

June 06, 2017

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

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, June 6, 2017.

**ATTENDANCE**

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

**Absent:** None

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**-INFORMAL SESSION-**

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

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

**REMOVAL OF ITEMS FROM CONSENT**

The Board identified item(s) 17-4039, 17-4040, 17-4043, 17-4044, 17-4052, & 17-4077 to be removed from Consent and voted upon separately.

**CLOSED SESSION**

Prior to going into Closed Session, County Attorney Bethune announced there were no Consult

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with Attorney matters to be discussed in Closed Session.

**17-4051      CONSULT WITH ATTORNEY**  
**17-4085      PERSONNEL MATTER**

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 5-0 with Commissioners Clarke, Cotham, James, Leake, and Scarborough voting yes, to go into Closed Session for the following purpose(s): Personnel Matter.

***The Board went into Closed Session at 5:16 p.m. and came back into Open Session at 5:23 p.m.***

***Commissioner Puckett entered the meeting.***

#### **STAFF BRIEFINGS**

**17-4069      DSS INTAKE AND ASSESSMENT AUDIT REPORT**

The Board received a briefing from Internal Audit Director Joanne Prakapas on the most recent Department of Social Services (DSS) Intake and Assessment Audit Report. She was assisted by staff member Felecia Stokes.

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

Comments

Commissioner Clarke questioned Internal Audit staff's ability to determine best practices for those in the social services field, which was addressed.

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

Commissioner James asked when was the last audit of DSS. *Director Prakapas said this was the first audit of this type but that other routine audits were being done.*

Commissioner Leake asked about the process for bringing children back in the home, which was addressed.

Commissioner Puckett asked about the timeliness of cases being handled, which was addressed.

***Commissioner Ridenhour entered the meeting.***

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Commissioner James said there appeared to be a lack of procedures. He commented on the completion of cases within state guidelines.

Commissioner James asked was a state review needed of County policies and procedures or would that be “overkill.” *County Manager Diorio said a new practice model was being developed, so she didn’t know if bringing in the state would be beneficial.*

Commissioner Cotham asked about children who didn’t have a place to go and had to remain with Youth and Family Services. *Director Prakapas said that was not a part of the audit.*

Commissioner Cotham said she hoped children weren’t having to stay in staff offices anymore. *County Manager Diorio said that was no longer occurring. She said the County had emergency beds available with certain providers.*

Commissioner Leake asked about staffing. *Director Prakapas said Internal Audit did not evaluate the staffing model. County Manager Diorio said positions had been added over the last three years. She said there were also positions added in the FY18 budget.*

It was noted that retention was still an issue for the Department because this was a difficult line of work.

Commissioner Leake asked about parent accountability, which was addressed by Division Director Youth and Family Services Charles Bradley.

Commissioner Clarke questioned how Internal Audit could conduct an independent audit, which was addressed.

Commissioner Clarke said there was no reference to documenting in the report. *Director Prakapas said they would clarify that before publishing the final report.*

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

***Commissioner Dunlap entered the meeting.***

#### **REMOVAL OF ITEMS FROM CONSENT**

Motion was made by Commissioner Fuller, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to move Consent Item 17-4077 Proclamation-Month of Ramadan from the Consent section of the agenda to the Awards/Recognition section.

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***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 invocation by Commissioner Leake, the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.*

**AWARDS/RECOGNITION**

**17-4077      PROCLAMATION – MONTH OF RAMADAN**

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 6-3 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Scarborough voting yes, and Commissioners James, Puckett, and Ridenhour voting no, to adopt a Proclamation declaring May 26 - June 24, 2017 as the Month of Ramadan. The proclamation was read by Commissioner Fuller.

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Prior to the adoption of the proclamation, several representatives from the Muslim community spoke in support of the proclamation and thanked the Board considering the matter.

Also, prior to the above vote, Commissioner Puckett said he did not disagree with the supportive remarks that were made, however, he did not support adoption of the proclamation. He said as an elected official, he felt it was not appropriate to support proclamations that were religious in nature.

Commissioner Ridenhour said he respected the matter being brought forth and what it was trying to accomplish, but would have liked to have had the opportunity to see it sooner. Commissioner Ridenhour said he did not support the adoption of the proclamation, because he felt it was not appropriate to recognize, locally, one religious holiday over another. He said his was not a path the Board should go down.

