

APRIL 16, 2019

**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

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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.

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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.

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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.

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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 |

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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:

| | |
|-----------------------------|-------------------------|
| Brooke Adams | by Commissioner Harden |
| Kristin Buhlert | by Commissioner Leake |
| Katie Ferraioli | by Commissioner Jerrell |
| Suzanne Elsberry Schweikert | by Commissioner Fuller |

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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.

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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**

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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.

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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.*

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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.

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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

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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.

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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.

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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.

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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

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increase the local sales tax by a quarter ($\frac{1}{4}$) 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.*

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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

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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;

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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

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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.

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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.

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**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.

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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 &

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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 Liollo 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.

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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