

**MARCH 20, 2018**

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA  
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, March 20, 2018.

**ATTENDANCE**

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

**Absent:** None

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**-INFORMAL SESSION-**

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

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

**STAFF BRIEFING**

18-4581                      **2017 COMMUNITY HEALTH ASSESSMENT PRIORITY AREAS**

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

***Commissioners Puckett and Ridenhour entered the meeting during the presentation.***

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

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

Comments

Chair Scarborough said she'd like local ministerial groups to receive the presentation. She encouraged Board members to share with staff the names of groups that they were aware of.

Commissioner James asked about health insurance for the poor, which was addressed.

***Commissioner Fuller entered the meeting.***

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

Commissioner Clarke said taxpayers pay for the uninsured.

Chair Scarborough thanked Director Harris for the report.

## **REMOVAL OF ITEMS FROM CONSENT**

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

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to move Items 18-4563 Proclamation-Alcohol Awareness Month April 2018 and 18-4576 Proclamation-Child Abuse Prevention Month from the Consent section of the agenda to the Awards/Recognition section.

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**18-4558 PUBLIC APPEARANCE**

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

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

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

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

**CLOSED SESSION**

**18-4560 CONSULT WITH ATTORNEY**

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

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

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

**-FORMAL SESSION-**

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

**AWARDS/RECOGNITION**

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

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Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a Proclamation declaring April 2018 as Alcohol Awareness Month in Mecklenburg County.

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



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18-4576

PROCLAMATION - CHILD ABUSE PREVENTION MONTH

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a Joint Proclamation declaring April 2018 as Child Abuse Prevention Month in Mecklenburg County and the City of Charlotte.

The proclamation was read by Commissioner Leake.

PROCLAMATION  
City of Charlotte/Mecklenburg County

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

WHEREAS, all children deserve to have the safe, stable, nurturing homes and communities they need to foster their healthy growth and development; and

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

WHEREAS, communities that provide parents with the social support and, knowledge of parenting and child development and concrete resources they need to cope with stress and nurture their children to ensure all children grow up to their full potential; and

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

NOW, THEREFORE, WE, Vi Alexander Lyles, Mayor of Charlotte, and Ella B. Scarborough, Chair of the Mecklenburg Board of County Commissioners, do hereby proclaim, April 2018 as

"CHILD ABUSE PREVENTION MONTH"

in Charlotte and Mecklenburg County and commend its observance to all citizens.

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

*Vi Alexander Lyles*  
Vi Alexander Lyles, Mayor  
City of Charlotte



*Ella B. Scarborough*  
Ella B. Scarborough, Chair  
Mecklenburg Board of  
County Commissioners



PUBLIC APPEARANCE

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**18-4558**

**PUBLIC APPEARANCE**

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

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

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

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

The following persons spoke in support of the 287(g) program: Paul Jones, a retired federal government employee that worked in the area of immigration and Marcus Philemon.

It was stated the purpose of the program, when initiated in 2006, was to slow the progress of "what was seen as dangerous individuals who were not here in the country to make a positive impact on the immigrant community or the country." It was stated that since 2006 over 15,000 illegal immigrants had been deported from Mecklenburg County and nearly 4,000 of that number were arrested for impaired or drunk driving.

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

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

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

Comments

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

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

Commissioner Fuller acknowledged his opposition to 287(g).

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

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

## **APPOINTMENTS**

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

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Debi Powell to the Mint Hill Zoning Board of Adjustment as an Extraterritorial Jurisdiction Member (ETJ) as recommended by the Town of Mint Hill Board of Commissioners for a term expiring December 31, 2020.

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

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

|                  |  |
|------------------|--|
| Phyllis Barnette | Commissioner Leake   |
| Deandre Dukes    | Commissioners Clarke, Dunlap, Fuller, James, and Puckett     |
| Jana Savory      | Commissioners Clarke, Dunlap, Fuller, Leake, and Scarborough |

*Voting should have ceased because the number of persons needed had been appointed.*

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Gina Sirhan

Commissioners Cotham, James, Puckett, Ridenhour, and Scarborough

Chair Scarborough announced the appointment of Deandre Dukes to the Juvenile Crime Prevention Council to fill an unexpired term expiring June 30, 2018 and Jana Savory to fill an unexpired term expiring June 30, 2019, both as general public representatives.

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

**18-4561                      NOMINATIONS/APPOINTMENTS**

**Bicycle Committee**

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Debra Franklin to the Bicycle Committee for a three-year term expiring March 31, 2021.

**Board of Equalization and Review**

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Paul Bass, William Hawkins, Rufus Hutchinson, and Joyce Reid to the Board of Equalization and Review for three-year terms expiring April 16, 2021.

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

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

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

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*Note: Appointments will occur following an interview of the above nominees by an ad hoc committee of the Board appointed by the Chair. Per Board policy, persons seeking appointment to the Board of Equalization and Review must undergo an interview process.*

*The following Commissioners volunteered to serve on the Board's Ad Hoc Interview Committee for appointment considerations to the Board of Equalization and Review: Commissioners Cotham, Fuller, Leake, and Ridenhour.*

Note: Appointments will occur on April 3, 2018.

