five-year Consolidated Plan, also known as the Strategic Plan, which runs from July 1, 2020 through June 30, 2025. The Plan describes community needs, resources, priorities, and proposed activities to be undertaken through the County’s CDBG program. During the process, needs are determined, priorities are set, resources are determined, goals are established, and annual action plans are crafted. There are several components that guide the development of The Plan and the priorities over the next five-years, including secondary data, advisory committees, professional stakeholders, and extensive community engagement. She said next steps included finalizing priorities, conducting engagement, drafting the Consolidated Plan, opening the application cycle for FY2021 project submissions, reviewing applications and selecting projects, completing the Consolidated Plan, obtaining approval by the Board of County Commissioners and submitting the plan to HUD in mid-May 2020.

Commissioners made comments and asked questions regarding the presentation.

Chair Dunlap requested a listing of projects that were completed under the grant.

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

ADJOURNMENT

With no further business to come before the Board, Chair Dunlap declared the meeting adjourned at 5:12 p.m.

______________________________ __________ __________________
Emily A. Kunze, Clerk George Dunlap, Chair
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- INFORMAL SESSION -

CALL TO ORDER - 5 PM - CH-14

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session on Tuesday, December 17, 2019 at 5:03 p.m. in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center with Chair Dunlap presiding.

Present: Chairman George Dunlap; Commissioner Patricia "Pat" Cotham; Commissioner Trevor Fuller; Commissioner Mark Jerrell; Commissioner Susan Harden; Commissioner Vilma Leake; Commissioner Elaine Powell; Commissioner Susan Rodriguez-McDowell and Commissioner Ella Scarborough

Removal of Items from Consent

The following agenda item(s) were identified by Commissioners to be removed from the Consent agenda for clarity, public awareness and/or to be voted upon separately:

- 19-5847 by Commissioner Leake
- 19-5849 by Commissioner Leake
- 19-5850 by Commissioner Leake
- 19-5855 by Commissioner Leake
- 19-5857 by Commissioners Leake and Rodriguez-McDowell
- 19-5864 by Commissioner Leake
- 19-5881 by Commissioner Leake

Staff Briefings - None

Closed Session

19-5831: Economic Development

A motion was made by Commissioner Vilma D. Leake, seconded by Commissioner Mark Jerrell, to Go into Closed Session. The motion carried unanimously.

19-5861: Consult with Attorney

A motion was made by Commissioner Vilma D. Leake, seconded by Commissioner Mark Jerrell, to Go into Closed Session. The motion carried unanimously.

RECESS

The Board went into Closed Session at 5:03 p.m. and came back into Open Session at 6:09 p.m. The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

- FORMAL SESSION -

CALL TO ORDER - 6 PM - MEETING CHAMBER

Chair Dunlap called this portion of the meeting to order at 6:17 p.m., which was followed by introductions, the invocation, led by Commissioner Harden, followed by the Pledge of Allegiance to the Flag.

Present: Chairman George Dunlap; Commissioner Patricia "Pat" Cotham; Commissioner Trevor Fuller; Commissioner Mark Jerrell; Commissioner Susan Harden; Commissioner Vilma Leake; Commissioner Elaine Powell; Commissioner Susan Rodriguez-McDowell and Commissioner Ella B. Scarborough
Chair Comments

Chair Dunlap took a point of personal privilege to acknowledge the contributions of Scott Brooks, co-owner of Brooks Sandwich House in NoDa. Brooks was an important community figure who was recently murdered.

Chair Dunlap also noted that Charlotte has been approved for a Major League Soccer franchise.

In addition, he said that Commissioner Jerrell appeared in County Quarterly for his service on The Pathways Initiative Task Force. The mission of the task force is to develop strategies for counties to engage youth to help guide them on a path to career success.

Chair Dunlap said that Commissioners Dunlap, Fuller, Leake, Powell, and Rodriguez-McDowell were presented a 2019 Excellence in Innovation award on behalf of the Mecklenburg County Health Department for the PrEP Collaborative that has connected community practitioners and clinics to provide preventative HIV treatment to over 100 county residents and for the public information campaign by the County's Assessor's Office that improved the county's revaluation process and helped reduce property tax appeal rates in the county by nearly 40%.

Manager's Report

Chair Dunlap recognized Manager Diorio for presentation of a portion of her Manager's Report.

