

JUNE 18, 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, June 18, 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, and 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: 19-5459, 19-5477, 19-5491, 19-5492, 19-5503, 19-5504, 19-5505, 19-5506, 19-5507, 19-5508, 19-5515, 19-5519, and 19-5521.

STAFF BRIEFINGS

19-5525 CLERK TO THE BOARD POSITION

The Board received information regarding the retirement of the Clerk to the Board and the recruitment plan for her successor.

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Assistant County Manager/Chief of Staff Derrick Ramos presented the plan to the Board.

Note: Janice S. Paige, Clerk to the Board of County Commissioners will be retiring at the end of this year, 2019 with 33 years of dedicated service to Mecklenburg County. She has a total of 35 years of local government service, having worked for the City of Lancaster, S.C. prior to coming to the County. The Clerk to the Board is an appointed position made by the Board of County Commissioners.

Assistant County Manager/Chief of Staff Ramos said the Board would be asked at the July 2, 2019 meeting to establish a Board Ad Hoc Interview Committee, who would interview potential candidates and make a recommendation for appointment consideration to the full Board.

Assistant County Manager/Chief of Staff Ramos said the recruitment process would begin this month with the goal of having someone in place by the fall. The incoming Clerk would work alongside the current Clerk until her retirement. It was noted that the double slotting of the position would allow time for the incoming Clerk to be trained by the existing Clerk on County's policies, procedures, and systems used by the Clerk's Office. The incoming Clerk would assume full responsibilities for the Clerk's Office upon the existing Clerk's retirement.

Commissioner Leake asked that Johnson C. Smith University be contacted regarding the recruitment for the position.

Commissioner Powell asked was it possible for the existing Clerk to participate in the interview process. *County Manager Diorio said it was possible but not a recommended best practice.*

Chair Dunlap said it could be intimidating for the candidate.

Chair Dunlap said he would have the names of those who would serve on the ad hoc committee by the next Regular meeting, July 2.

CLOSED SESSION

- 19-5449 TO PREVENT DISCLOSURE OF INFORMATION THAT IS CONFIDENTIAL
PURSUANT TO G.S. 105-259. (G.S. 143-318.11(A)(1))**
- 19-5494 LAND ACQUISITION**
- 19-5501 CONSULT WITH ATTORNEY**

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

Prior to going into Closed Session County Attorney Wade announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcel(s): 105-091-19, 105-091-21, and 105-091-27; 107-231-04 and 107-231-06; and 009-111-20, 009-111-27, and 009-111-33.

Motion was made by Commissioner Scarborough, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to go into Closed Session for the following purpose(s): To Prevent Disclosure of Information That Is Confidential Pursuant To G.S. 105-259. (G.S. 143-318.11(a)(1) and Land Acquisition.

The Board went into Closed Session at 5:15 p.m. and came back into Open Session at 5:47 p.m.

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

-FORMAL SESSION-

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

Motion was made by Commissioner Scarborough, seconded by Commissioner Powell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to move up on the Agenda, Item 19-5522 Dedicated Sales Tax for Arts & Culture and Other Uses as suggested by Chair Dunlap.

Note: This was suggested in light of the number of persons present in the audience regarding this matter.

AWARDS/RECOGNITION

19-5521 JOINT PROCLAMATION - LEA TOLBERT DAY

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 adopt a Joint Proclamation declaring June 18, 2019, as Lea Tolbert Day in Charlotte/Mecklenburg County.

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Note: Lea Tolbert is retiring after 30 years of service with Crisis Assistance Ministry and thus, to the community. This is the longest any Crisis Assistance Ministry employee has served in the agency's 44-year history. Crisis Assistance Ministry is Charlotte-Mecklenburg's Lead Agency for eviction prevention, utility assistance, and the basic needs in life for those in need.

Commissioners Fuller and Leake removed this item from Consent for more public awareness. Commissioner Fuller read the proclamation.

Ms. Tolbert thanked the Board for recognizing her.

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PROCLAMATION

City of Charlotte/Mecklenburg County

WHEREAS, Crisis Assistance Ministry is Charlotte-Mecklenburg’s lead agency for eviction prevention, utility assistance, and the basic needs in life; and

WHEREAS, Mrs. Lea Tolbert, has served Crisis Assistance Ministry in the Charlotte-Mecklenburg community for 30 years, longer than any employee in the agency’s 44-year history; and

WHEREAS, Mrs. Lea Tolbert started out volunteering at the agency’s clothing store ensuring that it was always stocked and cleaned and all customers were served with dignity; and

WHEREAS, Mrs. Tolbert subsequently became the manager of The Community Free Store, which today distributes more than one million items free-of-charge to families in need; and

WHEREAS, today she serves as the Crisis Assistance Ministry’s voice, answering the phone for people seeking help, hope and patiently guiding and reassuring callers; and

WHEREAS, Mrs. Tolbert has been the sole organizer of an on-site food pantry since the agency began providing services out of the Caroline Love Myers Building, addressing the food insecurity that often goes hand-in-hand with poverty; and

WHEREAS, Mrs. Tolbert works in seamless collaboration with Loaves and Fishes along with other hunger-fighting partners, further strengthening the agency’s ability to create stability for customers; and

WHEREAS, Mrs. Tolbert has impacted thousands of customers, faithful volunteers and fellow employees over the years with her listening ear and quiet but strong voice; and

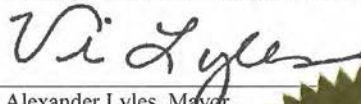
WHEREAS, her genuinely kind spirit and big, caring heart is a model not only in how to serve but in how to love your neighbors.

NOW, THEREFORE, WE, Vi Alexander Lyles, Mayor of Charlotte, and George R. Dunlap, Chair of the Mecklenburg Board of County Commissioners, do hereby proclaim, June 18, 2019 as

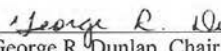
“LEA TOLBERT DAY”

in Charlotte and Mecklenburg County.

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


Vi Alexander Lyles, Mayor
City of Charlotte




George R. Dunlap, Chair
Mecklenburg Board of
County Commissioners



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PUBLIC APPEARANCE

19-5499 PUBLIC APPEARANCE

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

Sarah Haley, Aldair Hernandez-Riviera, Allen Smith, and Rob Kidwell addressed climate change and the impacts of it on the environment and one's health. They suggested the Board take some form of action to address this issue, sooner rather than later.

Brenda Anderson addressed an ADA (American With Disabilities Act) concern as it relates to her use of special transportation services provided by the Department of Social Services. Ms. Anderson said she was being transported to a doctor's appointment on two occasions by transportation providers contracted by the Department of Social Services and on both occasions her safety was at risk. On one of those occasions she fell out of her wheelchair. Ms. Anderson said she filed a complaint but the response to her complaint was not acted upon in a timely manner. Ms. Anderson said she still wanted an answer as to what caused her to fall out of her wheelchair, was it a "lack of safety straps or lack of safety monitoring of the medical transport vans." Ms. Anderson said since her complaint another disabled person had fallen out of their wheelchair due to the lack of straps. Ms. Anderson said she was asking the Board to look into this matter.

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

James Lee addressed the need for affordable housing. He also said the Brooklyn Village project should honor the history of the area.

Lilly Taylor registered to speak but was not present.

COUNTY COMMISSIONERS REPORTS & REQUESTS

19-5522 DEDICATED SALES TAX FOR ARTS & CULTURE AND OTHER USES (CHAIR DUNLAP)

Chair Dunlap introduced the agenda item regarding a proposal to increase the local sales tax by a quarter (¼) cents to fund arts and culture, as well as other County programs and consideration to place a referendum on the November 5, 2019 ballot; and governance model.