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

**PUBLIC APPEARANCE**

**17-4049 PUBLIC APPEARANCE**

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

Jana Savory and Shelby LaRusso appeared to bring awareness to a rare condition that their sons have, Eosinophilic Esophagitis (EOE), which is an allergy of the esophagus. Ms. Savory said often persons with this condition were misdiagnosed with having acid reflux. She explained how difficult it was for persons with this condition to eat because food can get enlarged in the throat. She said swallowing can be very difficult and persons suffer with chronic pain. Ms. Savory’s son is two years old and Ms. LaRusso’s is three years old. Ms. Savory said there was not a cure for this condition. Ms. LaRusso said her son had a feeding tube and could only eat coconut, broccoli, cauliflower, and rice.

Ms. Savory said they would like to have a fundraiser walk to bring awareness to this condition and to provide funds for research for a cure. Ms. Savory said they’ve been working with the Cure Foundation.

*Note: Rich Robles, Rodger Nolden, and Deronda Metz signed up to speak, however, the matters they wished to address were addressed at the Board’s Budget Public Hearing. They did not appear to speak. They were encouraged to provide any written remarks to the Clerk for distribution to the Board and/or email Commissioners directly.*

**APPOINTMENTS**

**17-4054 APPOINTMENTS – STORM WATER ADVISORY COMMITTEE**

The vote was taken on the following nominees for appointment consideration to the Storm Water Advisory Committee:

**Round 1**

David Collins	Commissioners Dunlap, James, Leake, and Puckett
Brian Pace	Commissioners Clarke, Cotham, Ridenhour, and Scarborough
Eric Seckinger	None

**Round 2**

David Collins	Commissioners Dunlap, James, Leake, and Puckett
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Brian Pace                      Commissioners Clarke, Cotham, Ridenhour, and Scarborough  
Eric Seckinger                None

***Commissioner Fuller returned to the Dais.***

**Round 3**

David Collins                Commissioners Dunlap, Fuller, James, Leake, and Puckett  
*Voting Ceased*

Brian Pace  
Eric Seckinger

Chair Scarborough announced the appointment of David Collins to the Storm Water Advisory Committee as the Developer, Design Professionals representative for a three-year term expiring June 30, 2020, effective July 1, 2017.

*Note: He replaces James Baysinger.*

**PUBLIC HEARINGS**

**17-4038            NAMING OF RENAISSANCE GOLF COURSE TO “HARRY L. JONES, SR. GOLF COURSE” (COMMISSIONER LEAKE)**

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing to receive comments on the request to name the Renaissance Golf Course the “Harry L. Jones, Sr. Golf Course.”

*Note: Harry L. Jones, Sr. served as the Mecklenburg County Manager from 2000 to 2013, Assistant County Manager from 1991 to 2000 and was the Community Development Director for the City of Charlotte from 1981 - 1984. Mr. Jones lost his brave battle with Pancreatic cancer in February of 2017. This naming is fitting and an appropriate way to remember Mr. Jones, who was an avid golfer.*

The following persons spoke in support of naming Renaissance Golf Course to the “Harry L. Jones, Sr. Golf Course”: Carlinia Ivory, Darrell Williams (a former County Commissioner), Becky Jones, the wife of Mr. Jones, and their daughter Lahari Jones. Mrs. Jones read a letter from Bob Morgan, who was unable to be present but was in support of the naming proposal.

Commissioner Leake, who initiated the request, addressed why she put forth the request and thanked the Jones family.

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Commissioners Dunlap, Fuller, Puckett, and Ridenhour also spoke in support of the naming.

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing and approve the request to name the Renaissance Golf Course the "Harry L. Jones, Sr. Golf Course" located at 1200 West Tyvola Road, Charlotte, NC.

**17-4057 BUSINESS INVESTMENT GRANT: AXA EQUITABLE LIFE INSURANCE COMPANY**

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing to receive comments on a proposed Business Investment Program grant to AXA Equitable Life Insurance Company (AXA).

No one from the public appeared to speak to this matter.

The matter was presented by Economic Development Director Peter Zeiler.

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

*Note: AXA Equitable Life Insurance Company is a subsidiary of AXA, an international insurance, investment management and financial services firm, headquartered in Paris, France and has total assets of more than \$533 billion. AXA Equitable has an existing operation with 580 employees in the University City area. Functions include sales, customer support, financial services, human resources and information technology.*

*AXA Equitable is seeking to create a regional headquarters by consolidating several operations centers across the US into one large facility. The proposed investment in Mecklenburg County includes \$14.2 million in construction and improvements and \$3 million in machinery and equipment.*

*AXA's proposed investment meets all the following grant guidelines for a Business Investment Program Grant, specifically:*

