

MAY 7, 2019

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

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, May 7, 2019.

ATTENDANCE

Present: Chair George Dunlap and Commissioners Patricia “Pat” Cotham, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, Susan Rodriguez-McDowell, Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Tyrone C. Wade
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) to be removed from Consent and voted upon separately. The items identified were Items: 19-5371, 19-5377, 19-5384, 19-5401, 19-5412, and 19-5414.

STAFF BRIEFINGS

19-5424 PRIVATE AND PHILANTHROPIC FUNDING FOR PRE-K

County Manager Diorio addressed the County’s public/private & philanthropic effort for MECK Pre-K to enroll all 4-year olds in kindergarten. The goal is to raise \$6+ million in scholarships for

MAY 7, 2019

college students at UNC Charlotte and Central Piedmont Community College to become pre-k teachers.

County Manager Diorio then called on Michael Marsicano, President and CEO of Foundation for the Carolinas, regarding private and philanthropic funding for Pre-K.

Mr. Marsicano thanked the Board for its efforts with respect to Pre-K. He said The Foundation for the Carolinas wanted to assist in those efforts. He said a meeting would take place on May 14, 2019 to discuss the topic. He then called on Charles Bowman with Bank of America.

Mr. Bowman spoke in support of Meck Pre-K and pledged the financial support of Bank of America in the amount \$1 million.

The Board expressed sincere thanks to Mr. Bowman for the Bank's generous donation and for being the first to step up and help with this effort.

Commissioner Fuller left the meeting and was away until noted in the minutes.

CLOSED SESSION

19-5380 CONSULT WITH ATTORNEY
19-5405 LAND ACQUISITION
19-5413 ECONOMIC DEVELOPMENT

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

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to go into Closed Session for the following purpose(s): Land Acquisition, and Economic Development.

The Board went into Closed Session at 5:27 p.m. and came back into Open Session at 6:07 p.m.

Commissioner Fuller was present when the Board came back into Open Session. He returned to the meeting during Closed Session.

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

-FORMAL SESSION-

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

AWARDS/RECOGNITION

19-5436 RESOLUTION HONORING THE HEROES AND VICTIMS OF THE UNC-CHARLOTTE MASS SHOOTING (COMMISSIONER FULLER)

Chair Dunlap called on Commissioner Fuller to present a resolution honoring the heroes and victims of the UNC Charlotte Mass Shooting on April 30, 2019. Commissioners Harden, Rodriguez-McDowell, and Chair Dunlap co-sponsored the resolution.

Note: On April 30, 2019 a mass shooting occurred on the campus of UNC Charlotte resulting in the loss of lives, injuries to others, and trauma, not only to the UNC Charlotte family, but the entire community. The proposed resolution honors the heroes and victims of that mass shooting and commits to the development of a plan to address gun violence in all of Mecklenburg County.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a Resolution Honoring the Heroes and Victims of the University of North Carolina at Charlotte (UNC Charlotte) Mass Shooting and Committing to a Plan of Action to address Gun Violence in Our Community.

The following persons spoke regarding the resolution: Noah Caragena, Nikolai Mather, Elissa Miller, Melissa Martin, and Mary Fiorillo, with Real Change Now Charlotte; Andrew Fede; Cade Lee, Margaret Murphy, and Kristene Slade with March for Our Lives UNC Charlotte.

“Real Change Now Charlotte” is an organization formed by UNC Charlotte students in response to the mass shooting. They commented on how this type of incident should not be occurring and the escalation of gun violence in general. “We want to prevent gun violence in our community, our state, and our country.” They provided the Board a handout indicating their “Wants, Needs, & Demands,” as well as, individual pledge statements to be signed by each Commissioner acknowledging the concerns raised by “Real Change Now” and their partners and support of their efforts in addressing gun violence.

MAY 7, 2019

Wants, Needs, & Demands

Contact
therealchangenow@gmail.com



On April 30 at 5:40 p.m., a former student opened fire into classroom 236 in the Kennedy Building of UNC Charlotte. Two students, Ellis "Reed" Parker and Riley Howell, were killed. Emily Houpt, Drew Pescaro, Rami Al-Ramadhan, and Sean DeHart were injured. In response, Real Change Now Charlotte was formed. School shootings should not occur. The escalation of gun violence in our community should not occur. Of all the cities in North Carolina, Charlotte has the highest propensity for gun-related violence. We want to prevent gun violence in our community, our state, and our country. With the aforementioned in mind, we make the following demands...

We ask that you advocate at the state level for

- Requiring permits for all guns, not just handguns. As such, we also ask that permit renewals be mandatory for all guns in North Carolina.
- Limiting the number of guns and the amount of ammunition that can be purchased at one time.
- Instituting mandatory waiting periods for both guns and ammunition purchases.
- Requiring background checks in order to give a gun as a gift.
- Banning high-capacity firearms and magazines.
- Requiring licenses for all gun dealers in North Carolina.
- Requiring the safe storage of guns.
- Requiring that all lost or stolen firearms be reported to the police.
- Considering and addressing toxic masculinity.