County Manager Diorio said the Manager's Report included a very special honor. She announced that Clerk to the Board Janice S. Paige would be inducted into the Order of the Hornet as an important figure in the County's history. Ms. Diorio recognized Ms. Paige's 33 years of service to Mecklenburg County and her contributions to government.

Order of the Hornet Induction - Clerk to the Board Janice S. Paige

A motion was made by Commissioner Fuller and seconded by Commissioner Jerrell to Induct Janice S. Paige into the Mecklenburg County Order of the Hornet. The motion carried unanimously.

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 Janice S. Paige reflects the honor, strength, and fierce American patriotism that so stung Lord Cornwallis, she was recommended for membership in the Order of the Hornet.

Janice S. Paige served Mecklenburg County for 33 years. She began her employment with Mecklenburg County on October 22, 1986 as an Executive Assistant to the Board. She was appointed to serve as Clerk to the Board of County Commissioners effective November 16, 1988. She served as Clerk to the Board for 32 years and has done so with the highest degree of integrity and professionalism. Ms. Paige is the third Clerk to the Mecklenburg County Board and the first African-American woman to serve in this capacity. Ms. Paige will retire effective January 1, 2020.
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All Commissioners expressed thanks and appreciation to Clerk to the Board Janice S. Paige for her 33 years of dedicated service to the County.

Clerk to the Board Paige thanked the Board for recognizing her in this manner and for allowing her to serve all these years.

Note: Clerk to the Board Paige was not expecting the receipt of this honor or the presence of her husband and daughter. It was kept as a surprise.

Public Appearance

19-5859: Public Appearance

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

- Leslie Dwyer - Economic Development
- Marianne Gaffney - Preserving Green Space at Olde Providence Elementary
- Lisa Cline - Preserving Green Space at Olde Providence Elementary
- Ken Crawford – Passage of a Clean Energy Resolution

County Commissioners Reports & Requests

19-5869: Update from the Small Business Consortium (Commissioner Leake)

The Board received a presentation from LaPronda Spann and Vanessa Stuart from Commissioner Vilma D. Leake’s Small Business Consortium regarding the organization’s new initiative, Global Wealth Exchange (WE), including a recent trip to Nairobi, Kenya by the members of the organization.

Note: The Small Business Consortium is a civic group that began in 2010 as an initiative of Commissioner Vilma D. Leake, County Commission District 2. The purpose was to provide a forum to strengthen relationships among small business owners, the city, county, and state as it related to business opportunities for small businesses. The goal was to implement a program that would educate, equip, empower, and provide solutions for small business owners in the City of Charlotte and Mecklenburg County by: educating small businesses on the certifications and contractual opportunities with city, county, and state governments; equipping small businesses with business and leadership development opportunities; and, empowering small businesses to develop collaborations and partnerships.

Appointments

19-5856: Nominations/Appointments

INFORMATION SERVICES & TECHNOLOGY COMMITTEE

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

- Travis Burgess by Commissioner Cotham
- Steve Wainstead by Commissioners Leake and Scarborough

Motion was made Commissioner Leake, seconded by Commissioner Scarborough and carried unanimously to close nominations.

Note: An appointment will occur at the January 7, 2020 meeting.
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Comments

Commissioner Leake said asking people that are not voters to serve on boards was problematic. She said that the Board needed to examine what qualifies individuals to serve on advisory boards.

Commissioner Powell asked if a question ‘are you a registered voter in Mecklenburg County’ could be added to the application.

County Attorney Wade said that the question could be added since it is public information.

Commissioner Cotham said she wanted applicants to use their legal names for transparency purposes.

County Attorney Wade said the "legal name" question could be added to the application.

Chair Dunlap said he would appoint an ad hoc committee to study the issue and bring forth recommendations of changes to be made to the application form.

WOMEN’S ADVISORY BOARD

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried unanimously to appoint Lindsey Schuster to fill an unexpired term ending April 30, 2021.

Chair Dunlap announced the appointment of Lindsey Schuster to the Women’s Advisory Board to fill an unexpired term ending April 30, 2021.