Note: The sales tax would generate approximately \$50 million per year. The Board will have to

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determine which model will provide the best support for the arts community as well as transparency and control over the dollars.

On February 12, 2019 the Board of County Commissioners received a report from the Arts and Science Council (ASC) proposing that the County consider placing a referendum on the ballot to levy an additional quarter cents sales tax. The ASC proposed that \$20 million of the \$50 million that would generated, be allocated to funding arts and cultural programs and institutions throughout the county and the remainder allocated to other purposes. To gauge community sentiment for the proposal, the Charlotte Regional Business Alliance Foundation contracted with Well World Solutions to poll County residents.

On April 16, 2019 the Board received as information, the results of the poll by Well World Solutions. No action was taken or required at that time. Chair Dunlap indicated that the appropriate time for the Board to take action would come at a later date. Thus, the matter was placed on the June 18, 2019 agenda for further discussion and action.

The following persons appeared to speak in support of placing the matter on the ballot and the benefits to be gained from levying an additional quarter (¼) cents local sales tax:

Bart Landess, Catawba Land Conservancy and Carolina Thread Trail; Candance Taylor Anderson; Carroll Gray; Kathryn Hill, President/CEO of Levine Museum of the New South; Kieth Cockrell; Linda Reynolds, Children's Theatre of Charlotte; Ashley Joseph; Charles Bowman, Bank of America; Douglas Singleton, The Charlotte Ballet; Dana Lumsden; Francisco Alvarado; Bryan Wilson, Artist; Stacy Utley, Artist; Patrice Gopo, Writer; Carlos Cruz, Professor at UNC-Charlotte; Jim Dunn, Atrium Health; Lonnie Davis, Jazzarts Charlotte; and Denise Sutton.

A copy of a handout from Mr. Landess is on file with the Clerk to the Board.

The following person spoke in opposition: Sam Spencer.

Mr. Spenser said there were other needs that these funds could be used for. He said it should be looked at from a long-term perspective. He said others should be heard from as well.

Erlene Lyde registered to speak but was not present.

Comments

Commissioner Jerrell noted the following:

- The decision for the Board was whether to move forward with placing this matter on the ballot.

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- The decision would impact everyone.
- Thought should be given as to how this would impact “the least of us.”
- There should be accountability for this.
- The “least of us” need to have access to the arts.
- This is worthwhile to do, but the aforementioned items should be kept in mind.

Commissioner Scarborough spoke in support of the proposal and addressed the importance of arts and culture. She note that her son was a teacher of the arts.

Commissioner Cotham noted the following:

- She’s supportive of the arts.
- She’s concerned, however, about the impact of an additional sales tax on those in need.
- She’s concerned about the timing of the request, in light of revaluation.
- She did not support this type of proposal in 2014.
- She’s concerned about the affordability of this for everyone.

Commissioner Powell noted the following:

She values the arts and culture.

She’s struggling, however, with this proposal.

She doesn’t support the current proposed distribution of the tax.

She’d like to see more allocated for parks and education.

She’d like more dialogue to take place regarding the proposed distribution of the tax.

Commissioner Fuller noted the following:

- Arts and culture are an intricate part of having a good quality of life.
- The economic impact of arts and culture was noted.
- The question before the Board was a “business” one.
- Other community needs should be kept in mind, as well.
- More time was needed to discuss this matter, including, other possible uses, such as Pre-K.
- The question on the ballot would only ask for a vote of yes or no for the sales tax increase. He said there would be no language regarding use of the funds generated.
- There has to be a linkage between the ballot question and the proposed uses for the revenue generated.
- The objective needs to be making the public aware of what it will be used for.
- If it’s public dollars, the governance should be with the government.
- It may be best to decide on the governance model later because some may use it to “derail” the process.
- He’s supportive of placing it on the ballot to let the voters decide.

Commissioner Leake noted the following:

- This would help the Arts & Science Council (ASC) fund their programs; and questioned if this was right to do for the ASC and not others.
- The County's role was in the areas of Health and Human Services.
- Many of her constituents can't afford to participate in the ASC Arts & Culture events.
- The ASC's budget and salaries were referenced.
- Education would be her #1 recipient with respect to the distribution of the funds.
- The process should be "fair."
- She loves the arts, personally, however, the process needs to be "equitable for the weakest of the weak."

Commissioner Rodriguez-McDowell noted the following:

- This was a conflicting issue for her.
- She supports education and the arts.
- The arts is a form of education.
- She regrets that others weren't present to speak.
- Balance was needed.
- Arts can be a tool for achieving "equity."
- She'd like to see a balance in the distribution of the funds.
- Whatever was decided upon would still impact the low income more.
- Everyone should have access to the arts, regardless of their income.
- She supports placing the matter on the ballot for the voters to decide.

Commissioner Harden noted the following:

- Passage of this measure would be "transformational" for the community.
- It's an investment in teachers and in "our children."

Chair Dunlap noted the following:

- The "least of us" would have the opportunity to have access to the arts.
- The question was whether the Board was going to allow the voters the opportunity to say yes or no to a proposed increase in the sales and use tax.
- He spoke in support of placing the matter on the ballot to allow the voters to decide.

Commissioner Rodriguez-McDowell suggested the distribution be changed as follows:

Arts & Culture	40% rather than 49%
Education	20% rather than 16%

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Parks & Greenways 40% rather than 30%

Commissioner Leake said she was uncomfortable with trying to make a decision at tonight's meeting.

Commissioner Fuller said he wanted to know at the June 25 meeting, how the proposed distribution was determined and by whom.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-1 with Commissioners Cotham, Dunlap, Fuller, Harden, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes and Commissioner Jerrell voting no, to defer further discussion of this matter until the Board's June 25, 2019 Budget/Public Policy meeting.

Chair Dunlap said if anyone had additional questions to share them with the County Manager, prior to the June 25th meeting.

Chair Dunlap asked County Manager Diorio to describe the governance models, which was done.

This concluded the discussion.

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

APPOINTMENTS

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

19-5410 NOMINATIONS/APPOINTMENTS

ALCOHOLIC BEVERAGE CONTROL BOARD

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to reappoint Kenneth Carrick, Carl Daniel, and Monifa Drayton to the Alcoholic Beverage Control Board for three-year terms expiring June 30, 2022.

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

CHARLOTTE WATER ADVISORY COMMITTEE

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Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and carried 7-0 with Commissioners Cotham, Dunlap, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to reappoint Barbara Bleiweis to the Charlotte Water Advisory Committee as the Neighborhood Leader representative for a three-year term expiring June 30, 2022.

HISTORIC LANDMARKS COMMISSION

The following persons were nominated for appointment consideration to the Historic Landmarks Commission:

Robert Barfield	by Commissioner Powell
Brian Clarke	by Commissioner Leake

Note: An appointment will occur at the July 2, 2019 meeting.

HUMAN RESOURCES ADVISORY COMMITTEE

Motion was made by Commissioner Leake, seconded by Commissioner Powell and carried 7-0 with Commissioners Cotham, Dunlap, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to reappoint Jennifer Golynsky, Christine Schmid, and Jeremy Stephenson to the Human Resources Advisory Committee for three-year terms expiring June 30, 2022.

Commissioner Harden returned to the dais.

JUVENILE CRIME PREVENTION COUNCIL

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to reappoint Leigh Altman (JDA), Beverly Dorn Steele (GP), Wanda Douglas (GP), Anthony Gonzalez (GP), and Kevin Poirier (GP) to the Juvenile Crime Prevention Council for two-year terms expiring June 30, 2021.

The following persons were nominated for appointment consideration to the Juvenile Crime Prevention Council for the **Business Community** Slot:

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Susan Tompkins
Irene Vogelsong

by Commissioner Harden
by Commissioner Rodriguez-McDowell

Note: An appointment will occur at the July 2, 2019 meeting.