- *A taxable investment of \$17,200,000 to be completed in the next three years*
- *Creation of 550 new jobs with an average wage of \$95,000 (which is equal to 191% of the average for the Charlotte-Gastonia-Rock Hill M.S.A.)*



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- *There is competition for this project from York County, South Carolina; Syracuse, New York and Phoenix, Arizona*
- *The existing 580 positions in the University District are at risk of being relocated to another city if Mecklenburg is not the chosen regional headquarters site*

*The Business Investment Program grant is a 90% grant over 7 years, with an estimated total amount of up to \$460,218.*

Motion was made by Commissioner Dunlap, seconded by Commissioner James and carried 7-2 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Ridenhour, and Scarborough voting yes, and Commissioners James and Puckett voting no, to close the public hearing and adopt a resolution approving a Business Investment Program grant for AXA Equitable Life Insurance Company (AXA) for a total estimated amount of \$460,218 and authorize the County Manager to negotiate and execute the contract.

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RESOLUTION  
APPROVING BUSINESS INVESTMENT PROGRAM GRANT  
FOR AXA EQUITABLE LIFE INSURANCE COMPANY**

**WHEREAS, AXA Equitable Life Insurance Company** will create a Regional Headquarters in Charlotte, NC; and

**WHEREAS,** the company evaluated sites in York County, SC; Syracuse, New York; Phoenix, Arizona; and

**WHEREAS,** this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the City of Charlotte and the County of Mecklenburg, the Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on May 02, 2017 and as authorized by the Board, the County communicated this information to the company; and

**WHEREAS,** taking into consideration the Board's stated intent to make an economic development grant, the company subsequently decided to expand in Charlotte. The project will include a capital investment of approximately \$17.2 million and will create 550 new jobs within five years at an average annual salary of \$95,000. The Business Investment Program grant is a 90% grant over 7 years, with an estimated total amount of up to \$460,218. The grant will be subject to the County's standard contract provisions, including compliance requirements for the company related to job creation targets and clawback provisions; and

**WHEREAS,** Mecklenburg County Board of Commissioners has determined that this grant will provide new employment, new taxable property and new economic activity within the County, **now, therefore, be it**

**RESOLVED** that the Board of County Commissioners does hereby approve the Business Investment Program grant and Economic Development grant as described above, and authorizes the County Manager to execute a contract for the same, with any necessary or helpful nonmaterial changes.

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

**ADVISORY COMMITTEE REPORTS**

**17-4033 2017 MECKLENBURG COUNTY CHILD FATALITY PREVENTION AND PROTECTION TEAM ANNUAL REPORT**

The Board received the annual report of the Mecklenburg County Child Fatality Prevention and Protection Team, which was presented by the chair, Bob Simmons.

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

*Note: 7B-1406. Community Child Protection Teams; Child Fatality Prevention Teams; creation and duties.*

*(a) Community Child Protection Teams are established in every county of the State.*

*Each Community Child Protection Team shall:*

*(1) Review, in accordance with the procedures established by the director of the county department of social services under G.S. 7B-1409:*

*a. Selected active cases in which children are being served by child protective services; and*

*b. Cases in which a child died as a result of suspected abuse or neglect, and*

*1. A report of abuse or neglect has been made about the child or the child's family to the county department of social services within the previous 12 months, or*

*2. The child or the child's family was a recipient of child protective services within the previous 12 months.*

*(2) Submit annually to the board of county commissioners recommendations, if any, and advocate for system improvements and needed resources where gaps and deficiencies may exist. In addition, each Community Child Protection Team may review the records of all additional child fatalities and report findings in connection with these reviews to the Team Coordinator.*

**Recommendations**

- Support the recommendations for Early Care and Education and Child Family Stability strategies as outlined in the "Leading on Opportunity Report" by the Opportunity Task Force
- Support evidence-based programs focusing on improving parenting skills and

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parent/child relationships and birth outcomes (i.e. Triple P and Nurse Family Partnership)

- Support funding for Public Health initiatives and community strategies aimed at improving family structure, health & birth outcomes, and economic mobility (i.e. reducing unintended pregnancy)
- Continue to fund and expand School-Based Mental Health Services (SBMH) to create greater access and early intervention for at-risk children within CMS
- Increase funding to CMS for a social worker in every school, especially those with a higher utilization/need of SBMH services
- Support funding for increasing the ratio of school counselors to students in each school and support to teachers for children to reach/exceed the third-grade reading level
- Continue to support funding to DSS as one of the largest components of our child safety network

#### Comments

Commissioner Ridenhour asked about the Team's collaboration with other agencies in the community, not just for data gathering but other things, which was addressed.

