

September 5, 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, September 5, 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-**

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

**REMOVAL OF ITEMS FROM CONSENT**

The Board identified item(s) to be removed from Consent and voted upon separately. The following items were identified: 17-4187, 17-4189, 17-4190, 17-4201, 17-4207, and 17-4210.

**STAFF BRIEFINGS**

**17-4214 AFFORDABLE HOUSING POLICY FOR SURPLUS REAL ESTATE**

County Manager Diorio and Senior Assistant to the County Manager Dennis LaCaria addressed a proposed policy for surplus real estate.

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

Comments

Commissioner Dunlap commented on the County's right of first refusal for surplus Charlotte-Mecklenburg School property.

Commissioner Leake asked about low income housing. *Sr. Assistant to the County Manager LaCaria said the policy would allow for low income housing.*

Commissioner James said historically the County had not been in the housing business.

Commissioner James said he was not supportive of paying Charlotte-Mecklenburg Schools for property that the County had already paid for once.

No opposition was expressed towards staff moving forward with a process for adopting a formal policy around Affordable Housing to guide the disposition of any County-owned real estate declared as surplus or to support community goals around affordable housing.

Sr. Assistant to the County Manager LaCaria said this matter would be on the Board's September 19, 2017 agenda for further discussion.

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

**17-4211      REAL ESTATE DISPOSITION**

Senior Assistant to the County Manager Dennis LaCaria addressed a potential real estate disposition opportunity at 4<sup>th</sup> and South Graham.

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

Comments

Commissioner Leake asked about the location of the property, which was addressed.

Commissioner Cotham asked about the closing of the street, which was addressed.

Commissioner Puckett asked about market value and what if a developer wanted to develop something that did not include affordable housing, which was addressed.

It was noted that the appraisal was based on the highest and best use of the property.

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Commissioner Clarke asked what if the buyer didn't follow through. *The response was staff would work through and address that scenario in the development of the agreement.*

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

Motion was made by Commissioner Fuller, seconded by Commissioner Cotham and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate sales contract, initiate mandatory referral process, and negotiate partnership agreement for the redevelopment of these parcels should the partners elect to proceed.

**CLOSED SESSION**

**17-4182      CONSULT WITH ATTORNEY**  
**17-4216      PERSONNEL MATTER**

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose(s): Consult with Attorney and Personnel Matter.

***The Board went into Closed Session at 5:45 p.m. and came back into Open Session at 6:05 p.m.***

***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 Ridenhour, the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.*

**AWARDS/RECOGNITION – NONE**

**PUBLIC APPEARANCE**

**17-4180      PUBLIC APPEARANCE**

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

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Neil Broome addressed the Camp Greene Centennial Gala that was held Saturday, July 15, 2017. Camp Greene was an US Army training camp located in Charlotte in 1917 in preparation of WWI. The camp was named after Revolutionary War hero, General Nathaniel Greene. Camp Greene was deactivated in 1919.

***Excerpts from a handout from Mr. Broome is on file with the Clerk to the Board.***

Fountain Odom, former NC State Senator and County Commissioner, talked about Marshall Park and his support of Murray Whisnant's ideas for the redevelopment of the park.

Virginia Woolard talked about Brooklyn Village of the past and asked the Board allow for more input on the redevelopment of Second Ward/Brooklyn Village.

Murray Whisnant addressed the redevelopment of Second Ward and through that redevelopment how Charlotte could become known as a major "Energy Hub" and "City of Trees." He said there could be an "urban solar farm" in the redevelopment of Second Ward.

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

The following persons signed up to speak but did not appear: Michele Harris, Edna Chirico, Gary Crump, and David Broadie.

## **APPOINTMENTS**

### **17-4205 REAPPOINTMENTS/NOMINATIONS**

#### **ADULT CARE HOME ADVISORY COMMITTEE**

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 reappoint Dorothy Barnes to the Adult Care Home Advisory Committee for a three-year term expiring June 30, 2020.

#### **ALCOHOLIC BEVERAGE CONTROL BOARD**

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 reappoint Lloyd Scher to the Alcoholic Beverage Control Board for a three-year term expiring June 30, 2020.

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Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reopen nominations for appointment consideration to the Alcoholic Beverage Control Board and to nominate Monifa Drayton.