19-5871: Mecklenburg EMS Joint Agency Board of Commissioners Appointments

Motion was made by Commissioner Fuller and seconded by Commissioner Leake to reappoint Mark Foster, Alisahah Cole, MD, Katie Kaney, Gary Little, MD, Joy Greear, Saad Ehtisham, and Sid Fletcher, MD to the Mecklenburg EMS Joint Agency Board of Commissioners for three-year terms expiring December 31, 2022. The motion carried unanimously.

Public Hearing

19-5851: Real Estate Excise Tax Refund Request

A motion was made by Commissioner Vilma D. Leake and seconded by Commissioner Ella B. Scarborough, to Open the Public Hearing on a request received from Purser & Glenn, PLLC for refund of overpayment of excise tax in the amount of $2,040.00. The motion carried unanimously.

There being no speakers, either for or against, a motion was made by Commissioner Vilma D. Leake and seconded by Commissioner Ella B. Scarborough to Close the Public Hearing. The motion carried unanimously.

A motion was made by Commissioner Vilma D. Leake and seconded by Commissioner Ella B. Scarborough, to Deny the request for refund based on the grounds that the request was not filed/received within the six months statutory timeframe for requesting a refund. The motion carried unanimously.

Note: GS 105-228.37(a) provides: a taxpayer who pays more tax than is due may request a refund of the overpayment by filing a written request. The request must be filed within six months after the date the tax was paid and must explain why the taxpayer believes a refund is due. Purser & Glenn, PLLC filed a request for
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reimbursement of excise tax in the amount of $2,040.00 for a N.C. General Warranty Deed, paid on May 3, 2019. The amount paid was based on a completed structure instead of the cost of a vacant lot. The correct amount due was $180.00 rather than the $2,220.00, the amount that was paid. The request for refund was received on November 13, 2019 pursuant to a letter received dated November 6, 2019. The County Manager reviewed the request and denied it because the request was not filed within the statutory timeframe specified by GS105-228-37(a). Purser & Glenn, PLLC paid the excise tax on May 3, 2019; the deadline for filing the request was November 3, 2019. The letter making the request was dated November 6, 2019, also beyond the six-month statutory period.

Advisory Committee Reports

19-5866: Information Services and Technology Advisory Committee Report

The Board received as information the Annual Report of the Information Services and Technology Advisory Committee (ISTAC). Erica Frasier, Chairperson, presented the report.

Note: The Information Services & Technology Advisory Committee serves as an advisory group to the Board of County Commissioners and reviews plans at a conceptual level for major new automated systems with respect to: adequacy of the system functions to solve the business problem(s) addressed by the system; appropriateness of the technical approach utilized; availability of adequate hardware, software, communications and personnel; advises on how IT is accomplishing goals or approaching challenges; and, provides feedback to the BOCC on IST strategies, implementations and challenges.

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

Manager’s Report

19-5886: Resolution to Approve Interlocal Agreement and Appropriate Funds for the Excelsior Club

Dena Diorio, County Manager introduced Jack Thompson, the new Executive Director of the Charlotte-Mecklenburg Historic Landmarks Commission. She said Mr. Thompson brings a wealth of historic preservation experience that includes real estate transactions, architectural plan review, neighborhood revitalization and construction management of historic restoration projects.

Mark Foster, Assistant County Manager, provided an overview of the agenda item. He said the Excelsior Club was an historic landmark looking for a revitalization solution. The action the Board was being requested to consider was to approve the Interlocal Agreement with the City of Charlotte, which included a $50,000 contribution by the County, and to authorize the County Manager to execute the interlocal agreement and negotiate any ancillary documents or changes that are not material.

Mr. Foster stated a company from California, Kenwood Investments, intended to purchase the property located on Beatties Ford Road for the purpose of redeveloping it as an entertainment venue. The buyer intended to close on the property by December 31, 2019. The Foundation of the Carolinas, the Knight Foundation, the City of Charlotte and Mecklenburg County wished to provide financial assistance for the preservation, restoration, or replication of the Excelsior Club facade; the total amount of that commitment was $250,000 as follows: The Foundation for the Carolinas has committed $100,000, the Knight Foundation has committed $50,000, the City of Charlotte has committed $50,000 and the Board is being asked to approve $50,000 from Mecklenburg County. The Foundations contributions would take the form of a grant between themselves. Mecklenburg County cannot enter into a loan with the buyer, so the County would transfer its portion, $50,000, to the City and the buyer and
the City of Charlotte contribution would take the form of a loan in the amount of $100,000.