REGION F AGING ADVISORY COMMITTEE

Motion was made by Commissioner Scarborough, seconded by Commissioner Powell and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to reappoint Jeannie Fennell to the Region F Aging Advisory Committee for a Delegate slot for a two-year term expiring June 30, 2021.

STORM WATER ADVISORY COMMITTEE

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 reappoint William Cornett to the Storm Water Advisory Committee as the General Contractor representative for a three-year term expiring June 30, 2022.

WOMEN'S ADVISORY BOARD

No action taken. Matter will be placed on the July 2, 2019 Agenda.

19-5513 APPOINTMENTS

CENTRAL PIEDMONT COMMUNITY COLLEGE BOARD OF TRUSTEES

Commissioner Jerrell presented the Board's Ad Hoc Appointment Interview Committee Recommendation for appointment consideration to the Central Piedmont Community College Board of Trustees. The committee members were Commissioners Jerrell (Chair), Leake, Powell, and Harden. The committee recommended the appointment of Michael Evans.

Commissioner Fuller returned to the dais.

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Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to appoint Michael Evans to the Central Piedmont Community College Board of Trustees for a four-year term expiring June 30, 2023.

Note: He will replace Wilhelmania Rembert, who will have served two consecutive terms.

LIBRARY BOARD OF TRUSTEES

Commissioner Jerrell presented the Board's Ad Hoc Appointment Interview Committee Recommendation for appointment consideration to the Library Board of Trustees. The committee members were Commissioners Jerrell (Chair), Leake, Powell, and Harden. The committee recommended the Board re-open nominations.

It was the consensus of the Board to reopen nominations and direct the Clerk to continue to advertise for additional applicants and notify Lee Keesler, Chief Executive Officer, Charlotte Mecklenburg Library.

Note: The matter will come back to the Board for consideration at the August 7, 2019 meeting.

PUBLIC HEARINGS

19-5451 TEFRA HEARING - QUEEN CITY STEM SCHOOL PROJECT

Note: As more fully explained in the Resolution, Charlotte Education Services, LLC, a North Carolina liability company (the "Borrower"), which is wholly owned by Charlotte Education Foundation d/b/a Queen City STEM School (the "Foundation") a North Carolina nonprofit corporation has requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the "Authority"), issue its Charter School Revenue Bonds (Queen City STEM School Project) Series 2019 (the "Bonds"), in an aggregate principal amount not to exceed \$8,000,000 and loan the proceeds thereof to the Borrower for the following purposes: (a) finance, refinance or reimburse the costs of acquisition of an approximately 5.74-acre site located at 9026 Mallard Creek Road, Charlotte, Mecklenburg County, North Carolina (which site will be owned by the Borrower and leased to the Foundation) and the two buildings located thereon, consisting of a 9,487 square foot building containing classrooms and a 20,280 square foot building containing a gymnasium, kitchen, classrooms and offices, at which the Foundation will operate a new campus of the Queen City STEM School (the

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“School”) for grades 6-12 which will be referred to as the Queen City STEM School - Secondary, and renovate, equip and furnish the buildings at this campus (the cost of acquisition, renovation and equipping estimated not to exceed \$6,000,00),

(b) finance, refinance or reimburse the costs of renovations, capital improvements and equipment and furniture purchases at the Foundation’s existing school campus located at 8701 Mallard Creek Road, Charlotte, Mecklenburg County, North Carolina (which is owned by the Borrower and leased to the Foundation) at which the Foundation operates the existing campus of the Queen City STEM School - Elementary for Kindergarten through 5th grade (estimated not to exceed \$500,000),

(c) fund related costs of the Project and certain reserve funds, and

(d) pay costs of issuance of the Bonds (collectively, the “Project”). Queen City STEM School is using the Wisconsin Public Finance Authority as the issuer of the Bonds because of a desire to have a 30-year maturity on the debt; the North Carolina Capital Facilities Finance Agency, which would be the North Carolina issuer, has a policy which prohibits a bond maturity greater than 20 years.

In order to comply with federal tax law, and the Code and approval requirements, Queen City STEM School has requested that the Mecklenburg County Board of Commissioners hold a public hearing and approve the Resolution. This approval will not make the County responsible in any way for the Bonds or the Project financed with bond proceeds. Hosting the public hearing and approving the issuance of the Bonds are merely ministerial acts that will enable the Borrower to comply with federal tax law requirements in order that interest on the Bonds be exempt from federal income tax.

At 9:15 p.m., the Chairman announced that the Board would proceed to hold a public hearing and would hear anyone who wished to be heard on the proposed issuance by the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the "Authority"), of its Charter School Revenue Bonds (Queen City STEM School Project) Series 2019 (the "Series 2019 Bonds"), in an aggregate principal amount not to exceed \$8,000,000, the proceeds of which will be loaned to Charlotte Education Services, LLC, a North Carolina limited liability company (the "Borrower"), the sole member of which is Charlotte Education Foundation, d/b/a Queen City STEM School, a North Carolina nonprofit corporation (the "Foundation").

The proceeds of the Series 2019 Bonds will be used to (a) finance, refinance or reimburse the costs of acquisition of an approximately 5.74-acre site located at 9026 Mallard Creek Road, Charlotte, Mecklenburg County, North Carolina (which site will be owned by the Borrower and leased to the Foundation) and the two buildings located thereon, consisting of a 9,487 square

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foot building containing classrooms and a 20,280 square foot building containing a gymnasium, kitchen, classrooms and offices, at which the Foundation will operate a new campus of the Queen City STEM School (the "School") for grades 6-12 which will be referred to as the Queen City STEM School - Secondary, and renovate, equip and furnish the buildings at this campus (the cost of acquisition, renovation and equipping estimated not to exceed \$6,000,000), (b) finance, refinance or reimburse the costs of certain renovations, capital improvements and equipment and furniture purchases at the Foundation's existing school campus located at 8701 Mallard Creek Road, Charlotte, Mecklenburg County, North Carolina (which is owned by the Borrower and leased to the Foundation) at which the Foundation operates the existing campus of the Queen City STEM School – Elementary for kindergarten through 5th grade (estimated not to exceed \$500,000), (c) fund related costs of the Project and certain reserve funds, and (d) pay costs of issuance of the Bonds (collectively, the "Project").

On June 11, 2019, a notice of public hearing was published in *The Charlotte Observer*, a copy of the affidavit of publication being attached, setting forth a general, functional description of the type and use of the Project to be financed or refinanced, the maximum principal amount of the Series 2019 Bonds, the initial owner and operator of the Project and the location of the Project, among other things.

Motion was made by Commissioner Vilma D. Leake, seconded by Commissioner Mark Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Harden, Fuller, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to open the public hearing.

The names, addresses and testimony of the persons who were present and who offered comments on the proposed issuance of the Series 2019 Bonds or who responded in writing to the notice of public hearing are as follows: None.

The Chairman of the Board inquired elsewhere in and around the meeting room to determine whether there were any other persons who wished to speak at the public hearing. The Chairman of the Board determined that no other persons who wished to speak at the public hearing were found.

After the Board had heard all persons who had requested to be heard, Commissioner Ella B. Scarborough moved that the public hearing be closed. The motion was seconded by Commissioner Vilma D. Leake and was unanimously adopted.

