

MAY 1, 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, May 1, 2018.

ATTENDANCE

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

Absent: Commissioner Vilma D. Leake

-INFORMAL SESSION-

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

REMOVAL OF ITEMS FROM CONSENT

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

No items were identified by those in attendance.

STAFF BRIEFING

**18-4678 INTERLOCAL AGREEMENT WITH TOWN OF PINEVILLE FOR EXTRA TERRITORIAL
JURISDICTION (ETJ) LAW ENFORCEMENT SERVICES**

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Assistant County Manager/Chief of Staff Derrick Ramos addressed the proposed interlocal agreement with the Town of Pineville for ETJ Law Enforcement Services. It was noted the Town of Pineville recently notified the County that it may change its mind and ask the Charlotte-Mecklenburg police to continue to provide service in the Town's ETJ area, rather than the Pineville police doing it. It was noted, however, that the proposed agreement before the Board was one that had been developed between the Town of Pineville and County staffs.

The Town of Pineville will consider the matter on May 8, 2018 or sometime thereafter.

Assistant County Manager/Chief of Staff Ramos said if necessary, the matter would be brought back to the Board, because it would require an amendment to the agreement with the City of Charlotte.

Motion was made by Commissioner James, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour, and

Scarborough voting yes, to adopt a Resolution Approving A Law Enforcement Services Interlocal Agreement Between Mecklenburg County And The Town of Pineville for Law Enforcement Services in the extra territorial jurisdiction areas of the Town.

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

WHEREAS, in 1993 the City of Charlotte ("City") and Mecklenburg County ("County") entered into an agreement entitled "Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments" ("Original Consolidation Agreement") which resulted in the City Police Department and the County Police Department being consolidated on October 1, 1993 as a City department – the Charlotte-Mecklenburg Police Department - having law enforcement jurisdiction throughout the entire unincorporated area of the County; and

WHEREAS, effective July 1, 1996 the City and the County entered into the "Agreement Between the City of Charlotte and Mecklenburg County for the Continued Consolidation of the Charlotte and Mecklenburg County Police Departments" ("Current Agreement") which Current Agreement was terminated effective June 30, 2018 by the Board of County Commissioners at its April 18, 2017 meeting; and

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

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

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

Resolution recorded in full in Ordinance/Minute Book _____, Document # _____.

CLOSED SESSION

18-4655 CONSULT WITH ATTORNEY

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

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

-FORMAL SESSION-

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

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

AWARDS/RECOGNITION – NONE

PUBLIC APPEARANCE

18-4653 PUBLIC APPEARANCE

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

Matthew DeAntonio and Solomon Franklin spoke in support of Universal Pre-K.

Commissioner Ridenhour entered the meeting during Mr. DeAntonio’s remarks.

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APPOINTMENTS

18-4662 NOMINATIONS/APPOINTMENTS

Transit Services Advisory Committee

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Patrick Paige to the Transit Services Advisory Committee to fill an unexpired term expiring February 3, 2019.

Note: He replaced Edward Jernigan.

COUNTY MANAGER'S REPORT

18-4669 SET PUBLIC HEARING ON PROPOSED ABOLISHMENT OF CURRENT COUNTY-WIDE LAW ENFORCEMENT SERVICE DISTRICT

Assistant County Manager/Chief of Staff Derrick Ramos addressed the proposed abolishment of the current county-wide law enforcement service district.

Note: As part of creating the six (6) proposed new law enforcement service districts, the current county-wide law enforcement district has to be abolished effective the end of the current fiscal year, June 30, 2018. The Board is required to hold a public hearing before adopting a resolution abolishing the current county-wide district.

Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour, and Scarborough voting yes, to set a public hearing on May 15, 2018 at 6:30 p.m., or as soon thereafter as the agenda allows, in the Meeting Chamber of the Charlotte-Mecklenburg Government Center to receive public comments on proposed abolishment of current County-Wide Law Enforcement Service District; and direct the Clerk to publish the required Notice of Public Hearing.

COUNTY COMMISSIONERS REPORTS & REQUESTS

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

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Ridenhour, and Scarborough voting yes, to move Item 18-4673 up on the agenda for discussion at this time.

18-4673 HEALTH DEPARTMENT GOVERNANCE AND OVERSIGHT (COMMISSIONER PUCKETT)

Commissioner Jim Puckett addressed governance and oversight of the Health Department. He noted the following:

“In light of the continued calls from the public for reform and better oversight of operations in the Health Department, as well as concerns heard both from and on behalf of employees and clients, I am asking the BOCC to consider a change in governance of the Mecklenburg County Health Department. Our current structure places all responsibility for hiring, management oversight and evaluation of the Director of Health and by extension the Health Department, solely in the hands of the County Manager. The current structure does not require the Manager seek advice from, nor does it provide a process, insuring the Manager be aided by anyone in the medical/healthcare field. With all due respect, county managers (current and past) lack the training and experience within the healthcare field to make properly analytical decisions regarding public health oversight or offer proficient medical/health related diagnostic and methodological suggestions and recommendations.”

Motion was made by Commissioner Puckett, seconded by Commissioner Ridenhour, to direct the Board Chair to appoint an ad hoc committee to investigate options available to change the current method of governance and oversight of the Mecklenburg County Health Department and make recommendations as appropriate to that end.

Public Comments

Minister Corine Mack, President of the Charlotte Chapter of the NAACP, spoke in support of Commissioner Puckett’s request to the Board.

Board Comments

Commissioner Ridenhour said the proposal by Commissioner Puckett was worth exploring, however, he was not interested in setting up another advisory board.

Commissioner Clarke expressed opposition to the proposal. Commissioner Clarke said the County Manager was more than capable of managing the Health Department.

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

Commissioner Puckett addressed why he brought the proposal forward.

Commissioner Fuller said things at the Health Department had not been “smooth sailing” for the past year and acknowledged that the department was going through a period of transition.

Commissioner Fuller said he was not opposed to what was being proposed, but he was not supportive of setting up a separate board of health. Commissioner Fuller said the Board was responsible for determining whether the right structure was in place for managing the Health department.

Commissioner Ridenhour returned to the dais.

Commissioner Cotham spoke in support of the proposal.

Commissioner James asked County Manager Diorio to comment on what was being proposed.

County Manager Diorio said she was not opposed to an ad hoc committee being formed. She said ultimately it was the Board’s decision.

Commissioner James said the focus of the committee should not be about disgruntled employees, but rather, governance of the Health department.

Commissioner James, chair of the Board’s Audit Review Committee, said the Audit Review Committee would continue to meet and discuss Health department issues as done in the past.

Commissioner James said he was not opposed to considering privatization of the Health department.

Commissioner Puckett said the ad hoc committee would be comprised of four (4) members.

Commissioner Dunlap expressed his support of the proposal. Commissioner Dunlap said he was comfortable with the Board remaining as the Board of Health and with the County Manager managing the Health department.

Commissioner Dunlap commented on the difficulty the Health department had had for several years with changing the cultural of the organization. He said consultants that were brought in said it would take a few years for the cultural to change.

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Commissioner Dunlap said any model adopted should not prohibit the County Manager from supervising employees of the Health department.

Commissioner Clarke said the proposal would complicate the efforts of the County Manager and the Director of the Health department to make changes at the Health department.

Commissioner Fuller said he would be opposed to privatization of the Health Department.

Chair Scarborough spoke in opposition to the proposal. Chair Scarborough said the County Manager was responsible for handling human resource matters.

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

Motion was made by Commissioner Puckett, seconded by Commissioner Ridenhour and carried 6-2 with Commissioners Cotham, Dunlap, Fuller, James, Puckett, and Ridenhour voting yes and Commissioners Clarke and Scarborough voting no, to direct the Board Chair to appoint an ad hoc committee to investigate options available to change the current method of governance and oversight of the Mecklenburg County Health Department and make recommendations as appropriate to that end.

PUBLIC HEARINGS

18-4638 TEFRA HEARING - AHF-TIMBER RIDGE, LLC, ATLANTIC HOUSING FOUNDATION, INC.

Commissioner Jim Puckett introduced the following resolution, a copy of which had been distributed to each Commissioner and the title of which appeared on the agenda:

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS MULTIFAMILY HOUSING REVENUE BONDS (AHF SOUTHEAST PORTFOLIO ACQUISITION), IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$22,000,000

WHEREAS, AHF-Timber Ridge, LLC, a Delaware limited liability company, of which Atlantic Housing Foundation, Inc., a South Carolina nonprofit corporation and organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "*Code*"), is the sole member (collectively, "*Borrower*") has requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the "*Authority*"), issue its Multifamily Housing Revenue Bonds (AHF Southeast Portfolio Acquisition), in one or more series (the "*Bonds*"),

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in an aggregate principal amount not to exceed \$22,000,000, and loan approximately \$944,000 of the proceeds of the Bonds to the Borrower for the following purposes:

(A) finance the acquisition of a 101-unit, multi-family affordable housing development, known as Timber Ridge Apartments located at 7123 Barrington Drive, Charlotte, North Carolina 28215 (the “*Project*”); and

(B) pay certain expenses incurred in connection with the authorization and issuance of the Bonds.

WHEREAS, the Project will be owned and operated by the Borrower.