We demand that you

- Refund donations from the National Rifle Association and refuse to accept any future donations from that organization.
- Restrict guns on the grounds of public spaces such as academic institutions, government buildings, and parks.
- Institute a permanent county-wide task force dedicated to preventing gun violence throughout the county.
- We demand that this task force be committed to hyper-transparency and community engagement. We demand that members come from a variety of backgrounds, such as CMPD, the Sheriff's Department, gun violence survivors, community and religious organizations, nonprofits, teachers, and government representatives.
- Create and implement Gun Violence Prevention Programs open to all community members, as well as fund Gun Violence Research Programs. We also demand that you work with City Council to expand funding for pre-existing organizations and programs that are doing such work.
- Make a public statement of support for House Bill 454, which creates Extreme Risk Protective Orders that would restrict an individual's access to guns if there is evidence they pose a risk to themselves or others.
- Create a mandatory high school exit program to provide resources to those about to drop out of their academic institution.
- We demand that this program provide an opportunity for students to express their dissatisfaction with their academic institution and provide them with school and community resources.

MAY 7, 2019



Pledge
May 7, 2019

Contact
Gabriel Cartagena: 980.613.0530
therealchangenow@gmail.com

I, _____, knowingly and willingly sign this pledge dedicating my energies to addressing a nationwide epidemic of gun violence that has infiltrated our community and public spaces. I pledge to use my power as an elected official to consider suggestions for new gun reform legislation with an open-mind, to keep the conversation surrounding gun violence protection efforts active, and to remain in active communication with Real Change Now.

As a symbol of my commitment to diminishing the prevalence of gun violence in my city, state, and country, I will no longer accept campaign donations from the National Rifle Association (NRA) or other organizations in opposition of common sense gun reform.

In signing this pledge, I actively acknowledge the concerns raised by Real Change Now and their partners and provide my wholehearted support of their efforts in addressing gun violence.

(Signature) (Date)

“March for Our Lives” UNC Charlotte is a non-partisan organization dedicated to enacting commonsense gun safety legislation and measures to prevent acts, like the one that occurred on the campus of UNC Charlotte on April 30. The following recommendations were offered with respect to what could be done locally to address the issue of gun violence:

- Provide County funding for gun violence research in the community
- County funding for gun violence research should include a study of youth gun violence
- Develop school mental health screening
- Increase the number of mental health professionals and counselors in public schools
- Increase focus needed on suicide risk protocol.

Comments

Commissioner Harden, a professor at UNC Charlotte and an alumnus, thanked fellow Board Members, the County Manager, and staff for their support and genuine concern for the horrific violence that took place on the campus of UNC Charlotte.

Commissioner Harden said what happened on April 30, “hit deep” for her. She said she was “holding the trauma and grief and felt the pain of the parents of the victims.” She said she’d listened to the “hurt” of the students and staff.

MAY 7, 2019

Commissioner Harden commended the University for its security measures and how the incident was handled, as well as, the efforts of First Responders.

In light of the violence that's occurring everywhere, Commissioner Harden posed the question; "Does America love our children?" Commissioner Harden said children were dying "needlessly."

Commissioner Harden noted in her remarks that this was not a political issue.

Commissioner Harden asked the Board to listen to the community and to act with respect to addressing the issue of gun violence in the community.

Commissioner Harden said she looked forward to working with the Board and the Sheriff to craft actions to address the gun crisis.

Commissioner Scarborough noted the Orangeburg Massacre that occurred on the campus of South Carolina State University, February 8, 1968. Commissioner Scarborough said she was on the campus at that time and therefore could relate very well to what the UNC Charlotte community was feeling. She pledged her support to do something to address the issue of gun violence in the community.

Betty Doster, Special Assistant to the Chancellor of UNC Charlotte for Constituent Services accepted the resolution with thanks on behalf of the University. She thanked the County, as well, for its longstanding partnership with the University.

**A RESOLUTION HONORING THE HEROES AND VICTIMS OF THE
UNC CHARLOTTE MASS SHOOTING AND COMMITTING TO A PLAN OF ACTION TO ADDRESS GUN
VIOLENCE IN OUR COMMUNITY**

WHEREAS, on April 30, 2019, the people of Mecklenburg County were shocked and saddened by the mass shooting that occurred at the University of North Carolina at Charlotte, resulting in the tragic deaths of two students and the injuries of four more during the last week of classes; and

WHEREAS the lives of students Riley Howell and Ellis Reed Parlier were taken from us far too soon, and the injuries suffered by students Sean Dehart, Drew Pescaro, Emily Houpt, and Rami Alramadhan were too much to bear; and

WHEREAS the extraordinary heroism of Riley Howell and the quick action by campus police and the Charlotte-Mecklenburg Police Department surely prevented further tragedy and saved lives; and

WHEREAS this incident has reverberated throughout the nation and the world because of the senseless gun violence on a college campus, and

MAY 7, 2019

WHEREAS, before this terrible shooting there have been at least 106 mass shootings this year, according to the Gun Violence Archive; and

WHEREAS, part of our healing as a community must be our conviction that we will do everything in our power to keep these tragedies from happening again; and

WHEREAS, the prevalence of gun violence presents a threat to public health, a matter that is squarely within the scope of responsibility of county government;

NOW, THEREFORE, be it hereby

RESOLVED, that the Mecklenburg Board of County Commissioners does hereby proclaim and establish April 30 of every year as a

“DAY OF REMEMBRANCE”

in Mecklenburg County to honor and recognize the heroes and victims of the 2019 UNC Charlotte mass shooting, and to allow residents and students to pay tribute to the people who were lost during this tragedy and bring awareness to gun violence in our community; and be it further

RESOLVED, that Mecklenburg Board of County Commissioners does hereby commit to developing and implementing a plan of action to address gun violence in our community, with specific steps and measurable goals, and will urge the North Carolina General Assembly to adopt gun violence prevention legislation to protect people across the State.