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

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RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS CHARTER SCHOOL REVENUE BONDS (QUEEN CITY STEM SCHOOL PROJECT) SERIES 2019 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$8,000,000

WHEREAS, Charlotte Education Services, LLC, a North Carolina limited liability company (the "Borrower"), the sole member of which is Charlotte Education Foundation, d/b/a Queen City STEM School, a North Carolina nonprofit corporation (the "Foundation"), has requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the "Authority"), issue its Charter School Revenue Bonds (Queen City STEM School Project) Series 2019 (the "Series 2019 Bonds"), in an aggregate principal amount not to exceed \$8,000,000, and loan the proceeds thereof to the Borrower to (a) finance, refinance or reimburse the costs of acquisition of an approximately 5.74-acre site located at 9026 Mallard Creek Road, Charlotte, Mecklenburg County, North Carolina (which site will be owned by the Borrower and leased to the Foundation) and the two buildings located thereon, consisting of a 9,487 square foot building containing classrooms and a 20,280 square foot building containing a gymnasium, kitchen, classrooms and offices, at which the Foundation will operate a new campus of the Queen City STEM School (the "School") for grades 6-12 which will be referred to as the Queen City STEM School - Secondary, and renovate, equip and furnish the buildings at this campus (the cost of acquisition, renovation and equipping estimated not to exceed \$6,000,000), (b) finance, refinance or reimburse the costs of certain renovations, capital improvements and equipment and furniture purchases at the Foundation's existing school campus located at 8701 Mallard Creek Road, Charlotte, Mecklenburg County, North Carolina (which is owned by the Borrower and leased to the Foundation) at which the Foundation operates the existing campus of the Queen City STEM School – Elementary for kindergarten through 5th grade (estimated not to exceed \$500,000), (c) fund related costs of the Project and certain reserve funds, and (d) pay costs of issuance of the Bonds (collectively, the "Project");

WHEREAS, pursuant to Section 147(f) of the Code, prior to their issuance, the Series 2019 Bonds are required to be approved by the "applicable elected representative" of a governmental unit having jurisdiction over the area in which the Project is located, after a public hearing held following reasonable public notice;

WHEREAS, pursuant to Section 66.0304(11)(a) of the Wisconsin Statutes, prior to their issuance, bonds issued by the Authority must be approved by the governing body or highest ranking executive or administrator of the political jurisdiction within whose boundaries the Project is to be located;

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

WHEREAS, in 2017, the Authority issued its \$11,425,000 Charter School Revenue Bonds (Queen City STEM School Project), Series 2017 (the "Series 2017 Bonds"), the proceeds of which were loaned to the Borrower and used to acquire the Queen City STEM School facilities located at 8701 Mallard Creek Road, Charlotte, North Carolina, which Series 2019 Bonds were approved by the Board on July 18, 2017; and

WHEREAS, the Series 2019 Bonds will be issued as "additional bonds" under the same bond documentation as the Series 2017 Bonds, with a similar interest rate and maturity; and

WHEREAS, the Borrower has requested that the Board approve the Authority's issuance of the Series 2019 Bonds and the financing or refinancing of the Project located within the County in order to satisfy the requirements of Section 147(f) of the Code;

WHEREAS, the Borrower has requested that the Board approve the financing or refinancing of the Project and the issuance of the Series 2019 Bonds in order to satisfy the requirements of Section 4 of the Amended and Restated Joint Exercise of Powers Agreement Relating to the Public Finance Authority, dated as of September 28, 2010 (the "Joint Exercise Agreement"), and Section 66.0304(11)(a) of the Wisconsin Statutes, all of which govern the Authority;

WHEREAS, the Board, following notice duly given in the form attached hereto as Exhibit A (the "TEFRA Notice"), held a public hearing today regarding the Authority's issuance of the Series 2019 Bonds and the financing or refinancing of the Project and now desires to approve the Authority's issuance of the Series 2019 Bonds and the financing or refinancing of the Project in accordance with the Code;

WHEREAS, the Series 2019 Bonds shall not be deemed to constitute a debt of the County or a pledge of the faith and credit of the County, but shall be special limited obligations of the Authority payable solely from the loan repayments to be made by the Borrower to the Authority, and shall contain on the face thereof a statement to the effect that neither the faith and credit nor the taxing power of the County is pledged to the payment of the principal of or interest on the Series 2019 Bonds; and

BE IT RESOLVED by the Board of Commissioners as follows:

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Section 1. Pursuant to and in accordance with the requirements of Section 147(f) of the Code and Section 66.0304(11)(a) of the Wisconsin Statutes and Section 4 of the Joint Exercise Agreement, the Board hereby approves (a) the Authority's issuance of the Series 2019 Bonds in an aggregate principal amount not to exceed \$8,000,000 and (b) the financing or refinancing of the Project.

Section 2. The County has no responsibility for the payment of the principal of or interest on the Series 2019 Bonds or for any costs incurred by the Borrower with respect to the Series 2019 Bonds or the Project.

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

On motion of Commissioner Ella B. Scarborough, seconded by Commissioner Vilma D. Leake, the foregoing resolution entitled "RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS CHARTER SCHOOL REVENUE BONDS (QUEEN CITY STEM SCHOOL PROJECT) SERIES 2019 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$8,000,000" was duly adopted by the following vote:

AYES: Commissioners Patricia "Pat" Cotham, George Dunlap, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, Susan Rodriguez-McDowell, and Ella B. Scarborough

NAYS: None

Resolution/Extract recorded in full in Ordinance/Minute Book 48-A, Document #43.

19-5481 HEALTH DEPARTMENT RULES GOVERNING THE CONTROL OF RABIES AND ZOOSES

Motion was made by Commissioner Leake, seconded by Commissioner Rodriguez-McDowell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell and Scarborough voting yes, to adopt revised Mecklenburg County Health Department Rules Governing the Control of Rabies and Zoonoses.

Note: In May 1999, the Board of County Commissioners adopted the current Mecklenburg County Rabies and Zoonoses Ordinance. The Ordinance, as then adopted, followed the statutory requirements in place at the time. Since that time the state has revised the guidelines for handling rabies cases.

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Until recently, the research strongly suggested the need for euthanasia or six-month quarantine for animals that were exposed to rabies but never vaccinated or exposed but were overdue for vaccination. There were strict requirements as to what procedure had to be followed. Recent guidance from the National Association of State Public Health Veterinarians (NASPHV) has recommended changes to the prior protocol for handling post exposure rabies cases. The guidance from NASPHV was published in March 2016 and provided new information on how public health officials should manage exposure for dogs, cats and ferrets. This revised NASPHV guidance recommends a complex approach that differentiates between animals that have been vaccinated versus those that are overdue.

In 2017 the General Assembly revised the statutes that govern post exposure management under S.L.2017-106 and removed all the language that previously required euthanasia or quarantine. The law now refers directly to the NASPHV guidance. In light of the statutory changes, the NC Division of Public Health sent health department directors a memorandum recommending they adopt the NASPHV guidance.

The County's current Ordinance is not consistent with the state statute and duplicates services. Additionally, the County will no longer need the Ordinance as currently written regarding animal holding facilities permits; licensing and records; standards as these are now covered by Dept of Agriculture rules.

If approved, these regulations shall be in full force and effective from and after June 18, 2019.

Rules recorded in full in Minute/Ordinance Book 48-A, Document #44.

ADVISORY COMMITTEE REPORTS

19-5490 2019 MECKLENBURG COUNTY CHILD FATALITY PREVENTION AND PROTECTION TEAM (CFPPT) ANNUAL REPORT

The Board received the annual report of the Mecklenburg County Child Fatality Prevention and Protection Team (CFPPT).

Bob Simmons, Former Chair of Mecklenburg County Child Fatality Prevention and Protection Team gave the report and addressed questions.

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

Chair Dunlap thanked Mr. Simmons for the report.

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

MANAGER'S REPORT

19-5531 FY2020 RESTRICTED CONTINGENCY UPDATE: COMMONWEALTH CHARLOTTE AND HOPE HAVEN

The Board received a status update on funding placed in restricted contingency in FY2020 for Commonwealth Charlotte and Hope Haven. Assistant County Manager Mark Foster gave the update.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, and Scarborough voting yes, to release funds from restricted contingency in the amount of \$50,000 to Commonwealth Charlotte effective July 1 to support a community service grant that supports financial literacy & credit counseling services; and \$452,080 to Hope Haven effective July 1 to support residential drug rehabilitation services.