*Note: There were no other nominations. An appointment will occur following interviews by an Ad Hoc Committee of the Board.*

**LAKE NORMAN MARINE COMMISSION**

The following persons were nominated for appointment consideration to the Lake Norman Marine Commission:

Dennis Eddinger      by Commissioner Puckett  
Paula Martin         by Commissioner Fuller

*Note: An appointment will occur on September 19, 2017.*

**PUBLIC HEARINGS**

**17-4195      PUBLIC HEARING – NAMING OF HOSKINS PARK TO “EVA B. BARBER NEIGHBORHOOD PARK”**

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 and receive comments on the request to name Hoskins Park, “Eva B. Barber Neighborhood Park”.

The following persons spoke in support of naming Hoskins Park, “Eva B. Barber Neighborhood Park:” Minnie Gainey, Shamy Haynes, Julius Gatewood, and Eva Barber.

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing on the renaming of Hoskins Park and approve naming Hoskins Park, the “Eva B. Barber Neighborhood Park”.

**ADVISORY COMMITTEE REPORTS – NONE**

**MANAGER'S REPORT**

**17-4179      2017 NACIO AWARDS**

County Manager Diorio and Public Information Director Danny Diehl addressed the County's 2017 National Association of County Information Officers (NACIO) award winners. The County won the following awards:

- Meck County Does That? A campaign highlighting a variety of County programs. (Video)
- Mecklenburg County Facebook - "Best of Class" recognition for the Electronic Communications category, "Superior" for best Facebook Page
- Mecklenburg County Twitter - "Superior" for best Twitter Feed
- Outlook Magazine, a quarterly County employee-focused magazine - "Best of Class" recognition for the Publications category
- Rescue at County Pool, a story about a heroic rescue at a County pool (Video)
- State of the County Address, annual speech presented by the chair of the Board of
- County Commissioners - "Superior" in the Speeches category
- You Can Learn from Your Foster Child, a campaign showing how rewarding it is for parents to foster a child (Video)

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

**17-4193      NOVEMBER 7, 2017 BOND REFERENDUM PROCESS (\$922,085,000 IN GENERAL OBLIGATION SCHOOL BONDS)**

**REPORT FROM CLERK**

The Clerk to the Board of Commissioners reported to the Board of Commissioners that the bond order entitled "BOND ORDER AUTHORIZING THE ISSUANCE OF \$922,085,000 SCHOOL BONDS OF THE COUNTY OF MECKLENBURG" which had been introduced on August 2, 2017, had been published in a qualified newspaper on or before August 30, 2017, with notice that the Board would hold a public hearing thereon on September 5, 2017. The Clerk also reported that the County's Assistant County Manager and Finance Director had filed in the Clerk's office a statement of debt complying with the provisions of The Local Government Bond Act and that such statement showed the net indebtedness of the County to be 2.19% of the assessed valuation of property in the County subject to taxation.

\* \* \*

Motion was made by Commissioner Jim Puckett, seconded by Commissioner Trevor M. Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes to acknowledge receipt of Report from the Clerk.

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**PUBLIC HEARING ON BOND ORDER**

Commissioner Jim Puckett moved that the Board proceed to hold a public hearing on the bond order. The motion was seconded by Commissioner Trevor M. Fuller and was adopted 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes.

At 7:07 P.M., the Chairman of the Board announced that the Board would hear anyone who wished to be heard on the questions of the validity of the bond order and the advisability of issuing the bonds.

After the Board had heard all persons who requested to be heard, (None) Commissioner George Dunlap moved that the public hearing be closed. The motion was seconded by Commissioner Bill James and was adopted 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes.

\* \* \*

**ADOPTION OF SCHOOL BOND ORDER  
AND AUTHORIZATION OF BOND REFERENDUM**

Commissioner George Dunlap moved adoption of the following, which was read by title:

(1) The Board adopts without change and directs the Clerk to publish as prescribed by The Local Government Bond Act the bond order entitled "BOND ORDER AUTHORIZING THE ISSUANCE OF \$922,085,000 SCHOOL BONDS OF THE COUNTY OF MECKLENBURG" introduced at the meeting of the Board of Commissioners held on August 2, 2017.

(2) The question to be submitted to the qualified voters of the County of Mecklenburg, North Carolina (the "County") shall be whether to approve or disapprove (a) the indebtedness to be incurred by the issuance of the bonds of the County authorized by that bond order, which indebtedness shall be secured by a pledge of the County's faith and credit, (b) the levy of a tax for the payment thereof, and (c) that bond order. That question shall be submitted to the qualified voters of the County at bond referendum to be held in the County on November 7, 2017.

(3) The Clerk is hereby authorized and directed to publish a notice of that referendum, which shall be in substantially the form below.