Resolution recorded in full in Minute/Ordinance Book 48, Document #24.

PUBLIC APPEARANCE

19-5378 PUBLIC APPEARANCE

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

Gail Adams addressed the need for low income housing and the work a non-profit organization she started, Housing Academy USA jbg 7777, was doing to address the issue. She noted the creation of a new program called Rent Matching Certification. She said under this program, 50% of a tenant’s rent is paid for them. Ms. Adams said fundraisers would be held to help raise funds for the program.

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

MAY 7, 2019

James Lee encouraged the UNC Charlotte family to be strong in this time of sorrow. He encouraged the students that spoke to continue to fight for change.

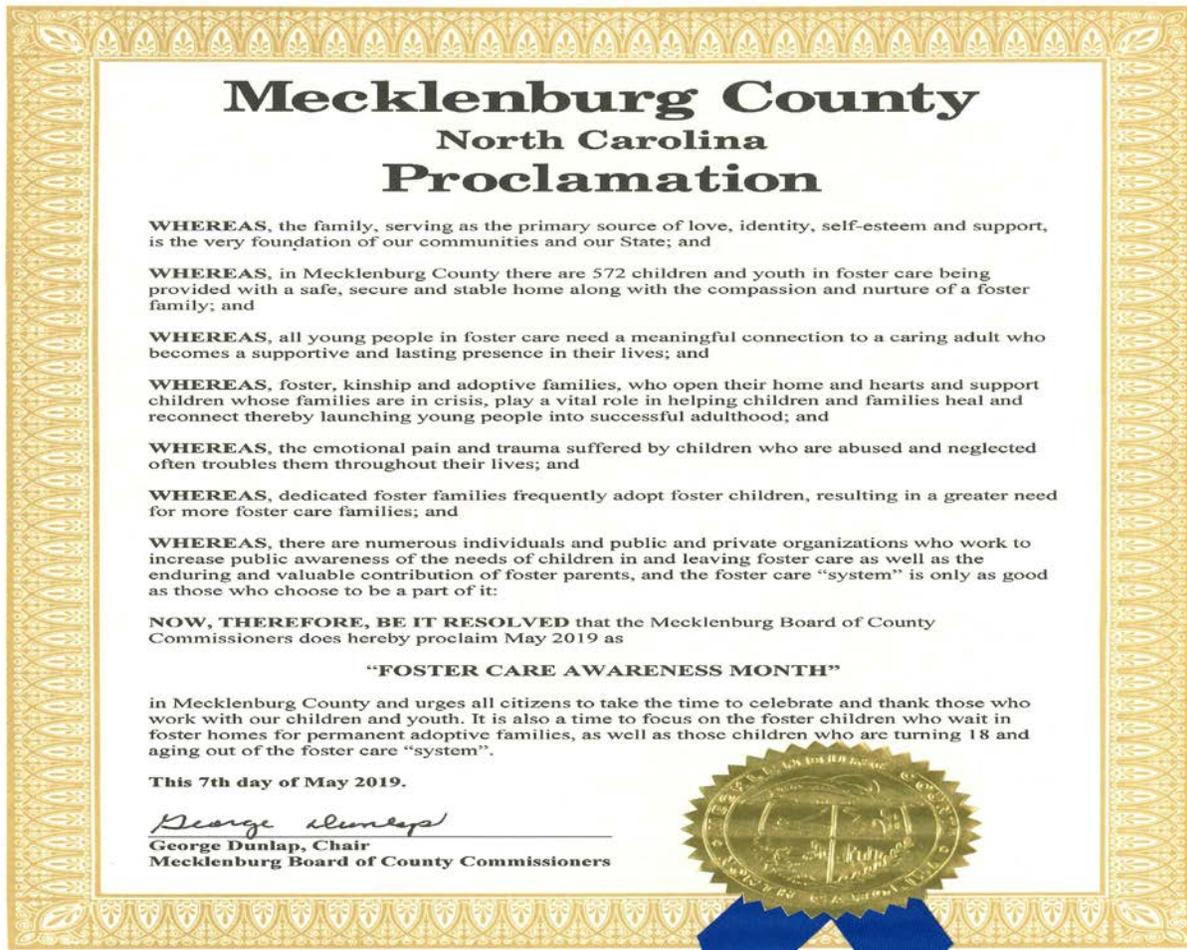
19-5371 PROCLAMATION - FOSTER CARE AWARENESS MONTH

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a Proclamation designating May 2019 as “Foster Care Awareness” Month in Mecklenburg County.