The buyer would enter into a loan agreement with a deed of trust and record it against the property. The buyer then would submit plans to the Historic Landmarks Commission for approval before proceeding with any other preservation, restoration or any other efforts. The loan agreement provides that the redevelopment must be completed in five years, before December 31, 2024. Should the buyer fail to comply with the terms, the $50,000 from the City and the $50,000 of the County would have to be returned. If the buyer delayed the closing and did not close by February 28, 2020, the City and the County would have no obligation to make those payments. The same was true if the two foundations did not provide their respective grants, then the County would not be committed to provide the funds.

The County funding would come from the Historic Preservation Revolving Special Revenue Fund which the Board established in 2010 and the City funding would come from their Business Corridor Revitalization Funds. The City approved their side of the agreement on Monday, December 16, 2019.

The following speakers addressed the Board regarding this agenda item:

- Mattie Marshall, President of Historic Washington Heights Association
- Kelley Eaves-Boykin, Chairperson of the Charlotte-Mecklenburg Black Heritage Committee

Commissioners made comments and asked questions, which were addressed.

Jack Thompson, Executive Director of the Charlotte-Mecklenburg Historic Landmarks Commission, provided information to clarify the authorities of the Commission as well as its limitations in enforcing maintenance or preventing deterioration.

Tyrone Wade, County Attorney, said he needed to make a correction to the resolution so that the County tracks North Carolina statutes; wherever the current language stated "replication" should be modified to state "rehabilitation."

A motion was made by Commissioner Trevor Fuller and seconded by Commissioner Vilma D. Leake to Adopt a Resolution, as amended, approving an Interlocal Agreement between Mecklenburg County and City of Charlotte; and authorizing the County Manager to negotiate and execute any documents necessary to transfer $50,000 from the Historic Landmark Commission Revolving Fund to the City of Charlotte for the purpose set forth in the Interlocal Agreement. The motion carried unanimously.

The Resolution is recorded in full in Minute/Ordinance Book 48-A, Document #106.

Departmental Directors’ Monthly Reports

19-5390: Department Management Monthly Reports

The Board received as information monthly department management reports for December 2019.

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
Consent Items

19-5844: Public Auction for Disposal of Surplus Equipment

A motion was made by Commissioner Trevor Fuller and seconded by Commissioner Ella B. Scarborough, to Adopt a resolution authorizing sale of surplus personal property by public auction on January 11, 2020 at 9:00 a.m. at 5550 Wilkinson Blvd., Charlotte, NC. The motion carried unanimously.

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #103.

19-5847: Budget Amendment - Community Support Services - Revenue Increase

A motion was made by Commissioner Vilma D. Leake and seconded by Commissioner Ella Scarborough, to Recognize, Receive and Appropriate up to $130,914 to the General Fund (G001) from the City of Charlotte as part of the U.S. Department of Housing and Urban Development's (HUD) FY18 Continuum of Care (CoC) Planning Grant. The motion carried unanimously.

Note: Mecklenburg County Community Support Services will enter into a contract with the City of Charlotte as a subgrantee for the purpose of receiving $130,194 of HUD funding for a specific planning grant targeting prevention assistance evaluation.

Currently, the City of Charlotte serves as the Collaborative Applicant to both receive and apply for HUD funding on behalf of the Continuum of Care (CoC). Mecklenburg County originally completed the project proposal, which was ultimately selected and submitted by the City of Charlotte as part of the FY18 CoC Planning Grant. As part of the application for funding assistance, Mecklenburg County committed to provide an in-kind match in staff time and resources dedicated to the activities outlined in the scope of work. The funding awards were announced in 2019. The CoC planning grant addresses the community’s need for a comprehensive and cohesive housing and supportive service system. This system must meet the housing needs of every individual experiencing homelessness by focusing on developing, coordinating, evaluating, strengthening, and expanding prevention strategies within the CoC. The CoC will begin immediately by laying the groundwork for the evaluation project. This will include identifying the goals for the evaluation project; recruiting prevention activity partners; and setting up evaluation infrastructure, including identifying and collecting baseline data elements. The management plan will be developed concurrently with these activities and will also include identifying evaluation means and methodologies.