WHEREAS, pursuant to Section 147(f) of the Code and Treasury Regulations Section 5f.103-2(f), as amended (collectively, “Federal Tax Requirements”) and pursuant to Section 66.0304(11)(a) of the Wisconsin Statutes and Section 4 of the Amended and Restated Joint Exercise of Powers Agreement Relating to the Public Finance Authority dated as of September 28, 2010 (collectively, “Authority Requirements”), prior to their issuance and after a public hearing held following reasonable public notice, the Bonds are required to be approved by the “applicable elected representative” of a governmental unit having jurisdiction over the area in which the Project is located;

WHEREAS, the Board of Commissioners (the “Board”) of the County of Mecklenburg, North Carolina (the “County”) is the “applicable elected representative” of the County for the Project located within the County;

WHEREAS, the Borrower has requested that the Board approve the Authority’s issuance of the Bonds and the refinancing and financing of the Projects located within the County in order to satisfy the requirements Federal Tax Requirements and the Authority Requirements; and

WHEREAS, the Board, following notice duly given in the form attached hereto as Exhibit A (the “TEFRA Notice”), held a public hearing today regarding the Authority’s issuance of the Bonds and the financing of the Project and now desires to approve the Authority’s issuance of the Bonds and the financing of the Project in accordance with the Code;

BE IT RESOLVED by the Board as follows:

Section 1. Pursuant to and in satisfaction of the requirements of the Federal Tax Requirements and the Authority Requirements, the Board hereby approves (a) the Authority’s issuance of the Bonds in an aggregate principal amount of not to exceed \$22,000,000, and (b) the financing of the Project located in the County.

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

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Project.

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

On motion of Commissioner Jim Puckett, seconded by Commissioner Bill James, the foregoing resolution entitled “**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS MULTIFAMILY HOUSING REVENUE BONDS (AHF SOUTHEAST PORTFOLIO ACQUISITION), IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$22,000,000**” was duly adopted by the following vote:

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

NAYS: None

Exhibit A

NOTICE OF PUBLIC HEARING
FOR THE BOARD OF COMMISSIONERS
OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA
WITH RESPECT TO MULTIFAMILY HOUSING REVENUE BONDS
(AHF SOUTHEAST PORTFOLIO ACQUISITION)
TO BE ISSUED BY THE PUBLIC FINANCE AUTHORITY
IN AN AMOUNT NOT TO EXCEED
\$22,000,000

NOTICE IS HEREBY GIVEN that on May 1, 2018, a public hearing, as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), will be held by the Board of Commissioners of the County of Mecklenburg, North Carolina (the “Board”) with respect to the proposed issuance by the Public Finance Authority (the “Authority”), a commission organized under and pursuant to the provisions of Sections 66.0301, 66.0303 and 66.0304 of the Wisconsin Statutes, as amended, of its Multifamily Housing Revenue Bonds (AHF Southeast Portfolio Acquisition), in one or more series (the “Bonds”), in an amount not to exceed \$22,000,000, the interest on which will be excludible from gross income for federal income tax purposes. The hearing will commence at 6:30 p.m., or as soon thereafter as the matter can be heard, and will be held in the Commissioners’ Meeting Room, 600 East 4th Street, Charlotte, NC 28202

The Bonds are expected to be issued by the Authority pursuant to 66.0304 of the Wisconsin Statutes, as amended, and the Authority will loan an approximately \$944,000 portion of the proceeds from the sale of the Bonds to the “Borrower” identified below and used to (i) finance the acquisition of a 101-unit, multi-family affordable housing development, known as Timber Ridge Apartments (“Project”), and (ii) pay certain fees and costs associated with the issuance of the Bonds.

The Project is located at 7123 Barrington Drive, Charlotte, North Carolina 28215. The Project will be owned by AHF-Timber Ridge, LLC, a Delaware limited liability company, of which Atlantic Housing Foundation, Inc., a South Carolina nonprofit corporation and organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, is the sole member (collectively, the “Borrower”). The maximum aggregate principal amount of tax-exempt Bonds proposed to be issued by the Authority in connection with the Project is \$22,000,000.

The Bonds will be special limited obligations of the Authority payable only from the loan repayments to be made by the Borrower to the Authority, and certain accounts established by the trust indenture for the Bonds.

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The public hearing will provide an opportunity for all interested persons to express their views, both orally and in writing, on the proposed issuance of the Bonds and the financing of the Project. Any person interested in the issuance of the Bonds may appear and be heard or submit written comments. Any person wishing to submit written comments regarding the proposed issuance of the Bonds, the financing of the Project or any matter related thereto should do so within 10 days after the date of publication of this notice by mailing said written comments to the Board of Commissioners, c/o the Clerk to the Board of Commissioners of Mecklenburg County, North Carolina, 600 East 4th Street, 11th floor, Charlotte, North Carolina 28202. This notice is given pursuant to the provisions of Section 147(f) of the Code, Section 66.0304(11)(a) of the Wisconsin Statutes and Section 4 of the Amended and Restated Joint Exercise of Powers Agreement Relating to the Authority dated as of September 28, 2010. Additional information concerning the Project may be obtained from Brandon K. Lewisohn, Esq., 401 South Tryon Street, Suite 3000, Charlotte, North Carolina 28202; Phone (704) 372-9000; Email Address: brandonlewisohn@parkerpoe.com. The Board of Commissioners does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board of Commissioners' functions, including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting and/or needing this information in an alternative format because of a disability as provided for in the Americans with Disabilities Act should contact the Clerk to the Board of Commissioners by phone at (980) 314-2912, or by fax at (704) 336-5887, or by e-mail at Janice.Paige@mecklenburgcountync.gov.

/s/ Janice S. Paige

Clerk to the Board of Commissioners of Mecklenburg County,
North Carolina

Note: AHF-Timber Ridge, LLC is using the Wisconsin Public Finance Authority as the issuer of the Bonds because of a desire to have a 30 year maturity on the debt; the North Carolina Capital Facilities Finance Agency, which would be the North Carolina issuer, has a policy which prohibits a bond maturity greater than 20 years. Additionally, the acquisition of the Project is a part of a larger transaction which involves the acquisition of multiple affordable housing facilities in multiple states. The Public Finance Authority, because it is a national issuer, allows Atlantic Housing Foundation to complete the multistate acquisition in one consolidated transaction. In order to comply with federal tax law, and the code and Public Finance Authority's statutory requirements, the Borrower has requested that the Mecklenburg County Board of

Commissioners hold a public hearing and approve the Resolution. This approval will not make the County responsible in any way for the Bonds or the Project financed with bond proceeds. Hosting the public hearing and approving the issuance of the Bonds are merely ministerial acts that will enable the Borrower to comply with federal tax law requirements in order that interest on the Bonds be exempt from federal income tax. Representatives of the Borrower are planning to attend the hearing to answer any questions any Board members might have about the bonds or the project.

Extract/Resolution recorded in full in Ordinance/Minute Book _____, Document # _____.

**18-4652 PUBLIC HEARING ON PROPOSED LAW ENFORCEMENT SERVICE DISTRICT
WITHIN THE EXTRATERRITORIAL JURISDICTION AREA OF THE CITY OF
CHARLOTTE, NC**

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

1. Acknowledge receipt of certification that the notice of public hearing was mailed by first class mail to the owners, as shown by the county tax records as of January 1, 2017, of all property located within the proposed Law Enforcement Service District (LESD); and
2. Open the public hearing to receive comments on the proposed LESD Within The Extraterritorial Jurisdiction Area of the City of Charlotte, NC.

Note: In 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 "Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments" ("Original Agreement)). On April 18, 2017, the Board of County Commissioners terminated the agreement effective June 30, 2018. On February 20, 2018, the Board adopted a resolution authorizing the County Manager to start the process for creating six (6) law enforcement service districts, to become effective July 1, 2018. The separate Interlocal Agreement with the City of Charlotte allows the City to provide law enforcement services to the ETJ areas of the City, Davidson, and Mint Hill, and within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant. Conducting a public hearing on the proposed LESD is a part of the statutory requirement for establishing a LESD.

No one appeared to speak.

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour, and Scarborough voting yes, to close the public hearing on proposed LESD Within The Extraterritorial Jurisdiction Area of the City of Charlotte, NC and adopt resolution, titled "Mecklenburg County Board of Commissioners Resolution Creating the City of Charlotte Law Enforcement Service District."

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION CREATING THE CITY OF CHARLOTTE LAW ENFORCEMENT SERVICE DISTRICT

WHEREAS, in 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow the levy of a law enforcement service district tax just in that area

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to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 “Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Original Agreement”); and

WHEREAS, effective July 1, 1996 the County and the City entered into an “Agreement for the Continued Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Current Agreement”) which Agreement was terminated by the Board of County Commissioners effective June 30, 2018; and

WHEREAS, the County Manager has negotiated and the Board of County Commissioners has approved the interlocal agreement with the City entitled “2018 Agreement Between the City of Charlotte and Mecklenburg County for the Continued Consolidation of the Charlotte Mecklenburg Police Department” to be effective July 1, 2018, for the City to provide law enforcement services within the ETJ areas of the City, Davidson, Mint Hill, and within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant; and

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

WHEREAS, in accordance with the statutory requirements outlined in G.S. 153A-302, the Board of County Commissioners has found that all the following apply:

(1) There is a demonstrable need for providing in the district one or more of the services listed in G.S. 153A-301.

WHEREAS, The 1996 Agreement that provided for law enforcement services by the Charlotte-Mecklenburg Police Department (“CMPD”) in the Extra-Territorial Jurisdictions (“ETJ”) of municipalities in Mecklenburg County was terminated by the County, effective June 30, 2018; and,

WHEREAS, During all years of that Agreement, there have been multiple calls for law enforcement services from residents and others in this district as shown by the chart under subsection (4); and,

WHEREAS, for the foreseeable future, the ETJs will continue to have residents in need of law enforcement services as calls for service will certainly continue to be made; and,

WHEREAS, new Law Enforcement Service Districts (LESsDs), including one for this district, are being created to provide for continuity of law enforcement services; and,

(2) It is impossible or impracticable to provide these services on a county-wide basis.