Chair Dunlap called on Commissioner Rodriguez-McDowell to read the proclamation.

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

MAY 7, 2019



19-5377 PROCLAMATION - OLDER AMERICANS MONTH

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a Proclamation designating May 2019 as "Older Americans Month" in Mecklenburg County.

Chair Dunlap called on Commissioner Leake to read the proclamation.

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

MAY 7, 2019



APPOINTMENTS

Chair Dunlap recognized Commissioner Leake for a point of person privilege to acknowledge the passing of Peco McKoy, a former member of the Nursing Home Community Advisory Committee. It was noted that Mrs. McKoy passed away recently after a brief illness. She was in her 12th year of service on the Nursing Home Community Advisory Committee. It was noted that Mrs. McKoy served faithfully and was a valuable member of the Nursing Home Community Advisory Committee. It was noted as well that a Statement in Memory of Peco McKoy was prepared and signed by Chairman Dunlap, on behalf of the Board and was read at Mrs. McKoy's funeral.

19-5364 APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE

MAY 7, 2019

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to reappoint Tom Rothrock to the Adult Care Home Community Advisory Committee for the remainder of his term, expiring September 30, 2021.

Note: Mr. Rothrock was removed because of attendance but has assured the Board he would meet the requirement going forward. Mr. Rothrock has served faithfully since 2014.

JUVENILE CRIME PREVENTION COUNCIL

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

Leigh Altman	Commissioners Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell and Scarborough
Tonja Brooks	None
Kimberly Sanders	Commissioners Leake and Cotham
Tysha Shaw	None

Chair Dunlap announced the appointment of Leigh Altman to the Juvenile Crime Prevention Council as the Juvenile Defense Attorney representative to fill an unexpired term, expiring June 30, 2019.

Note: She replaced Colleen Mullan.

The vote was taken on the following nominees for appointment to the Juvenile Crime Prevention Council for a General Public Slot:

Round One

Anthony Gonzalez	Commissioners Dunlap, Harden, Powell, Rodriguez-McDowell and Scarborough
Marque Macon	Commissioner Fuller
Pamela McCarter	None
Brian Peay	Commissioners Cotham, Jerrell, and Leake
Danielle Young-Martin	None

Note: There was uncertainty regarding the first Round of voting, so a second vote was taken.

MAY 7, 2019

Round Two

Anthony Gonzalez	Commissioners Dunlap, Fuller, Harden, Powell, Rodriguez-McDowell and Scarborough
Brian Peay	Commissioners Cotham, Jerrell, and Leake

Voting Ceased

Chair Dunlap announced the appointment of Anthony Gonzalez to the Juvenile Crime Prevention Council as a General Public representative to fill an unexpired term, expiring June 30, 2019.

Note: He replaced Jana Savory.

WOMEN’S ADVISORY BOARD

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

Brooke Adams	None
Kristin Buhlert	None
Kate Ferraioli	Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough
Suzanne Elsberry Schweikert	Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough

Chair Dunlap announced the appointment of Kate Ferraioli to the Women’s Advisory Board to fill an unexpired term, expiring April 30, 2021 and Suzanne Elsberry Schweikert to fill an unexpired term expiring November 30, 2021.

Note: They replaced Chantia Carter and Michelle Ferlauto.

PUBLIC HEARINGS – NONE

MAY 7, 2019

ADVISORY COMMITTEE REPORTS

19-5370 AIR QUALITY COMMISSION ANNUAL REPORT

The Board received as information the Air Quality Commission Annual Report.

Peter McGrath, Chair of the Air Quality Commission and Marcus Hackler, Vice Chair, gave the report.

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

Comments

Commissioner Leake addressed abandoned and junked vehicles throughout District Two. She also noted environmental issues in the Brook Hill community, including the presence and use of kerosene.

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

Chair Dunlap thanked the presenters for the report.

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

COUNTY COMMISSIONERS REPORTS & REQUESTS

19-5357 CLEAN AIR CAROLINA'S "CLEARING THE AIR IN THE HISTORIC WEST END" REPORT (COMMISSIONER POWELL)

Chair Dunlap called on Commissioner Powell to introduce the presentation from Clean Air Carolina.

Commissioner Powell introduced Ron Ross, President of the Northwood Estates Community Organization & Clean AirKeeper and Calvin Cupini, Program Manager, with Clean Air Carolina to present Clean Air Carolina's "Clearing the Air in the Historic West End" Report.

Note: Clean Air Carolina was founded in 2003 by a group of passionate volunteers determined to improve the quality of Mecklenburg County's air. Their mission is to ensure cleaner air quality for all North Carolinians through education and advocacy and by working with its partners to

MAY 7, 2019

reduce sources of pollution. The “Clearing the Air in Historic West End” report was developed by Clean Air Carolina and the Historic West End AirKeepers. The report was presented to the Board’s Environmental Stewardship Committee on March 12, 2019 and the committee voted to bring this information to the full Board for its awareness.