**Charlotte-Mecklenburg Community Relations Committee**

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

|                |                         |
|----------------|-------------------------|
| Kendall Brooks | by Commissioner Fuller  |
| Gail Johnson   | by Commissioner Cotham  |
| Arun Nair      | by Commissioner Puckett |
| Rhonda Rivers  | by Commissioner James   |
| Gina Sirhan    | by Commissioner Puckett |

Appointments will occur on April 3, 2018.

**Domestic Violence Advisory Board**

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Neil Bloomfield and Ryan Lougheed to the Domestic Violence Advisory Board for three-year terms expiring April 30, 2021.

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

Appointments will occur on April 3, 2018.

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**Human Resources Advisory Committee**

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Larry Valenti to the Human Resources Advisory Committee as recommended by the Human Resources Advisory Committee.

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

*Note: He replaced Latrice Haywood.*

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

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

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

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

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

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

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

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

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

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

**Information Services & Technology Committee**

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Nicole Calhoun, Nathaniel Lewis, Derrick Love, Gary Rautenstrauch, Branden Rosenlief, and Lutemuka Zuendoki to the information Services & Technology Committee for three-year terms expiring February 28, 2021.

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

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

Appointments will occur on April 3, 2018.

**PUBLIC HEARINGS**

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

Motion was made by Commissioner Puckett, seconded by Commissioner Cotham and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing to hear comments with respect to the closing of a portion of Grand Palisades Parkway right-of-way.

Brian Sikes with LUESA addressed the proposed closing.

*Note: The property owner petitioned to close a 0.181-acre portion of the right-of-way for Grand Palisades Parkway. The portion of said right-of-way was currently two turnout areas that would*

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*not be utilized once the parcel was developed as a multi-family tract. General Statute 153A-241 requires a public hearing and approval of the order for closing by the Board of County Commissioners in order to abandon and close a right-of-way in an unincorporated part of the county.*

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

***Commissioner Clarke returned to the dais.***

Motion was made by Commissioner James, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to continue the public hearing to hear comments with respect to the closing of a portion of Grand Palisades Parkway right-of-way, until the Board's April 3, 2018 meeting at 6:30 p.m.

#### **ADVISORY COMMITTEE REPORTS**

##### **18-4567 PUBLIC ART COMMISSION ANNUAL REPORT**

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

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

Comments

Commissioners thanked the presenters for the report.

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

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

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

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

## **MANAGER'S REPORT**

### **18-4571                      MEMORIAL STADIUM UPDATE**

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

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

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

#### Comments

Commissioner Dunlap thanked staff for the work that had been done to date with respect to this matter. He said he was pleased with what was presented.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Commissioner Clarke expressed excitement for the project.

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

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

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

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

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

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

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

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

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

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

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

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

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

Commissioner Ridenhour asked about the Grady Cole Center. *It was noted that Grady Cole would remain as is for now.*

Commissioner Ridenhour said he liked where things were headed with respect to Memorial Stadium, however, he was not comfortable with the dollar amount for renovations.

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

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

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

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

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

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**MECKLENBURG COUNTY, NORTH CAROLINA  
FY 2018 AUTHORIZATION  
PARK AND RECREATION  
CAPITAL PROJECT ORDINANCE**

*BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 20<sup>th</sup> DAY OF MARCH 2018:*

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

*Memorial Stadium Renovations \$32,000,000*

*including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$32,000,000 is hereby appropriated.*

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

*Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:*

*2017-2018 fiscal year \$3,000,000*

*2018-2019 fiscal year \$14,500*

*2019-2020 fiscal year \$14,500*

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

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

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

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

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**18-4574**

**PROPOSED LAW ENFORCEMENT SERVICE DISTRICTS**

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

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

- 1) Receive a report regarding the creation of Law Enforcement Service Districts in Mecklenburg County for services in the extra territorial jurisdiction (ETJ) areas of the City of Charlotte, Town of Huntersville, Town of Pineville, Town of Cornelius, Town of Mint Hill and Town of Davidson;
- 2) Schedule public hearings to receive comments on proposed Law Enforcement Service Districts in Mecklenburg County for services in the extra territorial jurisdiction (ETJ) areas of the City of Charlotte, Town of Huntersville, Town of Pineville, Town of Cornelius, Town of Mint Hill and Town of Davidson on Tuesday, May 1, 2018 at 6:30 p.m.;
- 3) Direct the Clerk to the Board to publish required notices of public hearing; and
- 4) Direct the Tax Office to a) mail required notices of public hearing to the owners, as shown by the county tax records as of the preceding January 1 (and at the address shown thereon) of all property located within the proposed district and b) provide certification to the Board that the mailing was completed and their certificate is conclusive in the absence of fraud.