WHEREAS, there is no near-term practical ability for Mecklenburg County to provide law enforcement services on a county-wide basis as the County terminated the 1996 Agreement that provided for law enforcement services by the CMPD in the ETJ of municipalities effective June 30, 2018; and,

WHEREAS, the new LESsDs, including the one for this district, will provide funding to local municipalities to support Interlocal Agreements with Mecklenburg County which authorize the municipal police forces to provide law enforcement services for all ETJ residents; and,

(3) It is economically feasible to provide the proposed services in the district without unreasonable or burdensome annual tax levies.

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WHEREAS, at present, Mecklenburg County levies a law enforcement service district rate of \$0.2146, per one hundred dollars valuation, in the entire unincorporated area of the County to fund law enforcement services; and,

WHEREAS, new, five-year Interlocal Agreements (starting July 1, 2018) have been negotiated to provide law enforcement services to the unincorporated areas of the County, including for this district; and,

WHEREAS, in each Interlocal Agreement, including the Interlocal Agreement which would provide law enforcement services for this district, the cost for law enforcement services is not anticipated to exceed revenues generated from an assumed \$0.2146 tax rate or an equivalent revenue neutral tax rate; and,

(4) There is a demonstrable demand for the proposed services by persons residing in the district.

WHEREAS, the Board of County Commissioners and the Charlotte City Council have approved an interlocal agreement between the City of Charlotte and the County for the CMPD to provide law enforcement services within the ETJ areas of the City, Davidson, Mint Hill, and within that certain portion of the ETJ of the Town of Huntersville that includes the McGuire Nuclear Plant; and,

WHEREAS, according to information provided by the Charlotte-Mecklenburg Police Department in June 2017, there has been a demonstrated demand as well as need for law enforcement services in the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Need for policing services has been demonstrated in the data provided by the Charlotte Mecklenburg Police Department, through the total number of calls for service the CMPD Police Department responded to in each ETJ; and,

CMPD Uniformed Patrol Workload: Mecklenburg County Unincorporated Areas 2014-2016			
Area	Calls for Service (includes Emergency, Urgent, Immediate, & Routine Calls)		
	<i>2014</i>	<i>2015</i>	<i>2016</i>
Charlotte ETJ	27690	25750	19044
Cornelius ETJ	40	36	54
Davidson ETJ	18	30	23
Huntersville ETJ	1022	961	1111
Mint Hill ETJ	3803	2909	1870
Pineville ETJ	1169	1287	794
<i>Total</i>	<i>33742</i>	<i>30973</i>	<i>22896</i>

WHEREAS, the CMPD also reported their average response times to emergency, urgent, immediate, and routine calls to the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Creating new LESDs will allow for law enforcement services to be provided by town police departments in the ETJs of Cornelius, Pineville,

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and Huntersville – which the Towns anticipate may result in decreased response times. The CMPD will continue to cover services in the ETJs of Charlotte, Mint Hill and Davidson, and a portion of the ETJ of Huntersville where the Duke Energy McGuire Plant is located; and,

**Average Response Times for Different Priority Calls
Mecklenburg County Unincorporated Areas 2014-2016**

Area	Priority	Average Response Time in Minutes		
		2014	2015	2016
Charlotte ETJ	1 (emergency)	8.8	8.8	9.2
	2 (urgent)	14.6	14.7	15.6
	3 (immediate)	17.7	17.7	18.9
	5 (routine)	33.3	31.8	33.9
Cornelius ETJ	1 (emergency)	n/a	11.6	10.3
	2 (urgent)	n/a	34.5	23.6
	3 (immediate)	28.1	23.8	24.7
	5 (routine)	43.9	33.1	37.3
Davidson ETJ	1 (emergency)	n/a	8.0	n/a
	3 (immediate)	26.8	26.7	26.4
	5 (routine)	30.4	n/a	n/a
Huntersville ETJ	1 (emergency)	10.3	10.5	9.7
	2 (urgent)	17.2	17.7	17.5
	3 (immediate)	22.4	21.3	21.5
	5 (routine)	39.9	35.1	37.1
Mint Hill ETJ	1 (emergency)	9.4	9.4	9.2
	2 (urgent)	14.1	13.2	15.0
	3 (immediate)	17.3	16.8	18.0
	5 (routine)	31.2	29.4	30.8
Pineville ETJ	1 (emergency)	8.9	9.5	8.7
	2 (urgent)	14.8	14	14.8
	3 (immediate)	16.9	16.4	18.6
	5 (routine)	30.6	28.4	29.4

; now, therefore, be it ~~that~~ ^{if a means there} were no calls that met the criteria for calculating response time

RESOLVED that the Mecklenburg County Board of Commissioners does hereby create a law enforcement service district for the ETJ areas of the City of Charlotte, as reflected in Attachment A, to become effective July 1, 2018.

Resolution recorded in full in Ordinance/Minute Book _____, Document # _____.

**18-4664 PUBLIC HEARING ON PROPOSED LAW ENFORCEMENT SERVICE DISTRICT
WITHIN THE EXTRATERRITORIAL JURISDICTION AREA OF THE TOWN OF
CORNELIUS**

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

1. Acknowledge receipt of certification that the notice of public hearing was mailed by first class mail to the owners, as shown by the county tax records as of January 1, 2017, of all property located within the proposed Law Enforcement Service District (LESD); and
2. Open the public hearing to receive comments on the proposed LESD Within The Extraterritorial Jurisdiction Area of the Town of Cornelius.

Note: In 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 "Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments" ("Original Agreement)). On April 18, 2017, the Board of County Commissioners terminated the agreement effective June 30, 2018. On February 20, 2018, the Board adopted a resolution authorizing the County Manager to start the process for creating six (6) law enforcement service districts, to become effective July 1, 2018. The separate Interlocal Agreement with the Town of Cornelius allows the Town to provide law enforcement services within the ETJ area of the Town, including Lake Norman waters and shoreline. Conducting a public hearing on the proposed LESD is a part of the statutory requirement for establishing a LESD.

No one appeared to speak.

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour, and Scarborough voting yes, to close the public hearing on proposed LESD Within The Extraterritorial Jurisdiction Area of the Town of Cornelius and adopt resolution, titled "Mecklenburg County Board of Commissioners Resolution Creating the Town of Cornelius Law Enforcement Service District."

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION CREATING THE TOWN OF CORNELIUS LAW ENFORCEMENT SERVICE DISTRICT

WHEREAS, in 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow the levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract

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between the County and the City (the 1993 “Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Original Agreement”); and

WHEREAS, effective July 1, 1996 the County and the City entered into an “Agreement for the Continued Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Current Agreement”) which Agreement was terminated by the Board of County Commissioners effective June 30, 2018; and

WHEREAS, the County Manager has negotiated and the Board of County Commissioners has approved the interlocal agreement with the Town entitled “Law Enforcement Services Interlocal Agreement Between Mecklenburg County and the Town of Cornelius” to be effective July 1, 2018, for the Town to provide law enforcement services within the ETJ area of the Town, including Lake Norman waters and shoreline, as defined in the interlocal agreement; and

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

WHEREAS, in accordance with the statutory requirements outlined in G.S. 153A-302, the Board of County Commissioners has found that all the following apply:

(1) There is a demonstrable need for providing in the district one or more of the services listed in G.S. 153A-301.

WHEREAS, The 1996 Agreement that provided for law enforcement services by the Charlotte-Mecklenburg Police Department (“CMPD”) in the Extra-Territorial Jurisdictions (“ETJ”) of municipalities in Mecklenburg County was terminated by the County, effective June 30, 2018; and,

WHEREAS, During all years of that Agreement, there have been multiple calls for law enforcement services from residents and others in this district as shown by the chart under subsection (4); and,

WHEREAS, for the foreseeable future, the ETJs will continue to have residents in need of law enforcement services as calls for service will certainly continue to be made; and,

WHEREAS, new Law Enforcement Service Districts (LESsDs), including one for this district, are being created to provide for continuity of law enforcement services; and,

(2) It is impossible or impracticable to provide these services on a county-wide basis.

WHEREAS, there is no near-term practical ability for Mecklenburg County to provide law enforcement services on a county-wide basis as the County terminated the 1996 Agreement that provided for law enforcement services by the CMPD in the ETJ of municipalities effective June 30, 2018; and,

WHEREAS, the new LESsDs, including the one for this district, will provide funding to local municipalities to support Interlocal Agreements with Mecklenburg County which authorize the municipal police forces to provide law enforcement services for all ETJ residents; and,

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(3) It is economically feasible to provide the proposed services in the district without unreasonable or burdensome annual tax levies.

WHEREAS, at present, Mecklenburg County levies a law enforcement service district rate of \$0.2146, per one hundred dollars valuation, in the entire unincorporated area of the County to fund law enforcement services; and,

WHEREAS, new, five-year Interlocal Agreements (starting July 1, 2018) have been negotiated to provide law enforcement services to the unincorporated areas of the County, including for this district; and,

WHEREAS, in each Interlocal Agreement, including the Interlocal Agreement which would provide law enforcement services for this district, the cost for law enforcement services is not anticipated to exceed revenues generated from an assumed \$0.2146 tax rate or an equivalent revenue neutral tax rate; and,

(4) There is a demonstrable demand for the proposed services by persons residing in the district.