Report Highlights

- Citizen scientist and community leaders Mattie Marshall, William Hughes and Ron Ross have spent the past two years monitoring air pollution in the historically African American neighborhoods of Charlotte’s Historic West End (Beatties Ford Road Corridor) as part of Clean Air Carolina’s AirKeeper program.
- They partnered with Clean Air Carolina to create a Clean Air Corridor in the area.
- The Clean Air Corridor effort will use education and advocacy to mobilize citizens, businesses, churches, nonprofits and government agencies to reduce the pollution that currently affects dozens of neighborhoods.
- Residents of the Historic West End live with a longstanding legacy of industrial zoning and highway construction that continues to pollute the air in their neighborhoods.
- Addressing these longstanding hazards will improve public health and advance the goal of environmental justice.
- Environmental justice means no group of people should bear a disproportionate share of the negative environmental effects that result from operations or policies pursued by commerce, industry or government.

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

Vice-Chair Powell presided until noted in the minutes.

The report addressed the following areas with respect to creating a Clean Air Corridor:

- Passenger Vehicle Emissions
- Clean Construction
- Permitting and Zoning
- Use of Community Benefits Agreements
- Tree Planting
- Clean Air Advocacy

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

MAY 7, 2019

Comments

Commissioner Leake asked “where do we go from here.” She also asked that the report be shared with Charlotte City Council because this was an issue of concern for them as well. *It was noted that the matter had been discussed with the City.*

Commissioner Leake said the Board needed to do a better job at addressing air quality and especially on the Westside, District Two. She said this was not a new issue and it needed to be addressed and not just talked about.

Commissioner Harden expressed support of Clean Air Carolina’s efforts. She asked about the cost of the air monitor that was requested and that cost information be provided to the County.

The presenters said they would have to rely on the County’s Air Quality division to provide cost information.

Commissioner Powell asked that staff provide information to the Board at its May 14, 2019 meeting regarding the cost of an air monitor for the Historic West End area.

Commissioner Powell assured Commissioner Leake that the Environmental Stewardship Committee would pursue this issue to make sure something was done, with the Board’s support.

Commissioners Jerrell and Cotham expressed support of Clean Air Carolina’s efforts.

Commissioner Fuller addressed the importance of good air quality, as well as, water quality. He said these were critical issues, because they impact a person’s life expectancy. He said he hoped the discussion leads to action.

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

Commissioner Scarborough also noted the need for action.

Chair Dunlap thanked the presenters for the report.

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

ADVISORY COMMITTEE REPORTS

MAY 7, 2019

19-5374 DOMESTIC VIOLENCE ADVISORY BOARD ANNUAL REPORT

The Board received as information the Domestic Violence Advisory Board's Annual Report.

Neil Bloomfield, Chair of the Domestic Violence Advisory Board (DVAB) gave the report.

Highlights:

DVAB Recommendations:

A. Rental Subsidy – We recommend providing a rental subsidy to survivors of domestic violence who need financial assistance to secure stable permanent housing. Many survivors require ongoing support to locate and sustain their own permanent housing after leaving an abusive household and/or following an emergency stay at the Safe Alliance Clyde and Ethel Dickson Domestic Violence Shelter (“DV Shelter”). Due to high demand for emergency shelter, the DV Shelter does not have capacity to shelter survivors beyond an emergency stay.

B. Domestic Violence Advocate at the Salvation Army – We recommend funding a position to provide services to survivors of domestic violence that seek emergency shelter in homeless shelters other than the DV Shelter. We have seen a particular need for this at the Salvation Army Center of Hope homeless shelter for women and children, where survivors of domestic violence often seek shelter and receive assistance but not services targeted to their needs as survivors of domestic violence.

C. Outreach and Prevention Position for Community Support Services – We recommend funding a position within Mecklenburg County Community Support Services (“CSS”) focused on outreach and prevention of domestic violence.

D. Monitoring for the Implementation of Strangulation Training – We recommend requiring the monitoring of the implementation of the Training Institute’s Strangulation Prevention training program to make sure that the important lessons provided by this program are implemented throughout the county.

“We make these recommendations in an effort to improve the services provided in our community. We believe they should be funded in addition to—not in replacement of—the existing services for survivors of domestic violence.”

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

MAY 7, 2019

Comments

Commissioner Rodriguez-McDowell thanked the DVAB for their work. She said she looked forward to speaking with the County Manager and Assistant County Manager Trotman regarding the Family Justice Center to see how all of this fits in.

Commissioner Cotham noted her experience with victims of domestic violence and the importance of this issue.

Commissioner Leake posed the question of what could be done to change the mindset of people and the importance of getting this done at an early age.

Chair Dunlap asked if the Committee's recommendations were shared with the County Manager and the response was yes.

Commissioner Fuller asked County Manager Diorio if any of the DVAB recommendations were included in her recommended budget and the response was no.

Chair Dunlap thanked Mr. Bloomfield for the report.

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

MANAGER'S REPORT

19-5425 NCACC COUNTY ASSEMBLY DAY AND LEGISLATIVE UPDATE

The Board received information regarding North Carolina Association of County Commissioners (NCACC) County Assembly Day and Legislative Update.