The requested funds for the CoC planning grant will create and implement an overall system evaluation framework for prevention activities funded by the CoC and/or ESG. The new framework will incorporate a continuous improvement process. The continuous improvement process will employ collected outcomes data to inform and adjust prevention activities where needed. The County will invoice the City for the total amount of $130,914 when receipt of funding has been approved.

19-5849: Affirm Grant Awards - Health Department Environmental Health Program

A motion was made by Commissioner Vilma D. Leake and seconded by Commissioner Mark Jerrell to 1. Affirm award of two grants: A. Affirm the submitted grant application for funding in the amount of $14,000 from the National Association of County and City Health Officials (NACCHO); B. Affirm the submitted grant application for funding in the amount of $3,000 from the Association of Food and Drug Officials (AFD); and, 2. Recognize, receive and appropriate funds of: A. $14,000 from NACCHO to fund G001 for the duration of the grant period and B. $3,000 from AFD to fund G001 for the duration of the grant period. The motion carried unanimously.
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Note: The Mecklenburg County Health Department Environmental Health Program has been awarded $14,000 from the National Association of City and County Health Officials (NACCHO) to support participation as a mentee in the Voluntary National Retail Food Regulatory Program Standards (Retail Program Standards) Mentorship Program. This is a cooperative project of the Food and Drug Administration to support quality improvement and implementation of emerging approaches to food safety and the prevention of food-borne illness. Mecklenburg County Public Health will be in a mentoring relationship with the Southern Nevada Health District. The grant period runs from December 1, 2019 to August 31, 2020.

The Mecklenburg County Health Department Environmental Health Program has been awarded $3,000 from the Association of Food and Drug Officials (AFDO) for training and maintenance of standardization as part of the Retail Standards Program. Mecklenburg County is proud to have a very strong and well-equipped training program that consists of a two-tier approach to training modeled by the Conference for Food Protection. The training program also works diligently to maintain standardization of staff through the continuous work of the two FDA Standardized Retail Food Safety Inspection Officers within the program. The Division of environmental Health, Food and Facilities Sanitation Program consist of fifty-six positions with thirty of those utilized for front-line staff conducting routine food inspections. The two officers within the program must maintain standardization through attendance to this conference to ensure continuous maintenance of Standard 2 within the division. The FDA Seminar is a conference that appeals to all environmental health specialists due to its various topics, ability to interact with technical experts, and exposure to other states and jurisdictions. The grant period runs from January 1, 2020 to December 31, 2020.

19-5850: Position Request - Senior Associate Attorney Position for the County’s Legal Department

A motion was made by Commissioner Vilma D. Leake and seconded by Commissioner Ella B. Scarborough to Authorize the creation of a Senior Associate Attorney position in the County’s Legal Department to work with the Office of the Tax Collector (OTC). The motion carried unanimously.

Note: The Office of the Tax Collector relies upon legal guidance to enforce tax collection in cases of bankruptcy filings. Collections of delinquent taxes in bankruptcy cases are done through the US Bankruptcy Court. In the past, this body of work has been provided by outside counsel. Creating an in-house position offers the office greater flexibility in expanding the scope of work and obtaining day-to-day advice on a number of issues relating to bankruptcy and other collection activities in addition to interpreting laws and offering guidance on pending legislation affecting the OTC. This action aligns with the County’s decision to leverage internal resources for legal matters. The position will be funded with existing OTC legal services operational funds.

19-5855: Budget Amendment - DSS (Revenue Increase/Decrease)

A motion was made by Commissioner Vilma D. Leake and seconded by Commissioner Trevor Fuller to 1. Amend the annual budget ordinance to recognize, receive, and appropriate an increase in federal revenue of $15,563 to the general fund (0001); 2. Amend the annual budget ordinance to recognize, receive, and appropriate an increase in state revenue of $2,053 to the general fund (0001); and, 3. Amend the annual budget ordinance to approve a decrease in federal revenue of $376,639 to the general fund (0001). The motion carried unanimously.