WHEREAS, the Board of County Commissioners and the Cornelius Board of Commissioners have approved an interlocal agreement between the Town of Cornelius and the County for the Cornelius Police Department to provide law enforcement services within the ETJ area of the Town, including Lake Norman waters and shoreline; and,

WHEREAS, according to information provided by the Charlotte-Mecklenburg Police Department in June 2017, there has been a demonstrated demand as well as need for law enforcement services in the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Need for policing services has been demonstrated in the data provided by the Charlotte Mecklenburg Police Department, through the total number of calls for service the CMPD Police Department responded to in each ETJ; and,

CMPD Uniformed Patrol Workload: Mecklenburg County Unincorporated Areas 2014-2016			
Area	Calls for Service (includes Emergency, Urgent, Immediate, & Routine Calls)		
	<i>2014</i>	<i>2015</i>	<i>2016</i>
Charlotte ETJ	27690	25750	19044
Cornelius ETJ	40	36	54
Davidson ETJ	18	30	23
Huntersville ETJ	1022	961	1111
Mint Hill ETJ	3803	2909	1870
Pineville ETJ	1169	1287	794
<i>Total</i>	<i>33742</i>	<i>30973</i>	<i>22896</i>

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WHEREAS, the CMPD also reported their average response times to emergency, urgent, immediate, and routine calls to the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Creating new LESDs will allow for law enforcement services to be provided by town police departments in the ETJs of Cornelius, Pineville, and Huntersville – which the Towns anticipate may result in decreased response times. The CMPD will continue to cover services in the ETJs of Charlotte, Mint Hill and Davidson, and a portion of the ETJ of Huntersville where the Duke Energy McGuire Plant is located.

**Average Response Times for Different Priority Calls
Mecklenburg County Unincorporated Areas 2014-2016**

Area	Priority	Average Response Time in Minutes		
		2014	2015	2016
Charlotte ETJ	1 (emergency)	8.8	8.8	9.2
	2 (urgent)	14.6	14.7	15.6
	3 (immediate)	17.7	17.7	18.9
	5 (routine)	33.3	31.8	33.9
Cornelius ETJ	1 (emergency)	n/a	11.6	10.3
	2 (urgent)	n/a	34.5	23.6
	3 (immediate)	28.1	23.8	24.7
	5 (routine)	43.9	33.1	37.3
Davidson ETJ	1 (emergency)	n/a	8.0	n/a
	3 (immediate)	26.8	26.7	26.4
	5 (routine)	30.4	n/a	n/a
Huntersville ETJ	1 (emergency)	10.3	10.5	9.7
	2 (urgent)	17.2	17.7	17.5
	3 (immediate)	22.4	21.3	21.5
	5 (routine)	39.9	35.1	37.1
Mint Hill ETJ	1 (emergency)	9.4	9.4	9.2
	2 (urgent)	14.1	13.2	15.0
	3 (immediate)	17.3	16.8	18.0
	5 (routine)	31.2	29.4	30.8
Pineville ETJ	1 (emergency)	8.9	9.5	8.7
	2 (urgent)	14.8	14	14.8
	3 (immediate)	16.9	16.4	18.6
	5 (routine)	30.6	28.4	29.4

*n/a means there were no calls that met the criteria for calculating response time

; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby create a law enforcement service district for the ETJ areas of the Town of Cornelius, as reflected in Attachment A, to become effective July 1, 2018.

Resolution recorded in full in Ordinance/Minute Book _____, Document # _____.

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**18-4665 PUBLIC HEARING ON PROPOSED LAW ENFORCEMENT SERVICE DISTRICT
WITHIN THE EXTRATERRITORIAL JURISDICTION AREA OF THE TOWN OF
DAVIDSON**

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

1. Acknowledge receipt of certification that the notice of public hearing was mailed by first class mail to the owners, as shown by the county tax records as of January 1, 2017, of all property located within the proposed Law Enforcement Service District (LESD); and
2. Open the public hearing to receive comments on the proposed LESD Within The Extraterritorial Jurisdiction Area of the Town of Davidson.

Note: In 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 "Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments" ("Original Agreement). On April 18, 2017, the Board of County Commissioners terminated the agreement effective June 30, 2018. On February 20, 2018, the Board adopted a resolution authorizing the County Manager to start the process for creating six (6) law enforcement service districts, to become effective July 1, 2018. The separate Interlocal Agreement with the City of Charlotte allows for the City of Charlotte (CMPD) to provide law enforcement services within the ETJ areas of the City, Davidson, and Mint Hill, and within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant. Conducting a public hearing on the proposed LESD is a part of the statutory requirement for establishing a LESD.

No one appeared to speak.

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour, and Scarborough voting yes, to close the public hearing on proposed LESD Within The Extraterritorial Jurisdiction Area of the Town of Davidson and adopt resolution, titled "Mecklenburg County Board of Commissioners Resolution Creating the Town of Davidson Law Enforcement Service District."

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MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION CREATING THE TOWN OF DAVIDSON LAW ENFORCEMENT SERVICE DISTRICT

WHEREAS, in 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow the levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 “Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Original Agreement”); and

WHEREAS, effective July 1, 1996 the County and the City entered into an “Agreement for the Continued Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Current Agreement”) which Agreement was terminated by the Board of County Commissioners effective June 30, 2018; and

WHEREAS, the County Manager has negotiated and the Board of County Commissioners has approved the interlocal agreement with the City entitled “2018 Agreement Between the City of Charlotte and Mecklenburg County for the Continued Consolidation of the Charlotte Mecklenburg Police Department” to be effective July 1, 2018, for the City to provide law enforcement services within the ETJ areas of the City, Davidson, Mint Hill, and within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant; and

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

WHEREAS, in accordance with the statutory requirements outlined in G.S. 153A-302, the Board of County Commissioners has found that all the following apply:

(1) There is a demonstrable need for providing in the district one or more of the services listed in G.S. 153A-301.

WHEREAS, The 1996 Agreement that provided for law enforcement services by the Charlotte-Mecklenburg Police Department (“CMPD”) in the Extra-Territorial Jurisdictions (“ETJ”) of municipalities in Mecklenburg County was terminated by the County, effective June 30, 2018; and,

WHEREAS, During all years of that Agreement, there have been multiple calls for law enforcement services from residents and others in this district as shown by the chart under subsection (4); and,

WHEREAS, for the foreseeable future, the ETJs will continue to have residents in need of law enforcement services as calls for service will certainly continue to be made; and,

WHEREAS, new Law Enforcement Service Districts (LESsDs), including one for this district, are being created to provide for continuity of law enforcement services; and,

(2) It is impossible or impracticable to provide these services on a county-wide basis.

WHEREAS, there is no near-term practical ability for Mecklenburg County to provide law enforcement services on a county-wide basis as the County terminated the 1996 Agreement that provided for law enforcement services by the CMPD in the ETJ of municipalities effective June 30, 2018; and,

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WHEREAS, the new LESDs, including the one for this district, will provide funding to local municipalities to support Interlocal Agreements with Mecklenburg County which authorize the municipal police forces to provide law enforcement services for all ETJ residents; and,

(3) It is economically feasible to provide the proposed services in the district without unreasonable or burdensome annual tax levies.

WHEREAS, at present, Mecklenburg County levies a law enforcement service district rate of \$0.2146, per one hundred dollars valuation, in the entire unincorporated area of the County to fund law enforcement services; and,

WHEREAS, new, five-year Interlocal Agreements (starting July 1, 2018) have been negotiated to provide law enforcement services to the unincorporated areas of the County, including for this district; and,

WHEREAS, in each Interlocal Agreement, including the Interlocal Agreement which would provide law enforcement services for this district, the cost for law enforcement services is not anticipated to exceed revenues generated from an assumed \$0.2146 tax rate or an equivalent revenue neutral tax rate; and,

(4) There is a demonstrable demand for the proposed services by persons residing in the district.

WHEREAS, the Board of County Commissioners and the Charlotte City Council have approved an interlocal agreement between the City of Charlotte and the County for the CMPD to provide law enforcement services within the ETJ areas of the City, Davidson, Mint Hill, and within that certain portion of the ETJ of the Town of Huntersville that includes the McGuire Nuclear Plant; and,

WHEREAS, according to information provided by the Charlotte-Mecklenburg Police Department in June 2017, there has been a demonstrated demand as well as need for law enforcement services in the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Need for policing services has been demonstrated in the data

provided by the Charlotte Mecklenburg Police Department, through the total number of calls for service the CMPD Police Department responded to in each ETJ; and,

CMPD Uniformed Patrol Workload: Mecklenburg County Unincorporated Areas 2014-2016			
Area	Calls for Service (includes Emergency, Urgent, Immediate, & Routine Calls)		
	<i>2014</i>	<i>2015</i>	<i>2016</i>
Charlotte ETJ	27690	25750	19044
Cornelius ETJ	40	36	54
Davidson ETJ	18	30	23
Huntersville ETJ	1022	961	1111
Mint Hill ETJ	3803	2909	1870
Pineville ETJ	1169	1287	794
<i>Total</i>	<i>33742</i>	<i>30973</i>	<i>22896</i>

WHEREAS, the CMPD also reported their average response times to emergency, urgent, immediate, and routine calls to the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Creating new LESDs will allow for law enforcement services to be provided by town police departments in the ETJs of Cornelius, Pineville, and Huntersville – which the Towns anticipate may result in decreased response times. The CMPD will continue to cover services in the ETJs of Charlotte, Mint Hill and Davidson, and a portion of the ETJ of Huntersville where the Duke Energy McGuire Plant is located.