Starla Tanner, Legislative Liaison gave the update. The following was noted:

North Carolina Association of County Commissioners (NCACC) County Assembly Day

- The North Carolina Association of County Commissioners (NCACC) County Assembly Day was still taking place on May 8, 2019.
- The Mecklenburg Legislative Delegation, however, would not be available to meet with members of the Board as originally planned due to the anticipation of floor votes not being taken in the Senate or House for the remainder of the week since Republican leaders are attending a national meeting.

MAY 7, 2019

- Chairman Alexander expressed his desire to reschedule the Board's visit and will work to secure a new date.
- Thus, it was not necessary for the Board to attend.

Legislative Update

Mecklenburg County Specific Items that have been filed

- Seek Revised Public-Private Park Infrastructure Development Authority – SB 207 and HB 527 clarify that development agreements shall be on land owned, leased or to be transferred to the county. *(It's anticipated that there will not be problem with getting this bill approved.)*
- Seek Re-establishment of the Mountain Island Lake Marine Commission – SB 471 and HB 526 re-establish the commission to work on water quality, shoreline issues and boating safety with regional stakeholders. *(It's anticipated that there would be no movement on this bill in this session. Discussions will continue, however, with the other stakeholders around an informal collaboration with respect to safety and the environment on Mountain Island Lake. The bill will be revisited.)*
- Seek Increased Access to Magistrates in North Mecklenburg County – HB 317 authorizes additional magistrates to appropriately provide safer service to victims in the northern portion of the county and brings Mecklenburg's average of 1 magistrate to 31,000 residents closer to the statewide average of 1 to 15,000. *(It's anticipated that this bill will not be moving during the long session.)*

Statewide Support Items

- Support Legislation to Study Homestead Exemption Act Thresholds. *(This is being studied.)*
 - SB 657 increases the threshold and expands exemptions to disabled veterans, state and federal employees.
- Support a State School Bond. *(There are two versions currently and it's not known at this time which will move forward.)*
 - SB 5 and HB 241 provide funding for school capital needs.
- Support Maintaining State Management of Alcohol and Beverage Commission. *(This was introduced last week. Staff is continuing to emphasize the need to keep this whole harmless for counties, which currently the bill does not.)*
 - HB 971 removes local control jeopardizing \$6 million in yearly county funding.
- Support Funding and Implementation of Raise the Age Juvenile Justice Legislation. *(Staff is continuing to watch this.)*
 - House budget includes state implementation funding.

MAY 7, 2019

- Support Hepatitis A Vaccine Access from Pharmacies. *(This is moving along.)*
 - HB 388 expands access to local retail pharmacies.
- Support Raising the Age to Purchase Tobacco from 18 to 21. *(Staff is continuing to watch this.)*
 - House budget includes state implementation funding.
- Support Accurate Eviction Judgement Recording. *(This is moving along.)*
 - HB 880 includes provision to address accurate eviction judgement recording.

House Budget Bill has been sent over to the Senate.

The House Budget includes:

- Additional funds for Pre-K, however, it uses federal TANF dollars, instead of State dollars
- Funding for continued Medicaid transformation
- Funding for expanding communicable diseases
- Funding for raise the age implementation
- Other things that pertain to county government

Staff will continue to monitor the Senate's consideration of the House Budget, as well as, stay in communication with the Mecklenburg County Legislative Delegation.

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

Comments

Commissioner Leake asked about raising the age to purchase tobacco from 18 to 21. *Ms. Tanner said the item did not have a specific bill attached to it. The House budget, however, did include additional funding for tobacco prevention, which included preventing the increase use of electronic cigarettes and those types of nicotine products.*

Commissioner Leake said she continued to see persons smoking around the Government Center, but thought it was a smoke free area.

Commissioner Leake also inquired about smoking on high school campuses.

Ms. Tanner said she would follow up on both of those concerns.

Commissioner Leake asked about Hepatitis A Vaccine Access from Pharmacies. *Ms. Tanner said the bill was introduced and had good support. It's anticipated that it will continue to move in a positive manner.*

MAY 7, 2019

Commissioner Powell asked Ms. Tanner to let the Board know how it could help with respect to HB 317 - Increased access to Magistrates in North Mecklenburg County, so that action can be taken for consideration of the matter. *Ms. Tanner said different measures were tried on both the House and Senate sides and that the door wasn't totally closed at this point, but almost.*

County Manager Diorio said staff had exhausted all avenues available. She said unless the State agrees to fund the magistrates, the County did not have a mechanism to fund them on its own. She said there were constitutional issues involved that prohibit local entities from funding state judicial positions.

Chair Dunlap asked had the northern Towns been informed of this road block. *The response was yes.*

Chair Dunlap thanked Ms. Tanner for the update.

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

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

**19-5411 LOCAL MANAGEMENT ENTITY (LME) / MANAGED CARE ORGANIZATION (MCO)
UPDATE (COMMISSIONER RODRIGUEZ-MCDOWELL)**

Commissioner Rodriguez-McDowell attended a meeting in Raleigh regarding Locally Management Entities/Managed Care Organizations (LME/MCO) and shared the results of that meeting. She serves on the North Carolina Association of County Commissioners' LME/MCO Committee. This is a statewide committee requested by the N.C. Dept. of Health and Human Services. The following was noted:

- The committee is charged with creating regions for Medicaid transformation.
- Mecklenburg County's LME/MCO was Cardinal.
- The committee has 14 voting members and four non-voting members.
- Four meetings are to occur between now and June. Two have taken place, thus far.
- She said she'd learned more about the process of how health and human services worked in NC. and that she had a greater appreciation for the plight of smaller counties.