Commissioner Dunlap said it was difficult for him to determine what the trends were for the various areas of review because of the timeframe used in the graphics, for example, 2004-2015. He suggested for future reports the timeframe be shorten and displayed on an annual basis.

Commissioner Dunlap asked about prevention efforts, starting as early as Lamaze classes and /or while the mother was still in the hospital. *Mr. Simmons responded. He said this was being worked on because inconsistencies existed in how information on safe sleep practices was being communicated and to whom and when.*

Commissioner Dunlap said going forward he wanted to hear more about what was being done with respect to prevention efforts.

Commissioner Cotham said more prevention efforts were needed in the schools, such as more mental health resources. She addressed the issue of depression amongst youth. She said it was important to ask a young person what could be done to help them rather than asking in a negative way why they behaved in a certain manner.

Commissioner Leake said violence was a major issue of concern. She said something needed to be done to change the mindset of individuals, so that they don't choose to react violently. She said it would take work on everyone's part.

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Commissioner Leake commented on the role that school counselors should play versus what they're currently doing.

Commissioner Puckett thanked Mr. Simmons for his work in this area.

Commissioner Fuller asked what could be done to prevent these tragedies addressed in the report, especially suicide.

Chair Scarborough thanked Mr. Simmons for the report.

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

## **17-4059      CITIZENS CAPITAL BUDGET ADVISORY COMMITTEE REPORT**

The Board received the Citizen's Capital Budget Advisory Committee Report from Committee Chair David Tibbals.

*Note: Committee Policy Recommendation: "When an architect is engaged to master-plan or design a new or renovation CIP project, the architect shall meet with a firm designated by the County Manager to see if there is any non-essential land that could be carved off and donated to a non-profit for mixed income housing. If so, that land will be donated for that purpose in perpetuity."*

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

### **Comments**

Commissioner Dunlap asked which agency/organization would the policy recommendation apply to. *The response was all, i.e. CMS, the Library, Park & Recreation, and Government Facilities.*

Commissioner Dunlap said he liked the concept but would want to hear more about it.

Commissioner James asked about Major League Soccer and if the committee addressed having a soccer stadium over other facilities. *Mr. Tibbals said it was addressed and it was noted that monies targeted for the soccer stadium would be paid back in full with interest and fully capitalized as a resource for the County.*

Commissioner James said, with respect to the policy recommendation, he doubted if excess land that was within town borders would be allocated for low-income or affordable housing.

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Commissioner Fuller said he liked the idea of having a policy in place, but more thought needed to be given to it to address concerns that might be raised.

Commissioner Puckett asked Mr. Tibbals to elaborate on his statement that the Major-League Soccer (MLS) stadium would be fully capitalized. *Mr. Tibbals said he would have to defer to Assistant County Manager/Interim Finance Officer Mark Foster for an adequate response.*

Commissioner Puckett asked with respect to Major League Soccer and capitalization, were the two renovation costs factored in the original proposal presented to the Board. *County Manager Diorio said Mr. Tibbals could not answer the question because it was outside the scope of the committee's charge.*

County Manager Diorio said the matter could be discussed by the Board at a future meeting.

Commissioner Puckett questioned the matter being outside the scope of the Committee, yet they made a recommendation regarding it.

Mr. Tibbals said the charge of the current Citizens Capital Budget Advisory Committee (CCBAC) was different from previous committees. He said they were more of a "cooperative element" to departments to make sure departments followed the standards that were set by the Committee to look at best practices, budgetary considerations for operational or capital investment, and was it on the necessary/needs list.

Commissioner Puckett asked was there an interest payment associated with the Major-League Soccer proposal. *County Attorney Bethune said the transaction was not structured as a loan.*

Commissioner Puckett said he wanted to clarify that the Major-League Soccer proposal was not an investment with a return in interest. He said the assumption was that the County would end up receiving more money than what it put in.

Commissioner Puckett asked if the CCBAC discussed maintenance costs associated with the American Legion Stadium. *Mr. Tibbals response was no.*

Commissioner Puckett asked was it fair to say that the capitalization piece assumed that if the investment was made there would be a 25-year use by the tenant and that the recapture of the investment would be fully capitalized; however, if the tenant did not remain for the 25 years, then this would not be a fully capitalized project. *Mr. Tibbals said that would be a fair statement.*

Commissioner Ridenhour said per the letter the Board received from the CCBAC there were

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things the committee expressed concerns about, such as the two new projects added by CMS and the MLS stadium project. He questioned why the Committee supported those projects remaining in the Capital Improvement Plan (CIP), in light of the concerns. *Mr. Tibbals said the Committee's charge was not so much a recommendation but to review and share their findings. He said previous committees were more engaged in making specific decisions. He said their charge was different. He said they were to ensure the spending plans brought forth by departments met the criteria for standards the Committee helped to formulate. He said since there was some recapture of the investment associated with the MLS project, the Committee felt comfortable with supporting staff with respect to this project.*

Commissioner Ridenhour asked who crafted the new charge. *County Manager Diorio said staff crafted the charge and it was approved by the Board.*

Commissioner Ridenhour said it seemed odd that the Committee's findings did not match up with the recommendation.