**Average Response Times for Different Priority Calls
Mecklenburg County Unincorporated Areas 2014-2016**

Area	Priority	Average Response Time in Minutes		
		2014	2015	2016
Charlotte ETJ	1 (emergency)	8.8	8.8	9.2
	2 (urgent)	14.6	14.7	15.6
	3 (immediate)	17.7	17.7	18.9
	5 (routine)	33.3	31.8	33.9
Cornelius ETJ	1 (emergency)	n/a	11.6	10.3
	2 (urgent)	n/a	34.5	23.6
	3 (immediate)	28.1	23.8	24.7
	5 (routine)	43.9	33.1	37.3
Davidson ETJ	1 (emergency)	n/a	8.0	n/a
	3 (immediate)	26.8	26.7	26.4
	5 (routine)	30.4	n/a	n/a
Huntersville ETJ	1 (emergency)	10.3	10.5	9.7
	2 (urgent)	17.2	17.7	17.5
	3 (immediate)	22.4	21.3	21.5
	5 (routine)	39.9	35.1	37.1
Mint Hill ETJ	1 (emergency)	9.4	9.4	9.2
	2 (urgent)	14.1	13.2	15.0
	3 (immediate)	17.3	16.8	18.0
	5 (routine)	31.2	29.4	30.8
Pineville ETJ	1 (emergency)	8.9	9.5	8.7
	2 (urgent)	14.8	14	14.8
	3 (immediate)	16.9	16.4	18.6
	5 (routine)	30.6	28.4	29.4

*n/a means there were no calls that met the criteria for calculating response time

; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby create a law enforcement service district for the ETJ areas of the Town of Davidson, as reflected in Attachment A, to become effective July 1, 2018.

MAY 1, 2018

Resolution recorded in full in Ordinance/Minute Book _____, Document # _____.

**18-4666 PUBLIC HEARING ON PROPOSED LAW ENFORCEMENT SERVICE DISTRICT
WITHIN THE EXTRATERRITORIAL JURISDICTION AREA OF THE TOWN OF
HUNTERSVILLE**

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

1. Acknowledge receipt of certification that the notice of public hearing was mailed by first class mail to the owners, as shown by the county tax records as of January 1, 2017, of all property located within the proposed Law Enforcement Service District (LESD); and
2. Open the public hearing to receive comments on the proposed LESD Within The Extraterritorial Jurisdiction Area of the Town of Huntersville.

Note: In 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 "Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments" ("Original Agreement)). On April 18, 2017, the Board of County Commissioners terminated the agreement effective June 30, 2018. On February 20, 2018, the Board adopted a resolution authorizing the County Manager to start the process for creating six (6) law enforcement service districts, to become effective July 1, 2018. The separate Interlocal Agreement with the Town of Huntersville allows the Town to provide law enforcement services within the Modified ETJ areas of the Town. Conducting a public hearing on the proposed LESD is a part of the statutory requirement for establishing a LESD.

The following person appeared to speak:

Richard Ferrell, Huntersville resident and retired Mecklenburg County Police Officer, spoke in support of the proposed LESDs. Mr. Ferrell said it was long overdue.

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour, and Scarborough voting yes, to close the public hearing on proposed LESD Within

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The Extraterritorial Jurisdiction Area of the Town of Huntersville and adopt resolution, titled "Mecklenburg County Board of Commissioners Resolution Creating the Town of Huntersville Law Enforcement Service District."

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION CREATING THE TOWN OF HUNTERSVILLE
LAW ENFORCEMENT SERVICE DISTRICT**

WHEREAS, in 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow the levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 "Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments" ("Original Agreement"); and

WHEREAS, effective July 1, 1996 the County and the City entered into an "Agreement for the Continued Consolidation of the Charlotte and Mecklenburg County Police Departments" ("Current Agreement") which Agreement was terminated by the Board of County Commissioners effective June 30, 2018; and

WHEREAS, the County Manager has negotiated and the Board of County Commissioners has approved an interlocal agreement with the Town entitled "Law Enforcement Services Interlocal Agreement Between Mecklenburg County and the Town of Huntersville" to be effective July 1, 2018, for the Town to provide law enforcement services within the Modified ETJ areas of the Town as defined in the interlocal agreement; and

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

WHEREAS, in accordance with the statutory requirements outlined in G.S. 153A-302, the Board of County Commissioners has found that all the following apply:

(1) There is a demonstrable need for providing in the district one or more of the services listed in G.S. 153A-301.

WHEREAS, The 1996 Agreement that provided for law enforcement services by the Charlotte-Mecklenburg Police Department ("CMPD") in the Extra-Territorial Jurisdictions ("ETJ") of municipalities in Mecklenburg County was terminated by the County, effective June 30, 2018; and,

WHEREAS, During all years of that Agreement, there have been multiple calls for law enforcement services from residents and others in this district as shown by the chart under subsection (4); and,

WHEREAS, for the foreseeable future, the ETJs will continue to have residents in need of law enforcement services as calls for service will certainly continue to be made; and,

WHEREAS, new Law Enforcement Service Districts (LESDs), including one for this district, are being created to provide for continuity of law enforcement services; and,

(2) It is impossible or impracticable to provide these services on a county-wide basis.

MAY 1, 2018

WHEREAS, there is no near-term practical ability for Mecklenburg County to provide law enforcement services on a county-wide basis as the County terminated the 1996 Agreement that provided for law enforcement services by the CMPD in the ETJ of municipalities effective June 30, 2018; and,

WHEREAS, the new LESDs, including the one for this district, will provide funding to local municipalities to support Interlocal Agreements with Mecklenburg County which authorize the municipal police forces to provide law enforcement services for all ETJ residents; and,

(3) It is economically feasible to provide the proposed services in the district without unreasonable or burdensome annual tax levies.

WHEREAS, at present, Mecklenburg County levies a law enforcement service district rate of \$0.2146, per one hundred dollars valuation, in the entire unincorporated area of the County to fund law enforcement services; and,

WHEREAS, new, five-year Interlocal Agreements (starting July 1, 2018) have been negotiated to provide law enforcement services to the unincorporated areas of the County, including for this district; and,

WHEREAS, in each Interlocal Agreement, including the Interlocal Agreement which would provide law enforcement services for this district, the cost for law enforcement services is not anticipated to exceed revenues generated from an assumed \$0.2146 tax rate or an equivalent revenue neutral tax rate; and,

(4) There is a demonstrable demand for the proposed services by persons residing in the district.

WHEREAS, the Board of County Commissioners and the Huntersville Board of Commissioners have approved an interlocal agreement between the Town of Huntersville and the County for the Huntersville Police Department to provide law enforcement services within the Modified ETJ areas of the Town as defined in the interlocal agreement; and,

WHEREAS, according to information provided by the Charlotte-Mecklenburg Police Department in June 2017, there has been a demonstrated demand as well as need for law enforcement services in the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Need for policing services has been demonstrated in the data provided by the Charlotte Mecklenburg Police Department, through the total number of calls for service the CMPD Police Department responded to in each ETJ; and,

CMPD Uniformed Patrol Workload: Mecklenburg County Unincorporated Areas 2014-2016			
Area	Calls for Service (includes Emergency, Urgent, Immediate, & Routine Calls)		
	<i>2014</i>	<i>2015</i>	<i>2016</i>
Charlotte ETJ	27690	25750	19044
Cornelius ETJ	40	36	54
Davidson ETJ	18	30	23
Huntersville ETJ	1022	961	1111
Mint Hill ETJ	3803	2909	1870
Pineville ETJ	1169	1287	794
<i>Total</i>	<i>33742</i>	<i>30973</i>	<i>22896</i>

WHEREAS, the CMPD also reported their average response times to emergency, urgent, immediate, and routine calls to the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Creating new LESDs will allow for law enforcement services to be provided by town police departments in the ETJs of Cornelius, Pineville, and Huntersville – which the Towns anticipate may result in decreased response times. The CMPD will continue to cover services in the ETJs of Charlotte, Mint Hill and Davidson, and a portion of the ETJ of Huntersville where the Duke Energy McGuire Plant is located.

**Average Response Times for Different Priority Calls
Mecklenburg County Unincorporated Areas 2014-2016**

Area	Priority	Average Response Time in Minutes		
		2014	2015	2016
Charlotte ETJ	1 (emergency)	8.8	8.8	9.2
	2 (urgent)	14.6	14.7	15.6
	3 (immediate)	17.7	17.7	18.9
	5 (routine)	33.3	31.8	33.9
Cornelius ETJ	1 (emergency)	n/a	11.6	10.3
	2 (urgent)	n/a	34.5	23.6
	3 (immediate)	28.1	23.8	24.7
	5 (routine)	43.9	33.1	37.3
Davidson ETJ	1 (emergency)	n/a	8.0	n/a
	3 (immediate)	26.8	26.7	26.4
	5 (routine)	30.4	n/a	n/a
Huntersville ETJ	1 (emergency)	10.3	10.5	9.7
	2 (urgent)	17.2	17.7	17.5
	3 (immediate)	22.4	21.3	21.5
	5 (routine)	39.9	35.1	37.1
Mint Hill ETJ	1 (emergency)	9.4	9.4	9.2
	2 (urgent)	14.1	13.2	15.0
	3 (immediate)	17.3	16.8	18.0
	5 (routine)	31.2	29.4	30.8
Pineville ETJ	1 (emergency)	8.9	9.5	8.7
	2 (urgent)	14.8	14	14.8
	3 (immediate)	16.9	16.4	18.6
	5 (routine)	30.6	28.4	29.4

*n/a means there were no calls that met the criteria for calculating response time

; now, therefore, be it

MAY 1, 2018

RESOLVED that the Mecklenburg County Board of Commissioners does hereby create a law enforcement service district for the ETJ areas of the Town of Huntersville, as reflected in Attachment A, to become effective July 1, 2018.