Note: During the development of the FY2020 Adopted Budget, the Board supported the Manager's recommendation to place funding for Commonwealth Charlotte and Hope Haven into restricted contingency. The following is the language of the restricted contingency for each agency: Commonwealth Charlotte - funding held until the organization submits independently audited financial statements that meet Generally Accepted Accounting Principles; and, Hope Haven - funding held until the organization presents a detailed financial recovery plan to the County Manager, demonstrates capacity to execute the strategies of the plan, and hire an Executive Director.

Commissioner Powell returned to the dais.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

19-5386 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information monthly department management reports for June 2019.

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Note: The County Manager requested department directors develop department management monthly reports highlighting key activities and initiatives within the departments showing relevant performance indicators of departmental activity.

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

19-5392 JUNE FEATURE DEPARTMENT/AGENCY PRESENTATION: CRIMINAL JUSTICE SERVICES

The Board received as information a presentation from the Criminal Justice Services (CJS) Department. Sonya L. Harper, Director of Criminal Justice Services, gave the report.

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

Commissioner Fuller requested a copy of the study referenced by Director Harper in her report.

He also suggested that staff reach out to the Stonewall Jackson Youth Development Center and request that they consider changing their name. He noted that Stonewall Jackson was a confederate general. He said if the name wasn't changed, then perhaps the County needed to consider sending its youth somewhere else.

Commissioner Leake said she would like information regarding the number of fathers that were bonded out of jail for Father's Day.

Commissioner Leake questioned what could be done about the sentencing issue, as it related to persons receiving long sentences as a result of being in the company of someone that was arrested on drug charges.

Chair Dunlap thanked Director Harper for the report.

STAFF REPORTS & REQUESTS - NONE

CONSENT ITEMS

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 approve the following item(s):

19-5489 LAND DEVELOPMENT SERVICES INTERLOCAL COOPERATION AGREEMENT WITH

JUNE 18, 2019

THE TOWN OF HUNTERSVILLE

Adopt the Resolution authorizing Execution of the Amended and Restated Land Development Services Interlocal Cooperation Agreement Between Mecklenburg County and the Town of Huntersville.

Note: LUESA - Storm Water Services provides Land Development services on behalf of the six Towns. These services include enforcement of the Town's zoning, subdivision, water quality, planning, floodplain and other ordinances. In March 2018 the Town of Huntersville, Board of Commissioners instructed Town staff to initiate discussions with the County on the potential for the Town to assume the responsibility of providing Land Development services. The County was informed that the Town's reasons for assuming responsibility for providing these services are to create a one-stop shop; increase the Town's control and ownership to match the Town's accountability for roads, sidewalks, street trees, etc.; and enhance the ability for the Town to adjust fees. Since March 2018, Town and Storm Water staff have resolved most of the issues for a successful transition of Land Development services to the Town effective July 1, 2019.

Proposed changes to the Amended and Restated Land Development Services Interlocal Cooperation Agreement codifies the transition of services to the Town and documents other administrative details like the County collecting fees on the Town's behalf.

LUESA - Code Enforcement will continue to provide services to ensure compliance with the NC Building Code. The Town has requested the County continue to enforce the Town's Floodplain Ordinance due to the relative infrequency of development in the floodplain in Huntersville and the complexities of managing this regulatory program to the State of North Carolina and FEMA standards. The County will also continue to manage the EPA, National Pollutant Discharge Elimination System (NPDES) permit in partnership with all the municipalities. The NPDES permits include numerous activities that focus on protecting water quality during and after development. The County and Town also anticipate continuing to partner on stream restoration projects. At the present time, the Town and County are partnering on the restoration of a section of Torrence Creek with an estimated project budget of \$1,600,000.

**MECKLENBURG COUNTY
RESOLUTION AUTHORIZING EXECUTION OF THE
AMENDED AND RESTATED LAND DEVELOPMENT SERVICES INTERLOCAL COOPERATION
AGREEMENT BETWEEN MECKLENBURG COUNTY AND THE TOWN OF HUNTERSVILLE**

WHEREAS, Mecklenburg County and the Town of Huntersville (the "Town") have negotiated and wish to amend and restate the Land Development Services Interlocal Cooperation Agreement entered into in 2000 and amended in 2003; and

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WHEREAS, the Town and the County have the power pursuant to General Statute 153A-445(a)(1) and Article 20 of Chapter 160A of the North Carolina General Statutes to contract with the other for the exercise of any governmental function which they have been granted the power to exercise alone, and to enter into interlocal cooperation agreements to specify the details of these undertakings; and

WHEREAS, the Town hereby requests that the County continue to exercise certain, County regulatory powers as set forth in the Agreement within the Town's corporate limits and extraterritorial jurisdiction; and

WHEREAS, N.C. Gen. Stat. § 160A-461 requires that such agreements "...shall be ratified by resolution of the governing board of each unit spread upon its minutes"; now, therefore, be it

RESOLVED by the Board of Commissioners of Mecklenburg County does hereby approve the Amended and Restated Land Development Services Interlocal Cooperation Agreement with the Town of Huntersville and authorizes the County Manager to executed the Agreement in substantially the form that is attached to this Resolution and authorizes the County Manager to revise Exhibit A as specified in Paragraph 9 of the Agreement (as needed) and that this resolution shall be spread upon the minutes of the meeting.

Resolution recorded in full in Minute Book 48-A, Document #45.

19-5496 TAX REFUNDS

1. Approve refunds in the amount of \$6,907.71 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor; and

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

2. Approve refunds in the amount of \$13,601.31 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 no accrued interest.

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

19-5497 BUDGET AMENDMENT - DEPARTMENT OF SOCIAL SERVICES (CARRY FORWARD OF

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UNSPENT FUNDS)

Approve Carry Forward unspent County funds of \$250,000 in the Economic Services Division of the Department of Social Services (DSS) budget for the Efficiency Consultation Project.

Note: The Economic Services Division is seeking consultation for a divisional realignment and process change project with the Change and Innovation Agency. Additionally, this vendor will work with the division's team members at all organizational levels to create a sustainable model that allows ample time for eligibility workers to spend the time they need to produce high-quality cases, while significantly improving time to disposition. Doing so will assist in meeting divisional performance measures required as part of the MOU with the North Carolina Department of Health and Human Services for Food and Nutrition Services and Medicaid application and reapplication timeliness. A contract will not be in place by the end of the fiscal year and the funds specified for the project will need to be carried forward in order to procure the contract when it is executed.

19-5500 MINUTES

Approve Minutes of Closed Session held May 7, 2019.

19-5502 STORM WATER PROGRAM - FY19 HAZARD MITIGATION FLOODPLAIN ACQUISITIONS

1. Accept the Offer of Sale of Real Estate from William Russell, owner of property located at 8018 Gilead Road, Huntersville, NC (tax parcel 015-091-15), for \$120,000;
2. Accept the Offer of Sale of Real Estate from T. Michael McCleod, owner of property located at 1214 Mockingbird Lane, Charlotte, NC (tax parcel 171-091-57), for \$342,000; and
3. Authorize the local police and fire departments to use the structures for training exercises.

Note: These acquisitions are being done through the County's Hazard Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.)

19-5512 HOME AND COMMUNITY CARE GRANT ADVISORY COMMITTEE

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1) Approve the amended by-laws for an Advisory Committee for the Home and Community Care Block Grant for Older Adults; and

2) Appoint members to an Advisory Committee for the Home and Community Care Block Grant for Older Adults as recommended.