Commissioner Ridenhour said he was not supportive of the Committee's Policy Recommendation. He said there were a lot of red flags associated with it. He said it was a "good initiative but bad judgement."

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

## **MANAGER'S REPORT**

### **17-4058      CODE ENFORCEMENT – MEGA PLAN REVIEW & MEGA/MULTI-FAMILY INSPECTION UPDATE**

The Board received an update on the efforts of the Mega Plan Review & Mega/Multi-Family Inspection team from Patrick Granson, Division Director for Code Enforcement.

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

Comments

Commissioner Leake asked why were out of state construction companies, who end up hiring Mecklenburg County residents to do the work, allowed to bid on County projects. *County Attorney Bethune said state laws governs that process and that it was allowable.*

Commissioner Cotham thanked Mr. Granson for the work that they were doing in this area. She said the complaints were not coming in like they use to.

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County Manager Diorio thanked the department as well for the progress that had been made.

Commissioner Fuller said he thought there was something in the legislature being considered around the issue of permitting in local areas. *Division Director Patrick Granson said he was only familiar with HB 255 and SB 131. He said HB 255 dealt with design professionals performing inspections and tracking those inspections. He said SB 131 had passed and dealt with working through energy requirements, well permit requirements, and other things.*

Division Director Granson said Commissioner Fuller might be referring to the energy requirements for storage factory buildings. He said there had been efforts to get those buildings exempt. He said the bill had to go to the Department of Insurance for approval, for the enforcement to occur.

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

**17-4064      ANNIE E. CASEY FOUNDATION ENGAGEMENT**

The Board received a report from Peggy Eagan, Director of Social Services and Charles Bradley, Division Director of Youth & Family Services, regarding the status of the Annie E. Casey Foundation Engagement.

*Note: The Department of Social Services Youth and Family Services Division receives technical assistance from the Annie E. Casey Foundation to improve the Child Welfare outcomes for children and families in Mecklenburg County. The engagement is designed to improve child welfare service delivery by safely reducing the number of youth in foster care. The engagement also focuses on strengthening families and the systems that provides supportive services to vulnerable children and their families.*

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

Comments

Commissioner Dunlap asked what had been done to reduce the caseload, which was addressed.

Commissioner Dunlap asked what would it take to improve the retention rate of staff, which was addressed.

Commissioner Dunlap said years ago he was certified to become a foster care parent. He said at that time there were only two agencies in Mecklenburg County that provided the

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certification. He asked was that still the case. *Division Director Bradley said no, there were more now.*

Commissioner Dunlap suggested an awareness effort be put forth informing residents of how the certification/licensing process worked and where they could go to get certified.

Commissioner Dunlap said he recalled from his days as a police officer that there were issues in some instances where there was a conflict or point of tension in cases where someone other than the biological parent was raising the child; and the money involved and who should be receiving it. He asked what had been done to address those types of issues, which often delayed the placement process. *Division Director Bradley said a strategy currently being used was to bring all involved parties together to discuss and resolve issues, which seemed to work.*

Commissioner Leake said if caseload was the problem, then more employees should be hired.

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

#### **17-4071 MECKLENBURG COUNTY POOLS PROGRAM OVERVIEW**

The Board received an overview of the Mecklenburg County Pools Program from Assistant Health Director Dr. Cardra E. Burns and Lisa Corbitt with the Environmental Health Division of the Health Department.

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

Comments

Commissioner Dunlap asked about mosquito control, which was addressed.

Commissioner Dunlap asked for clarity with respect to a recent issue raised by a Commissioner regarding pools opening without being inspected by the County. It was noted that the pools were allowed to open in accordance with state regulations.

Commissioner Dunlap asked had every pool now been inspected. *The response was no, but that the required timeframe for inspecting pools had not expired. Inspections were continuing to occur every week.*

Commissioner Dunlap asked was the County still in compliance with state law, even though all inspections had not been completed. *The response was yes.*



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Commissioner Dunlap said perhaps it would be recommended by a Commissioner that the County exceed the state requirements, which would then require hiring more employees, seasonal perhaps.