Resolution recorded in full in Ordinance/Minute Book _____, Document # _____.

**18-4667 PUBLIC HEARING ON PROPOSED LAW ENFORCEMENT SERVICE DISTRICT
WITHIN THE EXTRATERRITORIAL JURISDICTION AREA OF THE TOWN OF MINT
HILL**

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

1. Acknowledge receipt of certification that the notice of public hearing was mailed by first class mail to the owners, as shown by the county tax records as of January 1, 2017, of all property located within the proposed Law Enforcement Service District (LESD); and
2. Open the public hearing to receive comments on the proposed LESD Within The Extraterritorial Jurisdiction Area of the Town of Mint Hill.

Note: In 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 "Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments" ("Original Agreement)). On April 18, 2017, the Board of County Commissioners terminated the agreement effective June 30, 2018. On February 20, 2018, the Board adopted a resolution authorizing the County Manager to start the process for creating six (6) law enforcement service districts, to become effective July 1, 2018. The separate Interlocal Agreement with the City of Charlotte allows the City of Charlotte (CMPD) to provide law enforcement services within the ETJ areas of the City, Davidson, and Mint Hill, and within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant. Conducting a public hearing on the proposed LESD is a part of the statutory requirement for establishing a LESD.

No one appeared to speak.

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour, and Scarborough voting yes, to close the public hearing on proposed LESD Within

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The Extraterritorial Jurisdiction Area of the Town of Mint Hill and adopt resolution, titled "Mecklenburg County Board of Commissioners Resolution Creating the Town of Mint Hill Law Enforcement Service District"

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION CREATING THE TOWN OF MINT HILL LAW ENFORCEMENT SERVICE DISTRICT

WHEREAS, in 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow the levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 "Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments" ("Original Agreement"); and

WHEREAS, effective July 1, 1996 the County and the City entered into an "Agreement for the Continued Consolidation of the Charlotte and Mecklenburg County Police Departments" ("Current Agreement") which Agreement was terminated by the Board of County Commissioners effective June 30, 2018; and

WHEREAS, the County Manager has negotiated and the Board of County Commissioners has approved the interlocal agreement with the City entitled "2018 Agreement Between the City of Charlotte and Mecklenburg County for the Continued Consolidation of the Charlotte Mecklenburg Police Department" to be effective July 1, 2018, for the City to provide law enforcement services within the ETJ areas of the City, Davidson, Mint Hill, and within that portion of the ETJ of the Town of Huntersville that contains the McGuire Nuclear Plant; and

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

WHEREAS, in accordance with the statutory requirements outlined in G.S. 153A-302, the Board of County Commissioners has found that all the following apply:

(1) There is a demonstrable need for providing in the district one or more of the services listed in G.S. 153A-301.

WHEREAS, The 1996 Agreement that provided for law enforcement services by the Charlotte-Mecklenburg Police Department ("CMPD") in the Extra-Territorial Jurisdictions ("ETJ") of municipalities in Mecklenburg County was terminated by the County, effective June 30, 2018; and,

WHEREAS, During all years of that Agreement, there have been multiple calls for law enforcement services from residents and others in this district as shown by the chart under subsection (4); and,

WHEREAS, for the foreseeable future, the ETJs will continue to have residents in need of law enforcement services as calls for service will certainly continue to be made; and,

WHEREAS, new Law Enforcement Service Districts (LESsDs), including one for this district, are being created to provide for continuity of law enforcement services; and,

(2) It is impossible or impracticable to provide these services on a county-wide basis.

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WHEREAS, there is no near-term practical ability for Mecklenburg County to provide law enforcement services on a county-wide basis as the County terminated the 1996 Agreement that provided for law enforcement services by the CMPD in the ETJ of municipalities effective June 30, 2018; and,

WHEREAS, the new LESDs, including the one for this district, will provide funding to local municipalities to support Interlocal Agreements with Mecklenburg County which authorize the municipal police forces to provide law enforcement services for all ETJ residents; and,

(3) It is economically feasible to provide the proposed services in the district without unreasonable or burdensome annual tax levies.

WHEREAS, at present, Mecklenburg County levies a law enforcement service district rate of \$0.2146, per one hundred dollars valuation, in the entire unincorporated area of the County to fund law enforcement services; and,

WHEREAS, new, five-year Interlocal Agreements (starting July 1, 2018) have been negotiated to provide law enforcement services to the unincorporated areas of the County, including for this district; and,

WHEREAS, in each Interlocal Agreement, including the Interlocal Agreement which would provide law enforcement services for this district, the cost for law enforcement services is not anticipated to exceed revenues generated from an assumed \$0.2146 tax rate or an equivalent revenue neutral tax rate; and,

(4) There is a demonstrable demand for the proposed services by persons residing in the district.

WHEREAS, the Board of County Commissioners and the Charlotte City Council have approved an interlocal agreement between the City of Charlotte and the County for the CMPD to provide law enforcement services within the ETJ areas of the City, Davidson, Mint Hill, and within that certain portion of the ETJ of the Town of Huntersville that includes the McGuire Nuclear Plant; and,

WHEREAS, according to information provided by the Charlotte-Mecklenburg Police Department in June 2017, there has been a demonstrated demand as well as need for law enforcement services in the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Need for policing services has been demonstrated in the data provided by the Charlotte Mecklenburg Police Department, through the total number of calls for service the CMPD Police Department responded to in each ETJ; and,

CMPD Uniformed Patrol Workload: Mecklenburg County Unincorporated Areas 2014-2016			
Area	Calls for Service (includes Emergency, Urgent, Immediate, & Routine Calls)		
	<i>2014</i>	<i>2015</i>	<i>2016</i>
Charlotte ETJ	27690	25750	19044
Cornelius ETJ	40	36	54
Davidson ETJ	18	30	23
Huntersville ETJ	1022	961	1111
Mint Hill ETJ	3803	2909	1870
Pineville ETJ	1169	1287	794

WHEREAS, the CMPD also reported their average response times to emergency, urgent, immediate, and routine calls to the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Creating new LESDs will allow for law enforcement services to be provided by town police departments in the ETJs of Cornelius, Pineville, and Huntersville – which the Towns anticipate may result in decreased response times. The CMPD will continue to cover services in the ETJs of Charlotte, Mint Hill and Davidson, and a portion of the ETJ of Huntersville where the Duke Energy McGuire Plant is located.

**Average Response Times for Different Priority Calls
Mecklenburg County Unincorporated Areas 2014-2016**

Area	Priority	Average Response Time in Minutes		
		2014	2015	2016
Charlotte ETJ	1 (emergency)	8.8	8.8	9.2
	2 (urgent)	14.6	14.7	15.6
	3 (immediate)	17.7	17.7	18.9
	5 (routine)	33.3	31.8	33.9
Cornelius ETJ	1 (emergency)	n/a	11.6	10.3
	2 (urgent)	n/a	34.5	23.6
	3 (immediate)	28.1	23.8	24.7
	5 (routine)	43.9	33.1	37.3
Davidson ETJ	1 (emergency)	n/a	8.0	n/a
	3 (immediate)	26.8	26.7	26.4
	5 (routine)	30.4	n/a	n/a
Huntersville ETJ	1 (emergency)	10.3	10.5	9.7
	2 (urgent)	17.2	17.7	17.5
	3 (immediate)	22.4	21.3	21.5
	5 (routine)	39.9	35.1	37.1
Mint Hill ETJ	1 (emergency)	9.4	9.4	9.2
	2 (urgent)	14.1	13.2	15.0
	3 (immediate)	17.3	16.8	18.0
	5 (routine)	31.2	29.4	30.8
Pineville ETJ	1 (emergency)	8.9	9.5	8.7
	2 (urgent)	14.8	14	14.8
	3 (immediate)	16.9	16.4	18.6
	5 (routine)	30.6	28.4	29.4

*n/a means there were no calls that met the criteria for calculating response time

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; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby create a law enforcement service district for the ETJ areas of the Town of Mint Hill, as reflected in Attachment A, to become effective July 1, 2018.

Resolution recorded in full in Ordinance/Minute Book _____, Document # _____.

18-4668 PUBLIC HEARING ON PROPOSED LAW ENFORCEMENT SERVICE DISTRICT WITHIN THE EXTRATERRITORIAL JURISDICTION AREA OF THE TOWN OF PINEVILLE

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

1. Acknowledge receipt of certification that the notice of public hearing was mailed by first class mail to the owners, as shown by the county tax records as of January 1, 2017, of all property located within the proposed Law Enforcement Service District (LESD); and
2. Open the public hearing to receive comments on the proposed LESD Within The Extraterritorial Jurisdiction Area of the Town of Pineville.

Note: In 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 "Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments" ("Original Agreement)). On April 18, 2017, the Board of County Commissioners terminated the agreement effective June 30, 2018. On February 20, 2018, the Board adopted a resolution authorizing the County Manager to start the process for creating six (6) law enforcement service districts, to become effective July 1, 2018. The separate Interlocal Agreement with the Town of Pineville allows the Town to provide law enforcement services within the ETJ area of the Town. Conducting a public hearing on the proposed LESD is a part of the statutory requirement for establishing a LESD.

No one appeared to speak.

Commissioner Dunlap asked about the Town of Pineville's recent concern.