MAY 7, 2019

- Medicaid transformation refers to a move from fee for service to managed care insurance coverage for Medicaid recipients.
- This was originally put into place by former Governor Pat McCrory in 2015 and was really a move toward privatization of Medicaid.
- The state has authorized insurance companies for standard plans for physical healthcare.
- The new piece that's being worked on is for tailored plans that address a person's mental healthcare, as well as, their physical healthcare.
- Persons that need mental or behavioral healthcare will be placed in the tailored plan for all of their healthcare needs; and the state will pay a per capita amount as opposed to a fee for each service incurred.
- The new tailored plans will most likely be offered by seven companies in seven regions that were created through mergers of insurance companies.

Commissioner Rodriguez-McDowell said she felt privatization of Medicaid was setting the State on a "wrong course."

Commissioner Rodriguez-McDowell said all of this work was done to ensure that each of the non-profit insurance companies can survive financially for at least the next five years. She said after five years, the plan was that bidding would be opened up to for-profit insurance companies to compete with the non-profits. Commissioner Rodriguez-McDowell said she was concerned about that because it would not mean better care for Medicaid recipients, but rather, more profit for insurance companies.

Chair Dunlap addressed this and said Medicaid individuals who were healthy would be serviced by the standard plan and those with the greatest need by the tailored plan; which would cost more. He said that's why the regular healthcare providers don't want to deal with it.

Chair Dunlap said if the State doesn't add additional dollars, then there won't be enough money to service this population. He said this meant the State was setting up the LME's/MCO's for "failure." He said when happens, they'll be able to privatize it and give it to the other healthcare companies.

Chair Dunlap said another thing rapped up with this was Medicaid expansion or the lack there of and the viability of LME's/MCO's to continue to operate.

Commissioner Leake asked for clarification on Cardinals role, which was addressed by Chair Dunlap.

MAY 7, 2019

Chair Dunlap thanked Commissioner Rodriguez-McDowell for serving on the committee and for the report.

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

CONSENT ITEMS

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

19-5354 FLEET AUCTION REVENUE

Recognize, receive and appropriate from the vehicle auction on January 12, 2019, revenue of \$210,830.50 and appropriate \$208,793.14 to the Fleet Reserve Fund and \$2,037.36 to the Department of Social Services transportation unit.

Note: The Department of Social Services sold one vehicle for a net of \$2,037.36 that was originally funded by the North Carolina Department of Transportation (NCDOT). Regulations require the sale proceeds from NCDOT funded vehicles be used by the DSS transportation unit. The remaining \$208,793.14 would be appropriated to the Fleet Reserve Fund.

19-5375 DONATION OF FLOOD SENSORS TO MECKLENBURG COUNTY STORM WATER SERVICES

Receive up to 100 flood sensors from the U.S. Department of Homeland Security.

19-5379 MINUTES

Approve Minutes of Regular meeting held April 16, 2019.

19-5383 REVOLVING FUNDS FUNDING REQUEST - HISTORIC LANDMARKS COMMISSION

Recognize and appropriate \$45,000 from the Historic Landmarks Commission Revolving Fund for due diligence costs for several properties that may include earnest money, facility assessment reports, environmental reports, and attorney fees.

MAY 7, 2019

Note: Due to the large number of historic property acquisitions for which due diligence must be performed this fiscal year, the Historic Landmarks Commission (HLC) needs to utilize funds from the HLC Revolving Fund. This request furthers the HLC's mission of recommending the designation of properties for historic landmark designation and to secure the preservation of same through buying and selling endangered historic landmarks. Funding for due diligence includes funds for earnest money, facility assessment reports, environmental reports, attorney fees, and other related expenses for due diligence performed around historic property transactions.

19-5399 TAX REFUNDS

Approve tax refunds in the amount of \$38,786.33, as statutorily required to be paid, as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. There is an estimated accrued interest of \$18.82 included in the \$38,786.33 refunds.

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

19-5403 MECKLENBURG COUNTY MATERIALS RECOVERY FACILITY HORIZONTAL AUTO-TIE FIBER BALER PURCHASE

Authorize the County Manager (or designee) to negotiate and execute a contract with Van DYK Recycling Solutions for the purchase and installation of a Horizontal Auto-Tie Fiber Baler in the amount of \$891,969.00.