Ms. Corbitt said it would be difficult to bring in seasonal employee because they must be a registered Environmental Health Specialist authorized by the state. Ms. Corbitt said it would have be a full-time position and that the individual would be assigned to work in other areas when it was not pool season.

Commissioner Ridenhour acknowledged that he was the Commissioner that Commissioner Dunlap was referring to. Commissioner Ridenhour said what disturbed him was an article about pools that were on suspended status but allowed to open without being inspected.

Commissioner Ridenhour said he had already informed the County Manager that in his opinion the County should exceed state law when it came to the inspection of pools.

Commissioner Ridenhour asked about the number of staff assigned to inspect pools and the schedule for getting pools inspected based on the number of pools to be inspected. *Ms. Corbitt said there were 44 inspectors. She elaborated on how the inspection process worked. It was noted that inspections can't occur until the County was contacted by the pool operator that the pool was ready for inspection.*

Commissioner Ridenhour asked what type of system was staff using to track pool inspections, which was addressed.

Commissioner Ridenhour said he would support investing in more staff and better technology.

Commissioner Leake addressed staffing needs. She said if more staff was needed, it should be brought to the County Manager's and/or Assistant County Manager's attention.

Commissioner Leake said there was a mosquito issue in the Brook Hill community that needed to be addressed. She said there was concern also for the number of oil tanks in that area.

Commissioner Leake requested information on the number of grants the Health Department had received.

Commissioner Clarke asked about the effectiveness of inspecting pools once a year. *Ms. Corbitt said the state only required one inspection per year for seasonal pools. She said the Health Department did hire up to three summer staff to perform safety checks. She said this staff was not authorized to do a full inspection and weren't able to close a pool. If they discover a problem, it's communicated to the appropriate Health Department permanent staff.*

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Ms. Corbitt said even with the additional summer staff, only one additional visit, sometimes two, could be made to pools. She said although the Health Department was limited in the number of times it could visit a pool, each facility must have a pool operator by state law and the operator was responsible for their respective pool on a daily basis. She said Health Department staff was in communication with pool operators, at the beginning of the season and at the end of the season.

Ms. Corbitt said pool owners and operators were “ultimately” responsible for the safety of the pool.

Commissioner Clarke asked if pool operators were owners of the pool or was a third party providing that service. *Ms. Corbitt said it varied depending on the pool but both were applicable.*

Commissioner Clarke asked if more problems occurred with the owners being the operator or with third-party operators. *Ms. Corbitt said she was not in a position to answer that question.*

Commissioner Clarke said less problems would probably occur using a third-party service provider. He said they would had the needed expertise and reputation to uphold.

Commissioner Clarke said the Board needed to consider this issue carefully before rushing to add staff. He asked how long had the County been operating under the current state system. *Ms. Corbitt said the state law went into effect late 2010. She said prior to that the County did all post inspections, no pre-permit inspections were done. She said Mecklenburg County pre-permit inspections began in 2012 to meet the demand.*

Commissioner Clarke said improvements were needed, but they should be done in a “thoughtful way.”

Commissioner Puckett said he was recently contacted by one of the largest third party pool maintenance companies in NC, that said the County had “missed the mark for years,” with respect to the issue of pool inspections.

Commissioner Puckett gave examples of negative experiences that were shared with him. He said he would give the County Manager the name and contact information of the person that contacted him, Brian Sheehan, owner of Swim Club Management Group.

Commissioner Puckett said he wasn’t sure if the problem was just a lack of staffing.

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

**DEPARTMENTAL DIRECTORS' MONTHLY REPORTS - NONE**

**STAFF REPORTS & REQUESTS - NONE**

**COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE**

**CONSENT ITEMS**

**Motion was made by Commissioner Fuller, 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):**

**17-4029      BUDGET AMENDMENT – LUESA AUCTION REVENUE**

Recognize, receive and appropriate revenue of \$63,268.78 from the County vehicle auction held on April 1, 2017, once funds are received from the City of Charlotte.

**17-4030      HISTORIC COURTHOUSE – LIMESTONE REPAIR PROJECT**

Award a Contract to Midwest Maintenance, Inc. in the amount of \$672,003 for the limestone repairs at the Historic Courthouse (700 E. Trade St.)

**17-4034      FLOOD MITIGATION ENGINEERING SERVICES**

Authorize the County Manager to negotiate and execute a Flood Mitigation Engineering Services Contract between Mecklenburg County and Armstrong Glen, P.C.