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Assistant County Manager/Chief of Staff Ramos said the Town of Pineville recently notified the County that it may change its mind and ask the Charlotte-Mecklenburg police to continue to provide service in the Town's ETJ area, rather than the Pineville police doing it. It was noted, however, that the proposed agreement presented and approved earlier by the Board was one that had been developed between the Town of Pineville and County staffs.

Staff was informed that the Town of Pineville would consider the matter on May 8, 2018 or sometime thereafter.

Assistant County Manager/Chief of Staff Ramos said if necessary, the matter would be brought back to the Board, because it would require an amendment to the agreement with the City of Charlotte.

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour, and Scarborough voting yes, to close the public hearing on proposed LESD Within The Extraterritorial Jurisdiction Area of the Town of Pineville and adopt resolution, titled

"Mecklenburg County Board of Commissioners Resolution Creating the Town of Pineville Law Enforcement Service District."

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION CREATING THE TOWN OF PINEVILLE LAW ENFORCEMENT SERVICE DISTRICT

WHEREAS, in 1996 the Board of Commissioners created a single law enforcement service district for the entire unincorporated area of the County to allow the levy of a law enforcement service district tax just in that area to be used to pay the City of Charlotte for providing law enforcement services to the area pursuant to a contract between the County and the City (the 1993 "Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments" ("Original Agreement"); and

WHEREAS, effective July 1, 1996 the County and the City entered into an "Agreement for the Continued Consolidation of the Charlotte and Mecklenburg County Police Departments" ("Current Agreement") which Agreement was terminated by the Board of County Commissioners effective June 30, 2018; and

WHEREAS, the County Manager has negotiated and the Board of County Commissioners has approved the interlocal agreement with the Town entitled "Law Enforcement Services Interlocal Agreement Between Mecklenburg County and Town of Pineville" to be effective July 1, 2018, for the Town to provide law enforcement services within the ETJ area of the Town; and

WHEREAS, since the costs for providing law enforcement services under each such agreement may result in different law enforcement service district tax rates being charged in different ETJ areas over time, the County Manager has recommended the creation of separate law enforcement service districts for each of the six (6) ETJ

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areas so as to provide the necessary flexibility for the Board of County Commissioners to set different rates in each area; and

WHEREAS, in accordance with the statutory requirements outlined in G.S. 153A-302, the Board of County Commissioners has found that all the following apply:

(1) There is a demonstrable need for providing in the district one or more of the services listed in G.S. 153A-301.

WHEREAS, the 1996 Agreement that provided for law enforcement services by the Charlotte-Mecklenburg Police Department ("CMPD") in the Extra-Territorial Jurisdictions ("ETJ") of municipalities in Mecklenburg County was terminated by the County, effective June 30, 2018; and,

WHEREAS, during all years of that Agreement, there have been multiple calls for law enforcement services from residents and others in this district as shown by the chart under subsection (4); and,

WHEREAS, for the foreseeable future, the ETJs will continue to have residents in need of law enforcement services as calls for service will certainly continue to be made; and,

WHEREAS, new Law Enforcement Service Districts (LESsDs), including one for this district, are being created to provide for continuity of law enforcement services; and,

(2) It is impossible or impracticable to provide these services on a county-wide basis.

WHEREAS, there is no near-term practical ability for Mecklenburg County to provide law enforcement services on a county-wide basis as the County terminated the 1996 Agreement that provided for law enforcement services by the CMPD in the ETJ of municipalities effective June 30, 2018; and,

WHEREAS, the new LESsDs, including the one for this district, will provide funding to local municipalities to support Interlocal Agreements with Mecklenburg County which authorize the municipal police forces to provide law enforcement services for all ETJ residents; and,

(3) It is economically feasible to provide the proposed services in the district without unreasonable or burdensome annual tax levies.

WHEREAS, at present, Mecklenburg County levies a law enforcement service district rate of \$0.2146, per one hundred dollars valuation, in the entire unincorporated area of the County to fund law enforcement services; and,

WHEREAS, new, five-year Interlocal Agreements (starting July 1, 2018) have been negotiated to provide law enforcement services to the unincorporated areas of the County, including for this district; and,

WHEREAS, in each Interlocal Agreement, including the Interlocal Agreement which would provide law enforcement services for this district, the cost for law enforcement services is not anticipated to exceed revenues generated from an assumed \$0.2146 tax rate or an equivalent revenue neutral tax rate; and,

(4) There is a demonstrable demand for the proposed services by persons residing in the district.

WHEREAS, the Board of County Commissioners has approved, and the Pineville Town Council is expected to consider, an interlocal agreement between the Town of Pineville and the County for the Pineville Police Department to provide law enforcement services within the ETJ area of the Town; and

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WHEREAS, according to information provided by the Charlotte-Mecklenburg Police Department in June 2017, there has been a demonstrated demand as well as need for law enforcement services in the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Need for policing services has been demonstrated in the data provided by the Charlotte Mecklenburg Police Department, through the total number of calls for service the CMPD Police Department responded to in each ETJ; and,

CMPD Uniformed Patrol Workload: Mecklenburg County Unincorporated Areas 2014-2016			
Area	Calls for Service (includes Emergency, Urgent, Immediate, & Routine Calls)		
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Davidson ETJ	18	30	23
Huntersville ETJ	1022	961	1111
Mint Hill ETJ	3803	2909	1870
Pineville ETJ	1169	1287	794
<i>Total</i>	<i>33742</i>	<i>30973</i>	<i>22896</i>

WHEREAS, the CMPD also reported their average response times to emergency, urgent, immediate, and routine calls to the ETJs for Charlotte, Cornelius, Davidson, Huntersville, Mint Hill, and Pineville. Creating new LESDs will allow for law enforcement services to be provided by town police departments in the ETJs of Cornelius, Pineville, and Huntersville – which the Towns anticipate may result in decreased response times. The CMPD will continue to cover services in the ETJs of Charlotte, Mint Hill and Davidson, and a portion of the ETJ of Huntersville where the Duke Energy McGuire Plant is located.

**Average Response Times for Different Priority Calls
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	2 (urgent)	n/a	34.5	23.6
	3 (immediate)	28.1	23.8	24.7
	5 (routine)	43.9	33.1	37.3
Davidson ETJ	1 (emergency)	n/a	8.0	n/a
	3 (immediate)	26.8	26.7	26.4
	5 (routine)	30.4	n/a	n/a
Huntersville ETJ	1 (emergency)	10.3	10.5	9.7
	2 (urgent)	17.2	17.7	17.5
	3 (immediate)	22.4	21.3	21.5
	5 (routine)	39.9	35.1	37.1
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	3 (immediate)	17.3	16.8	18.0
	5 (routine)	31.2	29.4	30.8
Pineville ETJ	1 (emergency)	8.9	9.5	8.7
	2 (urgent)	14.8	14	14.8
	3 (immediate)	16.9	16.4	18.6
	5 (routine)	30.6	28.4	29.4

*n/a means there were no calls that met the criteria for calculating response time

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; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby create a law enforcement service district for the ETJ areas of the Town of Pineville, as reflected in Attachment A, to become effective July 1, 2018

Resolution recorded in full in Ordinance/Minute Book _____, Document # _____.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

**18-4680 MECKLENBURG COUNTY BOARD OF COMMISSIONERS' PROPOSED 2018
LEGISLATIVE AGENDA**

Starla Tanner, Legislative Affairs Liaison presented the proposed Mecklenburg County Legislative Agenda for the 2018 Short Session of the N.C. General Assembly. The proposed items were:

- 1. Support Continued Efforts to Eliminate Pre-K Waiting List and Increase Statewide Childcare Subsidy Market Rate for ages 3-5**
Objective Support legislation and regulations to fully fund the elimination of Pre-K waiting lists statewide and pursue a subsidy market rate adjustment for ages 3-5 in Tier 3 counties.
- 2. Support Increasing Magistrates in North Mecklenburg**
Objective Secure funding for three additional magistrates to enable safer and more adequate service in the northern portion of the county.
- 3. Support Clarification and Implementation of Raise the Age Legislation**
Objective Support efforts to provide resources to fully implement the Juvenile Justice Reinvestment Act.
- 4. Support Increasing Public Education Teacher Pay**
Objective Support Charlotte-Mecklenburg Schools’ efforts to increase state funded pay increases for public school teachers, teacher assistants, principals, assistant principals and non-instructional staff.
- 5. Support HB866/SB542 School Capital Bond**
Objective Support enabling legislation for a school capital bond. It is estimated that CMS would receive over \$100 million from the bond.

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Motion was made by Commissioner Fuller, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour, and Scarborough voting yes, to adopt the Board's Legislative Agenda for the 2018 short session of the General Assembly.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS- NONE

STAFF REPORTS & REQUESTS – NONE

CONSENT ITEMS

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

18-4639 APPOINTMENT OF REVIEW OFFICER

Amend "Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office pursuant to N.C.G.S. 47-30.2" to add Michelle F. Smith as a Review Officer.

AMENDMENT TO RESOLUTION DESIGNATING REVIEW OFFICERS TO REVIEW EACH MAP AND PLAT RECORDED IN THE REGISTER OF DEEDS OFFICE PURSUANT TO N.C.G.S. 47-30.2

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

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

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

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

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

Resolution recorded in full in Ordinance/Minute Book _____, Document # _____.

18-4647 PROCLAMATION - OLDER AMERICANS MONTH

Adopt a Proclamation designating May 2018 as “Older Americans Month” in Mecklenburg County.



18-4648 PROCLAMATION - FOSTER CARE AWARENESS MONTH

Adopt a Proclamation designating May 2018 as “Foster Care Awareness” Month in Mecklenburg County.