Note: The Department of Social Services has served as co-lead agency for the past several years with the Council on Aging. Since that agency is no longer staffed and its future is unknown, DSS is acting as the sole designated lead agency for the administration of the Home and Community Care Block Grant. If the status of the Council on Aging changes, it is recommended they resume this role. The Committee is preparing to develop the County Aging Funding Plan for fiscal year 2020. Grant requirements include the appointment of an Advisory Committee to assist in gathering input and obtaining consensus regarding content of the plan. This appointment will assist the Lead Agency in the development of the County Aging Funding Plan for Fiscal Year 2020.

**Home & Community Care Block Grant Committee
2019-2020**

Greg Tanner, Chair -Department of Social Services
Darryl Crenshaw Mecklenburg County Community Support Services
Renee Dutcher – Department of Social Services
April Witherspoon – Charlotte Housing Authority
Mary Anne Hammond
John Highfill
Dahn Jenkins – Levine Senior Center
Linda Miller – Centralina Area Agency on Aging
Ann Newman
Trena Palmer – Mecklenburg County Park and Recreation
Ruby Works – Ray’s Playze Adult Day Center
Cathy Young-Jones – Mecklenburg County Health Department

A copy of the amended by-laws is on file with the Clerk to the Board.

19-5516 PARK AND RECREATION BUDGET AMENDMENT - CARRYFOWARD OF UNSPENT FUNDS FOR PARK MASTER PLAN PROJECT

Approve carryfoward of funds in the amount of \$400,000 from FY19 to FY20 to be used for the cost of Park and Recreation's new Master Plan project.

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Note: Park and Recreation is working to create a new Master Plan and comprehensive assessment of the department. The current Master plan was originally developed in 2008, with a couple of updates as recent as 2014. Industry standards recommend developing Masterplans at least every 10 years. Periodic updates help to ensure the department is aware of the public's

latest recreational needs as populations and trends continue to change and evolve. The estimated cost of the total Master Plan and comprehensive assessment is \$725,000. A FY20 budget request has been approved for the one-time cost of \$325,000. The carryforward of \$400,000 will allow for the total funding needed to complete this plan.

19-5517 BUDGET AMENDMENT - TRANSFER FUNDS TO CAPITAL RESERVE FOR SYNTHETIC TURF FIELDS

Approve the FY19 appropriation of \$200,000 from Park and Recreation General Fund lapsed salaries for transfer and appropriation to the Capital Reserve Fund for synthetic turf field replacement.

19-5523 THE COUNTY RABIES AND ZONOSSES ORDINANCE

Repeal and rescind the County Rabies and Zoonoses Ordinance.

Note: In May 1999, the Board of County Commissioners adopted the current Mecklenburg County Rabies and Zoonoses Ordinance. The Ordinance, as then adopted, followed the statutory requirements in place at the time. Since that time the state has revised the guidelines for handling post exposure rabies cases. The County's current Ordinance is not consistent with the state statute and duplicates services. Additionally, the County will no longer need the Ordinance as currently written regarding animal holding facilities permits; licensing and records; standards as these are now covered by Dept of Agriculture rules.

**MECKLENBURG COUNTY
ORDINANCE REPEALING AND RESCINDING THE COUNTY RABIES AND ZONOSSES
ORDINANCE**

WHEREAS, The Board of Commissioners for Mecklenburg County adopted a Mecklenburg County Health Ordinance Rules Governing the Control of Rabies and Other Zoonoses in May 1999; and

WHEREAS, the Ordinance as then adopted followed the North Carolina statutory requirements for post rabies exposure management; and

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WHEREAS, in 2017, the North Carolina General Assembly revised the statutes governing rabies post exposure management under S.L. 2017-106 which resulted in the current county ordinance and rules being inconsistent with state law; and

WHEREAS, the Board has adopted revised Board of Health Rules Governing the Control of Rabies and Zoonoses which are consistent with guidance provided from the National Association of State Public Health Veterinarians (NASPHV); and

WHEREAS, the North Carolina Division of Public Health has recommended local health departments adopt the NASPHV guidance; now therefore,

BE IT ORDAINED by the Board of Commissioners of Mecklenburg County, that the May 1999 Mecklenburg County Health Ordinance Rules Governing the Control of Rabies and Other Zoonoses is hereby repealed and rescinded and effective immediately, is replaced with Revised Board of Health Rules Governing the Control of Rabies and Zoonoses.

Ordinance recorded in full in Minute Book 48-A, Document #49.

19-5530 BUDGET AMENDMENT DEPARTMENT OF SOCIAL SERVICES (CARRY FORWARD OF UNSPENT FUNDS)

Approve carry forward of unspent County funds in the amount of \$350,000 in the Youth and Family Services Division of the Department of Social Services budget for a short-term residential program for juveniles involved with the Mecklenburg County Department of Adult Correction and Juvenile Justice (DACJJ).

THIS CONCLUDED ITEMS APPROVED BY CONSENT

19-5459 BUDGET AMENDMENT - HEALTH DEPARTMENT (REVENUE DECREASE)

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:

1. A decrease of \$39,745 in State funding.

Note: The North Carolina Division of Public Health (DPH) awards federal and state funds to the

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Health Department to support some public health programs. The Department received notification of decreased funding of \$39,745 for the Food and Lodging program.

2. A decrease of \$2,168 in Federal funding.

Note: The Department received federal funding through the Charlotte-Mecklenburg Police Department to support Crisis Intervention Team. That funding is no longer available. The Department is recognizing the actual revenue that has been received and reverting unspent funds of \$2,168. The budget will be decreased by that amount.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

19-5477 BUDGET AMENDMENT - COMMUNITY SUPPORT SERVICES - CARRY FORWARD OF UNSPENT HOUSING STABILITY AND SUPPORTIVE HOUSING FUNDS

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 carry forward unspent County housing stability and supportive housing funds estimated to be \$900,000 at June 30, 2019 to support homeless services in Mecklenburg County.

Commissioner Rodriguez-McDowell removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

19-5491 CONSTRUCTION CONTRACT - WALKER BRANCH GREENWAY PROJECT

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 award a construction contract to Husky Construction Corp. in the amount of \$958,463 for the construction of the Walker Branch Greenway.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

19-5492 CONSTRUCTION MANAGER AT RISK SELECTION - NORTHEAST COMMUNITY

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RESOURCE CENTER AND WEST COMMUNITY RESOURCE CENTER PROJECTS

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 negotiate a fee

and execute contracts with Vannoy-McFarland Construction for Pre-Construction and Construction Management at Risk services for the West and Northeast Community Resource Center projects, and in the event negotiations with this firm are unsuccessful, approve negotiations with the second ranked firm of JE Dunn-Metcon.

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

19-5503 BUDGET AMENDMENT-SOLID WASTE FUND BALANCE APPROPRIATION

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:

1. Amend the 2002 Scrap Tire Disposal Special Revenue Fund Ordinance to allow the transfer of funds from other funds as needed;
2. Approve the FY19 appropriation of \$695,000 from Solid Waste Enterprise Fund balance for transfer and appropriation to the Scrap Tire Disposal Special Revenue Fund; and
3. Approve the FY19 appropriation of \$720,000 from Solid Waste Enterprise Fund balance to the Solid Waste Enterprise Fund Operating Budget.

Note: Due to an increase in tire volumes received at County Facilities and a change in the NC Department of Environmental Quality's tire funding mechanisms for FY19, the LUESA Solid Waste Management Program is experiencing a shortfall in the Scrap Tire Disposal Special Revenue Fund. The amendment to the ordinance is being requested to allow for the transfer of fund balance in the Solid Waste Enterprise Fund to support the Scrap Tire Disposal Special Revenue Fund. LUESA uses an external tire recycling firm, US Tire, to process the tires. In past years, the NC Department of Environmental Quality reimbursed nearly all tire costs, however, in FY19 this was unexpectedly reduced to approximately 80%. This requires a Fund Transfer. The amount of the transfer will be \$695,000.