**17-4036      STORM WATER PROGRAM – FY17 HAZARD MITIGATION FLOODPLAIN ACQUISITION**

1. Accept the Offer of Sale of Real Estate from ZCM Real Estate, LLC, owner of property located at 848 Seldon Drive, Charlotte, NC (tax parcel 069-051-05), for \$90,000,

**June 06, 2017**

2. Accept the Offer of Sale of Real Estate from Brian & Starr Haigler, owners of property located at 2636 Commonwealth Avenue, Charlotte, NC (tax parcel 129-034-10), for \$185,000; and

3. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structures for training exercises.

*Note: Since late 1999, Mecklenburg County has used local storm water fee revenue to acquire property that will minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.). The requested actions will consist of acquiring and demolishing the existing residences using County Storm Water Services capital funds.*

**17-4041      DUKE ENERGY LIGHTING SERVICE CONTRACTS – PARK AND RECREATION**

Approve three (3) 10-year lighting service contracts with Duke Energy for new lighting and underground service for new indoor shelters and park sidewalk lighting as follows: Hornet's Nest Indoor Shelter \$25,852.80, Veterans Park Indoor Shelter \$58,423.20 and sidewalk lighting at Five Points Park \$55,821.60.

**17-4046      CONSTRUCTION CONTRACT – LITTLE SUGAR CREEK GREENWAY AND STREAM REHABILITATION (ARCHDALE ROAD TO I-485)**

Award a construction contract to Blythe Development Company in the amount of \$13,077,298.25 for the Little Sugar Creek Greenway and Stream Rehabilitation (Archdale Road to I-485).

**17-4047      TAX REFUNDS**

Approve refunds in the amount of \$3,479.19 and interest as statutorily required to be paid as requested by the County Assessor.

*Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$0.*

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

**17-4048      FORMER INTAKE CENTER – ROOF REPLACEMENT PROJECT**

**June 06, 2017**

Award a contract to Western Specialty Contractors in the amount of \$2,096,617 for the Former Intake Center - Roof Replacement Project.

**17-4050 MINUTES**

1) Approve Minutes of Regular meeting held May 16, 2017, Special Meeting held May 30, 2017 and Closed Session held May 16, 2017; and

2) Authorize the Clerk to the Board to amend the May 2, 2016 Closed Session minutes, Item 17-3998 Business Location and Expansion to show the arrival of Commissioner Dunlap into the meeting.

**17-4053 EASEMENT ACQUISITION – MCALPINE CREEK GREENWAY**

Authorize the County Manager to negotiate all documents necessary for acquisition of a Permanent Greenway and Storm Drainage Easement ( $\pm 0.37$  acres) on Tax Parcels 213-091-11, 213-091-12 and 213-091-13 owned by Robert Bradford and Patricia Moran Lee (Property Owners) for the construction of the McAlpine Creek Greenway project for \$4,100.

**17-4055 BUDGET AMENDMENT – CRIMINAL JUSTICE SERVICES (REVENUE INCREASE)**

Recognize, receive and appropriate \$7,300 in revenue received for Forensic Screening Evaluations.

*Note: Criminal Justice Services' Forensic Evaluations Unit has a Memorandum of Agreement (MOA) with Cardinal Innovations that allows the Forensic Evaluations Unit to receive and execute the court orders from Mecklenburg County District and Superior Courts for Forensic Screening Evaluations to assess a defendant's capacity to proceed to trial. As a function of this MOA, the Forensic Evaluations Unit receives a payment of \$100 from Cardinal Innovations for each forensic screening evaluation completed by either a County employee or a contract evaluator.*

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**17-4060 GRANT APPLICATION – FUNDING FOR GRANTS TO REPLACE AGING DIESEL ENGINES (GRADE)**

1. Approve submission of an application to the U.S. Environmental Protection Agency for up to \$400,000 in Diesel Emission Reduction Act grant funds to fund local GRADE program,
2. Upon award of grant, recognize, receive and appropriate the grant money; and
3. Authorize the carry forward of unspent grant funds to subsequent years until completion of the project.

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

*Commissioner James left the meeting.*

**17-4039 GRANT APPLICATION – OLDER REFUGEE ASSISTANCE PROGRAM (PARK AND RECREATION)**

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

1. Approve an application for up to \$50,000 for a Refugee Assistance - Services to Older Refugees Program grant from the Division of Social Services of the NC Department of Health and Human Services; and
2. If awarded, recognize, receive and appropriate such funds for the grant period.