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18-4649 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of \$1,504 for Sheriff's Office, \$6,570 for Land Use and Environmental Services and \$20,438 for Asset and Facility Management.

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

18-4654 ITEM REMOVED - MINUTES

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**18-4656 MECKLENBURG COUNTY NORTH MECKLENBURG RECYCLING CENTER SCALE
INSTALLATION PROJECT**

Authorize the County Manager to negotiate and execute a contract with Randolph & Sons Builders, Inc. for the Mecklenburg County North Mecklenburg Recycling Center Scale Installation project in the amount of \$1,039,526.57.

**18-4657 ITEM REMOVED - TRANSFER OF FUNDS FROM THE SOLID WASTE ENTERPRISE
FUND TO THE SOLID WASTE CAPITAL RESERVE FUND**

18-4658 CONSTRUCTION CONTRACT - BARTON CREEK GREENWAY

Award a construction contract to JD Goodrum Inc. in the amount of \$2,379,804.65 for the construction of the new Barton Creek Greenway.

**18-4659 CONSTRUCTION CONTRACT - LATTA PLANTATION NATURE PRESERVE VISITORS
CENTER**

Award a construction contract to W.C. Construction Company, LLC in the amount of \$5,374,908 for the Latta Plantation Nature Preserve Visitors Center.

18-4661 TAX REFUNDS

Approve refunds in the amount of \$50,356.11 as statutorily required to be paid as requested by the County Assessor.

Note: This Board action was necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. There was no accrued interest related to these refunds.

18-4671 PROCLAMATION - STEPPING UP DAY OF ACTION

Adopt a proclamation declaring May 16, 2018 as Mecklenburg County's Stepping Up Day of Action.

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18-4672 ORDINANCE AMENDMENT - FY2018 LIBRARY FACILITIES CAPITAL PROJECT ORDINANCE

Approve amendment to the FY2018 Authorization Library Facilities Main Capital Project Ordinance.

Note: The Board adopted the FY2018 Authorization Library Facilities Main Capital Project Ordinance on June 20, 2017 for the purpose of providing funds for the New Main Library project in the amount of \$65,000,000. To begin conceptual design, this capital project ordinance

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amendment revises the FY2018 and FY2019 funding. The County's financial commitment does not change; however, funding for FY2018 increases by \$480,000, and funding for FY2019 decreases by \$480,000.

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2018 AUTHORIZATION LIBRARY FACILITIES MAIN CAPITAL PROJECT ORDINANCE**

The following ordinance was offered as an amendment to and restatement of the June 20, 2017, FY 2018 Authorization Library Facilities Main Capital Project Ordinance

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 1st DAY of MAY, 2018.

Section I. That for the purpose of providing funds, together with any other available funds, for the following project New Main Library (\$65,000,000)

Including the acquisition and construction, the improvement and the acquisition and installation of necessary furnishings and equipment and the acquisition of interests in real property required therefore, \$65,000,000 is hereby appropriated.

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

Proceeds from Pay-As-You-Go/Other County Funds:

2017-2018 fiscal year	\$ 1,030,000
2018-2019 fiscal year	2,827,557
2019-2020 fiscal year	11,198,570
2020-2021 fiscal year	27,028,031
2021-2022 fiscal year	22,915,842

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 # _____

18-4674 RETAIL TENANT LEASE - GOVERNMENT DISTRICT PARKING DECK

Adopt an amended resolution titled "Mecklenburg County Board of Commissioners Resolution Declaring Intent to Lease Property to John and Hresanthe Georgopoulos, Owners of Little Village Grill"

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Note: The original resolution was approved on April 3, 2018. The resolution stated the Board's intent to approve the proposed lease arrangement at the Board's May 15th meeting, but because of a change in publication requirements, the meeting date changed from May 15th to June 5th. The Board is being asked to adopt an amended resolution to reflect this change.

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

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

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

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

Location 901 E. 4th Street, Suite A

Total Square Footage 1,457 SF

Lease Term Five (5) years & Six (6) Months

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

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

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

Revenue (Years 1-5)

Year 1 (Months 1 – 6) \$0.00

Year 1 (Months 7 – 12) \$20.00/SF \$2,428/month

Year 2 (Months 13 – 24) \$20.60/SF

Year 3 (Months 25 – 36) \$21.22/SF

Year 4 (Months 37 – 48) \$21.85/SF

Year 5 (Months 49 – 60) \$22.51/SF

Year 6 (Months 61 – 66) \$23.19/SF

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

Maintenance & Janitorial- Tenant is responsible for all maintenance and janitorial services required within the Premises. Tenant shall be responsible for building systems within the Premises including, but not limited to, fire alarm, electrical, and plumbing. Tenant agrees to enter into a service contract for preventive maintenance of HVAC equipment, including regular inspections. Tenant is responsible for HVAC repairs under \$5,000.

For major HVAC repairs exceeding \$5,000, Landlord agrees to contribute to a replacement unit by waiving Tenant's Base Rent for three (3) consecutive months.

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

Delivery of Premises - Tenant to take Premises "as is".

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

MAY 1, 2018

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

WHEREAS, pursuant to G.S. 160A-272 the Board of Commissioners has determined that it would be in the public interest for it to agree to the arrangement proposed by John and Hresanthe Georgopoulos, owners of Little Village Grill; and

WHEREAS, on April 3, 2018 the Board of Commissioners adopted a Resolution Declaring Intent to Lease Property to John and Hresanthe Georgopoulos, owners of Little Village Grill and directed the Clerk to the Board to publish a notice of the Board's intent to approve the lease arrangement on May 15, 2018; and

WHEREAS, the publication of the notice occurred on April 27, 2018 and 30 days notice is required, now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby declare its intent to enter into a lease arrangement with John and Hresanthe Georgopoulos, owners of Little Village Grill, as described above, and the Clerk to the Board has published a notice of the Board's intent to approve the lease arrangement with

John and Hresanthe Georgopoulos, owners of Little Village Grill, at the Board's June 5, 2018 meeting as required by law.

Resolution recorded in full in Ordinance/Minute Book _____, Document # _____

**18-4675 ORDINANCE AMENDMENT - FY 2018 AUTHORIZATION CENTRAL PIEDMONT
COMMUNITY COLLEGE FACILITIES CAPITAL PROJECT**

Approve amendment to the FY 2018 Authorization Central Piedmont Community College Facilities Capital Project Ordinance.

Note: This capital project ordinance amendment revises the projects identified by Central Piedmont Community College and approved by the Board of County Commissioners June 20, 2017. The County's financial commitment does not change; however, land and design, originally included in Harris Campus-Phase III and Central Campus Phase IV, is now shown as a separate item.

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2018 AUTHORIZATION
CENTRAL PIEDMONT COMMUNITY COLLEGE FACILITIES
CAPITAL PROJECT ORDINANCE**

The following ordinance was offered as an amendment to and restatement of *FY2018 Authorization Central Piedmont Community College Facilities Capital Project Ordinance as adopted June 20, 2017*,

MAY 1, 2018

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 1st Day of MAY, 2018

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

Harris Campus-Phase III	\$ 59,203,658
Central Campus Phase IV	\$81,912,884
Land and Design	\$10,000,000

Including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefore, \$151,116,542 is hereby appropriated.

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

Proceeds from Sale of Bonds, Pay-As-You-Go/Other County Funds	
2017-2018 fiscal year	\$ 10,000,000
2018-2019 fiscal year	9,807,898
2019-2020 fiscal year	26,218,893
2020-2021 fiscal year	25,887,137
2021-2022 fiscal year	34,317,239
2022-2023 fiscal year	30,096,503
2023-2024 fiscal year	14,788,872

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

Ordinance recorded in full in Ordinance/Minute Book _____, Document # _____

18-4676 ORDINANCE AMENDMENT - FY 2016 AUTHORIZATION GOVERNMENT FACILITIES CAPITAL PROJECT ORDINANCE

Approve amendment to the FY 2016 Authorization Government Facilities Capital Project Ordinance.

MAY 1, 2018

Note: This capital project ordinance amendment revises the projects identified for Government Facilities and approved by the Board of County Commissioners July 6, 2016. The County's financial commitment does not change; however, Spirit Square is now included.

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2016 AUTHORIZATION
GOVERNMENT FACILITIES
CAPITAL PROJECT ORDINANCE**

The following ordinance was offered as an amendment to and restatement of *FY2016 Authorization Government Facilities Capital Project Ordinance as adopted July 6, 2016,*

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 1st DAY OF MAY, 2018.

Sections I and II are amended as follows:

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

Government District Renovations/Relocations	Courtroom Upfits
LUESA Relocation	Valerie C. Woodard Center Renovations
MEDIC Headquarters Relocation	Board of Election Renovations
Energy Upgrades	Spirit Square

including the acquisition and construction of new facilities, the improvement and expansion of existing facilities, project management, the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$184,764,400 is hereby appropriated.

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

Proceeds from Pay-As-You-Go/Other County Funds:

2014-2015 fiscal year	\$23,014,000
2015-2016 fiscal year	14,795,000
2016-2017 fiscal year	113,291,400
2017-2018 fiscal year	33,664,000

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund, cash in an amount necessary to meet obligations until such time as permanent funding is arranged, at which time repayment, if required, will be made.

Resolution recorded in full in Ordinance/Minute Book _____, Document # _____

THIS CONCLUDED ITEMS APPROVED BY CONSENT

ADJOURNMENT

MAY 1, 2018

Motion was made by Commissioner Ridenhour, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:48 p.m.

Janice S. Paige, Clerk

Ella B. Scarborough, Chair