**DEPARTMENTAL DIRECTORS' MONTHLY REPORTS-NONE**

**STAFF REPORTS & REQUESTS - NONE**

**COUNTY COMMISSIONERS REPORTS & REQUESTS**

**CONSENT ITEMS**

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

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

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

*Note: Revenue overage will be utilized for replacement to meet technology needs of the program.*

**18-4557                      ASSESSOR'S OFFICE LEASE RENEWAL - MINT HILL TOWN HALL**

Authorize the County Manager to negotiate and execute a one (1) year lease extension with the Town of Mint Hill for office space for the Assessor's Office Budget and Audit Section located at Mint Hill Town Hall, 4430 Mint Hill Village Lane. Mint Hill.

**18-4559                      ITEM REMOVED: MINUTES**

**18-4564                      LAND DONATION FOR MCALPINE CREEK GREENWAY**

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

**18-4565                      NCDOT GRANT FUNDING FOR SOUTH TRADE STREET/FOUR MILE  
CREEK GREENWAY IN MATTHEWS**

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

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

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

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- 4) Approve funding as required by NCDOT; and
- 5) Authorize the County Manager to enter into agreements necessary for this project.

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

**18-4570                      TAX REFUNDS**

1. Approve refunds in the amount of \$5,771.05 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor; and

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

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

*Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$786.10.*

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

**18-4580                      BUDGET AMENDMENT - COUNTY ASSESSOR'S OFFICE**

- 1) Amend the Assessor's Office budget to recognize and receive additional revenue in the amount of \$179,507.13 resulting from discoveries made by Tax Management Associates (TMA).
- 2) Appropriate a portion of the additional revenue to pay TMA in the amount of \$52,057.07.

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

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

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

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

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**18-4548 AUCTION FOR DISPOSAL OF SURPLUS PERSONAL PROPERTY**

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

1. Approve the list of vehicles and equipment (Exhibit A), included in the agenda material as surplus; and
2. Adopt a resolution authorizing sale of surplus personal property by public auction on April 7, 2018 at 9:00 a.m. at 5550 Wilkinson Boulevard, Charlotte, NC.

**Mecklenburg Board Of County Commissioners  
Resolution Authorizing Sale of Surplus Personal Property by Public Auction**

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

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Mecklenburg Board of County Commissioners that the County Manager or her designee is authorized to sell the surplus property described on Exhibit A at public auction on the day of April 7, 2018 at 9:00 am at 5550 Wilkinson Boulevard, Charlotte, North Carolina, as per the terms and conditions in accordance with North Carolina G.S. 160A-270(b) and in compliance with County policies. The terms of the sale shall be net cash. The County Manager or her designee is directed to publish at least once

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and not less than ten (10) days before the date of the auction, a copy of this Resolution or a notice summarizing its content as required by North Carolina General Statute 160A-270(b).

**Resolution & Exhibit A recorded in full in Ordinance/Minute Book \_\_\_\_\_, Document # \_\_\_\_\_.**

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

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

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

- 1) Approve amended FY18 Home and Community Care Block Grant Funding Plan with the updated reimbursement rates.
  
- 2) Approve amended FY18 Home and Community Care Block Grant Funding Plan with the FY18 increase incorporated into the total funding amounts.
  
- 3) Recognize, receive and appropriate a net increase of \$110,136.00 for FY18 funding from Centralina Council of Governments (COG) for the Home and Community Care Block Grant.

*Note: Annually, the Department of Social Services (DSS) submits for Board approval the Home and Community Care Block Grant (HCCBG) funding plan (also referred to as the County Aging Plan). During the fiscal year, adjustments to the funding plan may be required for rate or funding changes. Action item 1 represents adjustments in rates in the approved plan. Action item 2 represents changes in the plan as a result of increased funding. Board approval is required prior to submission to Centralina Council of Governments (COG), the local grant authority. The following services are provided with this grant: In-Home Aide Services, Transportation Services, Congregate Meals, Home Delivered Meals, Senior Center Operations, Adult Day Care/Day Health and Consumer Directed Services. The additional required match is included in the DSS Fiscal Year 2018 operating budget.*

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

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

***Commissioner Clarke returned to the dais.***

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

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

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

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

*Note: The Department of Social Services Mecklenburg Transportation System (MTS) is required to have a Drug and Alcohol Policy that meets Federal and State funding guidelines. Due to changes in the regulatory environment, the existing MTS policy will be removed from the County-wide drug testing policy, and MTS will maintain a Drug and Alcohol Policy specific solely*

*to its safety sensitive employees. The purpose of the proposed amendment is to align MTS policy with the US Department of Transportation, the Federal Transit Administration, and the NC Department of Transportation policies.*

***MTS Federal Transit Administration Drug and Alcohol Policy recorded in full in Ordinance/Minute Book \_\_\_\_\_, Document # \_\_\_\_\_.***

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

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

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to rescind the December 19, 2017 authorization for the County Manager to negotiate and execute an agreement with Queens University for development, use and maintenance of one baseball field and amenities at Southview Park.

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

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

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

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to fund a request for \$100,000 from PayGo

towards the cost of installing lights at Pineville Memorial Ballpark adjacent to Pineville Elementary School.

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

**ADJOURNMENT**

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:37 p.m.

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Janice S. Paige, Clerk

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Ella B. Scarborough, Chair