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

**17-4040 GRANT APPLICATION – HEALTH PROMOTION/DISEASE PREVENTION (PARK AND RECREATION)**

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

**June 06, 2017**

1. Approve an application for up to \$5,500 for a Health Promotion/Disease Prevention (HPDP) grant from The Area Agency on Aging; and
2. If awarded, recognize, receive and appropriate such funds for the grant period.

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

**17-4043 DONATION OF PLAYGROUND EQUIPMENT FROM THE CAROLINA PANTHERS**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the donation of playground equipment from the Carolina Panthers valued at \$215,000 to be installed at Reedy Creek Park.

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

***Commissioner Cotham left the dais until noted in the minutes.***

**17-4044 BUDGET AMENDMENT – DSS (REVENUE DECREASE)**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

1. Reduce state and federal Medicaid revenue in the amount of \$1,157,011; and

*Note: In February 2017, the North Carolina Medicaid program changed how Medicaid transportation services are billed and collected. Contracted transportation providers now bill the state directly rather than billing the counties as pass through. The Medicaid transportation budget is being reduced by \$1,157,011 due to this change. Service delivery to clients is not affected.*

2. Reduce Low Income Energy Assistance Program (LIEAP) federal revenue in the amount of \$1,700,000.

*Note: The North Carolina Division of Social Services (NCDSS) allocates federal revenue to assist eligible low income households with one-lump sum payment to apply toward heating expenses. Department of Social Services (DSS) spent approximately \$1,587,800 of the budget. The adopted budget of \$3,620,052 will be reduced by \$1,700,000.*

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

**Commissioner Cotham returned to the Dais.**

**17-4052 CHARLOTTE-MECKLENBURG SCHOOLS LEASE**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a resolution titled "Mecklenburg County Board of Commissioners Resolution Authorizing Charlotte-Mecklenburg Board of Education to Negotiate and Execute a Lease with 5401 Hovis Road II, LLC" for warehouse space at 5401 Hovis Road for an additional five (5) year lease term.

*Note: North Carolina G.S. 115C-530 stipulates that operational leases of real or personal property for use as school buildings or facilities for three (3) years or greater must be approved by a resolution adopted by the local board of county commissioners.*

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

**MECKLENBURG COUNTY  
BOARD OF COMMISSIONERS  
RESOLUTION AUTHORIZING CHARLOTTE-MECKLENBURG  
BOARD OF EDUCATION TO NEGOTIATE AND EXECUTE A LEASE WITH  
5401 HOVIS ROAD II, LLC, OWNER OF 5401 HOVIS ROAD**

**WHEREAS**, Charlotte-Mecklenburg Board of Education has submitted a request to the Mecklenburg County Board of County Commissioners to authorize Charlotte-Mecklenburg Schools to negotiate and execute a lease extension for warehouse space for the storage of operational equipment; and

**WHEREAS**, Charlotte-Mecklenburg Schools finds that the proposed lease space at 5401 Hovis Road will adequately meet its needs; and

**WHEREAS**, Charlotte-Mecklenburg Schools has agreed to the following proposed business terms:

**Location** 5401 Hovis Road  
Charlotte, NC 28206

**Total Square Footage** Approximately 100,000 Rentable SF

**Lease Term** Five (5) Years



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**Rent (Years 1-5)** \$3.25/SF for a total of \$1,725,469

**Annual Escalations** 3%

**Operating Expenses** CMS will be responsible for its proportionate share of common area maintenance charges, real estate taxes, and property insurance.

**Maintenance** Tenant is responsible for maintaining the interior of the Premise, including all windows, doors, dock levelers, truck doors, dock bumpers, electrical (including all interior and exterior lighting), mechanical, utility, HVAC, sprinkler service and plumbing systems and janitorial service.

**Utilities** Tenant is responsible for paying all utilities, including but not limited to, gas electricity, water, and telephone

**Parking** Tenant is also granted the exclusive right to use the parking located on the Property adjacent to the Building; and

**WHEREAS**, pursuant to G.S. 115C-530 the Board of County Commissioners has determined that it would be in the public interest for it to authorize Charlotte-Mecklenburg Schools to negotiate and execute a lease for warehouse space at 5401 Hovis Road; now, therefore, be it

**RESOLVED** that the Mecklenburg County Board of Commissioners does hereby authorizes the Charlotte-Mecklenburg Board of Education, or its designee, to negotiate and execute a formal lease extension agreement with 5401 Hovis Road II, LLC consistent with the business terms outlined above.

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

**ADJOURNMENT**

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:38 p.m.

\_\_\_\_\_  
Janice S. Paige, Clerk

\_\_\_\_\_  
Ella B. Scarborough, Chair