19-5404 EASEMENT DONATION - WALKER BRANCH GREENWAY

1. Authorize the County Manager to negotiate all documents necessary to accept the donation of a temporary construction easement (± 455 square feet) and a permanent greenway easement (± 1,682 square feet) on Tax Parcel 219-151-71 from James and Nancy Oram for the construction of Walker Branch Greenway;
2. Authorize the County Manager to negotiate all documents necessary to accept the donation of a temporary construction easement (± 59,687 square feet) on Tax Parcel 219-091-07 from the Steele Creek Athletic Association for the construction of Walker Branch Greenway; and

MAY 7, 2019

3. Authorize the County Manager to negotiate and execute a Special Provisions Addendum to the temporary construction easement with Steele Creek Athletic Association that outlines the construction and restoration expectations for the construction of Walker Branch Greenway.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

19-5384 NCDOT GRANT FUNDING FOR MCALPINE CREEK GREENWAY

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

1. Recognize, receive and appropriate three (3) North Carolina Department of Transportation (NCDOT) funding grants totaling \$5,774,000, awarded by the Charlotte Regional Transportation Planning Organization (CRTPO) to help fund the construction of McAlpine Creek Greenway, Green Rea Rd. to Johnston Rd.;
2. Amend the Capital Budget Ordinance;
3. Commit to providing the funding for the required match; and
4. Authorize the County Manager to enter into a grant contract.

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

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2019 AUTHORIZATION PARK AND RECREATION
CAPITAL PROJECT ORDINANCE**

The following ordinance was offered as an amendment to and restatement of *FY2019 Authorization Park and Recreation Approved Capital Project Ordinance as adopted June 19, 2018*

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 7th DAY OF MAY 2019:

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

Discovery Place

MAY 7, 2019

Druid Hills Neighborhood Park
Independence Park
Irvin Creek Gwy-Idlewild Road to Lakeview Circle
McAlpine Creek Gwy-Green Rea Road to Johnston Road
McDowell Creek Gwy-Upper McDowell at NC76 to Chilgrove Lane
Plum Creek Gwy-South Bailey Road to South Prong Rocky River Gwy
Torrence Trib#2-Cats Park and Ride to Rosewood Meadow Dive

Including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefore, \$40,162,857 is hereby appropriated.

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

Proceeds from Sale of Bonds, Pay-As-You-Go/Other County Funds:	
2018-2019 fiscal year	\$ 1,846,342
2019-2020 fiscal year	\$13,273,734
2020-2021 fiscal year	\$ 21,133,151
2021-2022 fiscal year	\$ 3,909,630

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

Ordinance recorded in full in Minute/Ordinance Book 48, Document #25.

19-5401 RIGHT-OF-WAY ABANDONMENT AT WILMORE CENTENNIAL PARK AT SOUTHEND

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to endorse a Right-of-Way Abandonment Petition with the Charlotte Department of Transportation requesting closure of an alley (+/- 0.09 acres) at Wilmore Centennial Park at Southend and approve acceptance of ownership of residual property into the adjacent park.

Note: At its November 20, 2018 meeting, the Board approved an exchange of property at Wilmore Centennial Park at Southend with Common Square, LLC in which Common Square proposed a mixed-use development to include office, residential, apartments, ground-floor retail, and hotel uses. The exchange involves the eventual conveyance of +/- 4,500 SF of

MAY 7, 2019

County-owned property for the same amount of the developer's property. In addition to the exchange of fee simple property, the County will obtain an access easement across the developer's property from West Blvd. The County's agreement with Common Square was subsequently assigned to Common Square Development, LLC (BOCC item 19-5198, March 6, 2019). To accomplish the planned development, the site is being rezoned from B-1 (Neighborhood Business) to TOD-MO (Transit Oriented Development - mixed use, optional). To facilitate its development, the developer proposes closing the alley that sits immediately south of the bulk of the County's property and between South Tryon and Hawkins Streets. The permanent closure of the alley requires filing a Right-of-Way Abandonment Petition with the Charlotte Department of Transportation. Once a request to abandon right-of-way is granted, the area that has been abandoned is divided, with owners on either side receiving an equal share of the property.

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

19-5412 BUDGET AMENDMENT - HEALTH DEPARTMENT (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to recognize, receive, and appropriate an increase in federal revenue of \$81,352 from the North Carolina Division of Public Health (NC DPH).

Note: In FY 17-18 the Maternal and Child Health Block Grant funding was reduced, which affected the Family Planning program. The NC DPH Healthy Mothers Health Child Program administers Federal funding for the state, and is restoring funds to the Family Planning program, that was otherwise lowered due to the FY 17-18 reduction in the Maternal and Child Health Block Grant funding.

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

Commissioner Leake requested a report on this program.

**19-5414 STORM WATER PROGRAM - FY19 HAZARD MITIGATION FLOODPLAIN
ACQUISITION CORRECTION**

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

MAY 7, 2019

minutes of the April 16, 2019 Regular meeting, with respect to the Storm Water Program FY19 Hazard Mitigation Floodplain Acquisition, to correct the tax parcel number associated with the Board's acceptance and approval of the Offer of Sale of Real Estate from Robert & Louise Hair, owners of property located at 701 Main Street, Pineville, NC, for \$206,000, to correctly reflect the parcel number as (tax parcel 221-021-06) and not (tax parcel 171-082-22) as stated in the information provided and approved by, the Board.

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

ADJOURNMENT

Motion was made by Commissioner Fuller, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:43 p.m.

Janice S. Paige, Clerk

George Dunlap, Chair