Additionally, an appropriation from the Solid Waste Enterprise Fund balance to the FY19 Solid

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Waste Operating Budget, Org 3102, of \$720,000 is needed to cover expenses due to recycling commodity revenues being dramatically lower due to changes in Global Recycling Markets. Revenue projections have been corrected for FY20.

**MECKLENBURG COUNTY, NORTH CAROLINA
SCRAP TIRE DISPOSAL SPECIAL REVENUE FUND ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA THIS THE 18TH DAY OF JUNE 2019:

The ordinance is amended by amending Section II such that the amended ordinance shall read as follows:

Section I. That for the purpose of holding and accounting for funds received from the North Carolina Scrap Tire Disposal Fees as provided pursuant to G.S. 130A-309.56(d) and the remaining balances transferred from the Scrap Tire Disposal Expendable Trust Fund, there is hereby created the Scrap Tire Disposal Fund.

Section II. The County Director of Finance is authorized to receive and place into this special revenue fund any North Carolina Scrap Tire Disposal Fee monies received after the adoption of this ordinance by Mecklenburg County and any monies recovered from the persons responsible for a nuisance tire collection site cleaned up by Mecklenburg County, as well as the remaining balances transferred from the Scrap Tire Disposal Expendable Trust Fund. The County Director of Finance is authorized to transfer from time to time funds available from other funds.

Section III. The County Director of Finance is authorized and directed to invest and reinvest funds in said Fund until such time as funds are needed to pay for scrap tire disposal and nuisance site cleanup in accordance with the Program for the Disposal of Scrap Tires and Disbursement of Scrap Tire Disposal Tax Revenues adopted by the Mecklenburg County Board of Commissioners.

Section IV. The County Director of Finance shall hold such funds in said Fund until such time as funds are needed to pay for scrap tire disposal and nuisance site clean up in accordance with the Program for the Disposal of Scrap Tires and Disbursement of Scrap Tire Disposal Tax Revenues adopted by the Mecklenburg County Board of Commissioners.

Ordinance recorded in full in Minute Book 48-A, Document #46.

Commissioner Rodriguez-McDowell removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

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19-5504 DSS - HOME AND COMMUNITY CARE BLOCK GRANT (HCCBG) FUNDING PLAN FOR FY20

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 approve the Home and Community Care Block Grant (HCCBG) funding plan for FY20.

Note: Annually, the Department of Social Services (DSS) submits for Board approval the Home and Community Care Block Grant (HCCBG) funding plan. Board approval is required prior to submission to Centralina Council of Governments (COG), the local grant authority.

The following services are provided with this grant: In-Home Aide Services, Transportation Services, Congregate Meals, Home Delivered Meals, Senior Center Operations, Adult Day Care/Day Health and Consumer Directed Services. The total funding plan request is \$3,821,314 with a required match of \$424,590 that includes two senior centers not affiliated with Mecklenburg County. The funding plan portion within the Mecklenburg County FY20 budget is \$3,743,413 with a county match of \$415,933. The match is included in the recommended FY20 budget request.

Commissioners Leake and Rodriguez-McDowell removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

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

19-5505 DONATION OF TREE SERVICE CONTRACTOR - SHUFFLETOWN PRAIRIE NATURE PRESERVE

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 recognize and receive the donation of a tree service contractor valued at \$14,445 and funded by Friends of Plant Conservation and the US Fish and Wildlife Service for the Shuffletown Prairie Nature Preserve project.

*Note: Shuffletown Prairie Nature Preserve is a State significant natural heritage area purchased by Mecklenburg County in 1998. The ecologically significant portion of this preserve is a 7-acre powerline right-of-way which supports a piedmont prairie community considered to be one of the most ecologically intact remnants in the southeast. This preserve contains two federally endangered species, *Helianthus schweinitzii* and *Echinacea laevigata* and one federal*

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candidate species, Symphyotrichum georgianum.

The proposed project for this site is thinning of the overstory trees along the southwest edge of the prairie remnant. The goal of this treatment is to promote a soft or feathered forest/prairie edge and provide more sunlight for the imperiled flora. Sixty overstory trees have been marked by Mecklenburg County natural resources staff for removal. This will be achieved by hiring a contractor who will use the right-of-way road for access and remove the trees using a bucket truck with crane. Funding for the contractor will be provided by Friends of Plant Conservation and the US Fish and Wildlife Service.

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

19-5506 GRANT APPLICATION - HEALTH PROMOTION/DISEASE PREVENTION (PARK AND RECREATION)

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:

1. Affirm submission of a grant application for up to \$4,500 for a Health Promotion/Disease Prevention (HPDP) from The Area Agency on Aging; and
2. If awarded, recognize, receive and appropriate such funds for the grant period.

Note: The grant awards will be distributed in FY2020 and will be used to continue providing nationally recognized evidenced based HPDP classes at all three Mecklenburg County Park and Recreation Senior Centers, some Recreation Centers and other locations in the community.

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

19-5507 GRANT APPLICATION - SENIOR HEALTH INSURANCE INFORMATION PROGRAM (PARK AND RECREATION)

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

1. Approve a grant application of up to \$12,000 for a Senior Health Insurance Information Program (SHIIP) Grant; and

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2. If awarded, recognize, receive and appropriate such funds.

Note: The grant awards will be distributed in FY2020 and will be used to continue existing Medicare Education and Counseling Services offered in three Mecklenburg County Senior Centers, the Levine Senior Center; and four traditional Recreation Centers, churches and senior living locations. No match is required for these funds.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio addressed this item.

19-5508 GRANT APPLICATION - OLDER REFUGEE ASSISTANCE PROGRAM (PARK AND RECREATION)

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:

Approve an application for up to \$75,000 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 if awarded, recognize, receive and appropriate such funds for the grant period.

Note: The grant awards will be distributed in FY2020 and will be used to continue the existing Older Refugee Assistance Program offered in the Shamrock Senior Center within the Methodist Home Recreation Center. No match is required for these funds.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio and Director of Park and Recreation Lee Jones addressed this item.

19-5515 AMENDED AND RESTATED MEMORANDUM OF AGREEMENT AND INTERLOCAL COOPERATION AGREEMENTS - BROOKLYN VILLAGE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 5-4 with Commissioners Cotham, Dunlap, Fuller, Leake, and Scarborough voting yes and Commissioners Harden, Jerrell, Powell, and Rodriguez-McDowell voting no to:

1. Adopt a resolution titled "Resolution Approving the Amended and Restated Brooklyn Village Interlocal Cooperation Agreement Between Mecklenburg County and the City of Charlotte for the inclusion of Marshall Park in the Redevelopment Plans for Brooklyn Village"; and

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2. Adopt a resolution titled "Resolution approving the Amended and Restated Brooklyn Village Memorandum of Agreement among and between Mecklenburg County, the City of Charlotte, and the Housing Authority of the City of Charlotte".

The following person appeared to speak on this agenda item, prior to the above vote:

Liz Millsaps Haigler addressed saving Marshall Park. She delivered a Petition signed by individuals who want Marshall Park saved.

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

Note: At the Board's March 19th meeting, staff provided an update on due diligence activities undertaken by BK Partners, LLC since execution of the Brooklyn Village Master Redevelopment Agreement (MRA) between BK Partners and the County. One of those items included the necessity to complete an update of the existing Interlocal Agreement between the County and the City, as well as the Memorandum of Understanding (MOU) among and between the County, City, and Charlotte Housing Authority. Together the agreements govern the implementation of affordable housing and the terms by which the existing Marshall Park property is included in the Brooklyn Village redevelopment plans. Included in the MRA was the County's commitment to work in good faith to obtain an amendment to those agreements that are satisfactory to both the County and BK Partners. Since the March 19th meeting, staff has reached agreement with the City of Charlotte and the Charlotte Housing Authority on the terms of the Interlocal Agreement and MOU, and BK Partners is satisfied with the new agreements.