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 and the NC Division of Aging and Adult Services. The federal increases include: $7,347 in federal revenue for Adult Home Specialist in the Services for Adults
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Division and $8,216 in federal funds for the LINKS Program, the NC Foster Care Independence Program, in the Youth and Family Services Division. The State increase includes $2,053 in state funds for the LINKS Program in the Youth and Family Services Division. The federal decreases include $7,980 in federal funds for Permanency Planning in the Youth and Family Services Division, $60,061 in federal funds for Temporary Assistance for Needy Families (TANF) Child Welfare Worker in the Youth and Family Services Division, $265,069 in federal funds for the Crisis Intervention Program in the Economic Services Division, and $43,529 in federal funds for Low Income Energy Assistance (LIEAP) and Crisis Intervention Program (CIP) Administration in the Economic Services Division.

19-5857: Mecklenburg Transportation System (MTS) - Direct Recipient of FTA Funds

A motion was made by Commissioner Trevor Fuller and seconded by Commissioner Ella B. Scarborough to Adopt a resolution approving a Federal Transportation Administration (FTA) Resolution and authorizing the County Manager or Designee to execute and file grant application, cooperative agreements, along with certifications, assurances and related documents with Federal Transit Administration for federal financial assistance as authorized by 49 U.S.C. Chapter 53 Title 23 of the United States Code and other Federal Statutes administered by the Federal Transit Administration. The motion carried unanimously.

Note: Mecklenburg Transportation System (MTS) has been identified as an Urbanized Area Formula Program and no longer receives Section 5311 Community Transportation Program funds as a subrecipient from North Carolina Department of Transportation (NCDOT). MTS currently receives Section 5307 Urbanized funds through the NCDOT, the Metropolitan Planning Organization (MPO) and Charlotte Regional Transportation Planning Organization (CRTPO). NCDOT requested Mecklenburg County / MTS to become a direct recipient of FTA funding. Serving as an FTA grantee recipient, MTS will meet the same compliance obligations as if it were a NCDOT subrecipient. Reporting and submission of reports and claims will occur in the FTA Transportation Assets Management System (TrAMS).

Resolutions recorded in full in Minute/Ordinance Book 48-A, Documents #104 and #105.

19-5858: Storm Water Program - Hazard Mitigation Catawba River Floodplain Acquisition

A motion was made by Commissioner Trevor Fuller, and seconded by Commissioner Ella B. Scarborough, to 1. Accept the Offer of Sale of Real Estate from Daniel & Debra Cozzie, owners of property located at 1501 Lake Drive, Charlotte, NC (Tax Parcel 031-472-03), for $249,393.86, and 2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to use the structure for training exercises.

19-5860: Minutes

A motion was made by Commissioner Trevor Fuller and seconded by Commissioner Ella B. Scarborough, to Approve the Minutes of Regular meeting held December 3, 2019 and Closed Sessions held December 3, 2019 and September 4, 2019. The motion carried unanimously.

19-5864: Construction Contract - McDowell Creek Greenway Phase 1A

A motion was made by Commissioner Vilma D. Leake and seconded by Commissioner Ella Scarborough to Award a construction contract to Eagle Wood, Inc. in the amount of $1,741,174.16 for the construction of the McDowell Creek Greenway Phase 1A. The motion carried unanimously.
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Note: This contract is for the construction of the McDowell Creek Greenway Phase 1A, which is located within the Town of Huntersville and Mecklenburg County, near the confluence of McDowell Creek and Torrence Creek and adjacent to Gilead Road. The project includes 2,115 LF (0.4 miles) of new greenway construction, a trail-head parking lot, and a pedestrian bridge over Torrence Creek which will connect to the existing Torrence Creek Greenway.

19-5874: Tax Refunds

A motion was made by Commissioner Trevor Fuller and seconded by Commissioner Ella B. Scarborough to 1. Approve refunds in the amount of $5,643.12 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor and 2. Approve refunds in the amount of $87,872.67 as statutorily required to be paid as requested by the County Assessor. The motion carried unanimously.

19-5881: Grant Application - CPS HR Consulting

A motion was made by Commissioner Vilma D. Leake and seconded by Commissioner Trevor Fuller to 1. Affirm the submission of the CPS HR Consulting Talent Management Grant in the amount up to $20,000; and 2. If awarded, recognize, receive and appropriate awarded funds to the General Grants Fund (G001). The motion carried unanimously.

ADJOURNMENT

With there being no further business to come before the Board, Chair Dunlap declared the meeting adjourned at 9:07 p.m.

Emily A. Kunze, Clerk

George Dunlap, Chair