The Interlocal Agreement has been revised to extend the time the County has to sell any portion of the existing Marshall Park property to BK Partners from December 31, 2019 to December 31, 2029. The MOU between the County, City and CHA has been revised to reflect that a minimum of thirty-five (35) housing units will be made available to households earning up to 60% of the Area Median Income (AMI). The previous MOU involved vouchers for thirty (30) housing units for those households earning up to 80% of AMI. The revised MOU includes a provision to insure a deed restriction will be placed on the below 60% AMI units for a term of at least thirty (30) years.

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION APPROVING THE AMENDED AND RESTATED BROOKLYN VILLAGE
INTERLOCAL COOPERATION AGREEMENT BETWEEN MECKLENBURG COUNTY AND
THE CITY OF CHARLOTTE FOR THE INCLUSION OF MARSHALL PARK IN THE
REDEVELOPMENT PLANS FOR BROOKLY VILLAGE**

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WHEREAS, beginning in 2007 Mecklenburg County (County) and the City of Charlotte (City) entered into a series of Interlocal Agreements related to the Brooklyn Village Redevelopment Project in support of the Second Ward Neighborhood Master Plan for Uptown Charlotte; and

WHEREAS, the Brooklyn Village Project includes a redevelopment plan in which the County will sell land it owns, which consists of the Former Board of Education site, the existing Marshall Park site, and the Walton Plaza office building and parking lot site, to create a livable and memorable urban neighborhood that will include a mix of uses such as condominiums, apartments, office space, retail, and hotel; and

WHEREAS, Pursuant to the 2007 Interlocal Agreement, the City transferred ownership of Marshall Park (Tax Parcel 125-071-25) to the County for inclusion into the Brooklyn Village Redevelopment conditioned upon the County requiring certain development and program elements in the Master Redevelopment Agreement (MRA) with the selected master developer such as demolition of the former Board of Education Center, demolition of Marshall Park and associated pond structures, certain roadway and storm drainage infrastructure improvements, Public Open Space including an urban park, and agreement that the County would work with the City and Charlotte Housing Authority (CHA) to include a minimum of thirty (30) units of affordable housing for households earning up to 80% of the Area Median Income (AMI); and

WHEREAS, the current Interlocal Agreement between the County and the City dated November 19, 2013 contains a provision that if none of Marshall Park property is sold by the County to a Buyer by December 31, 2019, the City may request that the County convey Marshall Park back to the City at no cost; and

WHEREAS, the County selected BK Partners, LLC (BK) as the Master Developer for the Brooklyn Village Redevelopment Project which includes all of Marshall Park and entered into a MRA with BK on July 10, 2018; and

WHEREAS, the MRA with BK meets or exceeds all of those certain conditions required by the City for the addition of Marshall Park in the redevelopment project including the demolition of the Board of Education Center, certain storm drainage improvements, demolition of Marshall Park, approximately 2.5 acres of Public Open Space (including an urban park).; and

WHEREAS, the County and BK committed to work in good faith to amend the agreements with the City and the Charlotte Housing Authority to align with the requirements for affordable housing required of the Master Developer in its MRA with the County; and

WHEREAS, since the MRA has taken effect, the Master Developer and the County have worked diligently at undertaking certain due diligence activities required of both parties including working in good faith to amend the Interlocal Agreement between the County and City and the Memorandum of Understanding between the County, City and Charlotte Housing Authority; and

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WHEREAS, the County and City have agreed to the terms of an Amended and Restated Interlocal Agreement to include that the Master Developer will make available a minimum of thirty-five (35) housing units in the Brooklyn Village Project for households earning up to 60% AMI and with tenant-based Housing Choice Vouchers for a term of at least thirty (30) years; and

WHEREAS, the Amended and Restated Interlocal Agreement between the County and City further provides that if none of the Marshall Park Property is sold by the County to the Master Developer by December 31, 2029 the County shall convey the Marshall Park Property back to the City if so requested; and

WHEREAS, N.C. Gen. Stat. 160A-461 requires that interlocal agreements “be ratified by resolution of the governing board of each unit spread upon its minutes”; **now, therefore, be it**

RESOLVED by the Mecklenburg County Board of Commissioners that the Board authorizes the County Manager, or her designee, to negotiate and execute an Amended and Restated Brooklyn Village Interlocal Agreement between the County and the City to accomplish the purposes stated above.

Resolution recorded in full in Minute Book 48-A, Document #47.

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION APPROVING THE AMENDED AND RESTATED BROOKLYN VILLAGE
MEMORANDUM OF AGREEMENT AMONG MECKLENBURG COUNTY, THE CITY OF
CHARLOTTE, AND THE HOUSING AUTHORITY OF THE CITY OF CHARLOTTE**

WHEREAS, the County and the City entered into an amended Brooklyn Village Interlocal Agreement on November 19, 2013 which provided that certain development elements be included in the Brooklyn Village Redevelopment Project in exchange for inclusion of Marshall Park property into the project; and

WHEREAS, in support of the effort to insure affordable housing units are included in the planned Brooklyn Village Redevelopment Project, Mecklenburg County (County), the City of Charlotte (City), and the Housing Authority of the City of Charlotte (CHA) entered into the Brooklyn Village Memorandum of Understanding (MOU) on July 5, 2015 to accomplish the goals of the Second Ward Neighborhood Master Plan; and

WHEREAS, since execution of the November 19, 2013 Interlocal Agreement and the July 5, 2015 MOU, the County has selected BK Partners, LLC (BK) as its Master Developer for the Brooklyn Village project and has executed a Master Redevelopment Agreement (MRA) with BK; and

WHEREAS, the MRA commits the County to working in good faith to amend the Interlocal Agreement

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and the MOU to align with the requirements of BK in the MRA; and

WHEREAS, the County, the City, and CHA have come to agreement on modifications for the provision of affordable housing units to be included in the Brooklyn Village project which will align the MOU and the Interlocal Agreement with the MRA; and

WHEREAS, the July 5, 2015 MOU included provisions for affordable housing in the Brooklyn Village project to include thirty (30) vouchers for households earning up to 80% of the Area Media Income (AMI); and

WHEREAS, the Amended and Restated MOU among the County, City, and CHA commits that a minimum of thirty-five (35) housing units in the project will be made available to households with tenant-based vouchers and a household income of up to 60% AMI, and a deed restriction will be placed on the below 60% AMI units for a term of at least thirty (30) years; **now, therefore, be it**

RESOLVED by the Mecklenburg County Board of Commissioners that the Board authorizes the County Manager, or her designee, to negotiate and execute an Amended and Restated Brooklyn Village Memorandum of Understanding among the County, City and CHA to accomplish the purposes stated above.

Resolution recorded in full in Minute Book 48-A, Document #48.

Commissioner Powell removed this item from Consent for more public awareness and clarity.

**19-5519 PARK AND RECREATION BUDGET AMENDMENT - CARRY FORWARD OF
UNSPENT INVASIVE SPECIES FUNDING**

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 approve carry forward of funds in the amount of \$100,000 from FY19 to FY20 to be used for the cost of Park & Recreation treatment of invasive at three pilot properties.

Commissioner Rodriguez-McDowell removed this item from Consent for more public awareness and clarity.

ADJOURNMENT

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, that there being no further business to come before

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the Board that the meeting be adjourned at 11:30 p.m.

Janice S. Paige, Clerk

George Dunlap, Chair