(4) That notice of bond referendum shall be published at least twice. The first publication shall be not less than 14 days and the second publication shall be not less than 7 days before the last day on which voters may register for the bond referendum.

(5) The Mecklenburg County Board of Elections is hereby requested to print and distribute the necessary ballots, to provide the equipment for the holding of the bond referendum and to conduct and to supervise the bond referendum.

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(6) The Clerk to the Board of Commissioners shall mail or deliver a certified copy of this resolution to the Mecklenburg County Board of Elections within three days after the resolution is adopted.

The motion was seconded by Commissioner Bill James and was adopted by the following vote:

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

NAYES: None

Note: Commissioner Ridenhour was present at the meeting but away from the dais when the above votes were taken.

\* \* \*

**THE COUNTY OF MECKLENBURG, NORTH CAROLINA  
NOTICE OF BOND REFERENDUM**

NOTICE IS HEREBY GIVEN that a bond referendum will be held in the County of Mecklenburg, North Carolina (the “County”), on November 7, 2017, for the purpose of submitting to the qualified voters of the County the question of whether to approve or disapprove not to exceed \$922,085,000 School Bonds of the County. The proceeds of such bonds would be used to pay capital costs of providing school facilities, including the acquisition and construction of new school facilities, the improvement and expansion of existing school facilities, the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor.

If such bonds are issued, taxes will or may be levied for the payment thereof.

The bond referendum will be conducted by the Mecklenburg County Board of Elections (the “Board of Elections”). Except for certain situations, the last day to register to vote in the bond referendum is October 13, 2017. For more information concerning registration, procedures for residents who have changed residences from the date of the last election, voting by absentee ballot, one-stop voting and polling places, please contact the Board of Elections at 741 Kenilworth Avenue Suite 202, Charlotte, North Carolina 28204 or at (704) 336-2133, or by visiting its website, <https://www.mecknc.gov/BOE/>.



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By order of the Board of Commissioners of the County of Mecklenburg, North Carolina.  
Janice S. Paige  
Clerk to the Board of Commissioners  
County of Mecklenburg, North Carolina

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

**17-4215          UPDATE ON CENTER CITY REDEVELOPMENT**

The Board received information about redevelopment projects on County-owned land in Center City Charlotte.

Senior Assistant to the County Manager Dennis LaCaria presented the information.

***Commissioner Ridenhour returned to the dais.***

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

Comments

Commissioner Dunlap asked about the \$97,000 Library funds. *County Manager Diorio said the funding was from the Library's Foundation.*

Commissioner Dunlap said initially he was skeptical about the proposal but was glad to see the affordable housing commitment and an increase in open space.

Commissioner Leake spoke in support of the project. She commented on the public input process that had taken place. She said she would like to see low income housing included.

Commissioner Leake gave the history of the former Brooklyn area.

Commissioner Fuller asked about Library funding. *County Manager Diorio said the Library would raise anything needed above the County's allocation of \$65 million.*

Commissioner Fuller spoke in support of the term sheet agreement.

Commissioner Cotham asked how much staff and consultant time had been spent on this, which was addressed.

Commissioner Cotham expressed her prior opposition and why.

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Commissioner Cotham questioned the accuracy of the acreage, which she said varied with each presentation.

Commissioner Cotham said she'd like more parks and to see the park expanded. She said she was pleased to hear the housing numbers.

Commissioner Puckett commented on the area being easily accessible to Pearl Park.

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

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 approve the Cost-Sharing Agreement by and among the Sixth and Tryon Steering Committee landholding partners in an amount not to exceed \$100,716.00 based on pro-rata parcel ownership to engage necessary consultants to develop Requests for Qualification and Proposal.

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

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 8-1 with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes and Commissioner Cotham voting no, to adopt the terms of the negotiated Term Sheet between the County and BK Partners, LLC as the basis for further contract negotiations and allow the County Manager to negotiate associated agreements as it relates to the proposed acquisition and redevelopment of Brooklyn Village and Walton Plaza.

***Term Sheet Agreement recorded in full in Ordinance/Minute Book \_\_\_\_\_, Document # \_\_\_\_\_.***

**DEPARTMENTAL DIRECTORS' MONTHLY REPORTS - NONE**

**STAFF REPORTS & REQUESTS - NONE**

**COUNTY COMMISSIONERS REPORTS & REQUESTS**

**17-4218      CODE OF ETHICS AMENDMENT (COMMISSIONER JAMES/AUDIT REVIEW COMMITTEE)**

Commissioner James, Chair of the Board's Audit Review Committee, presented proposed new language for inclusion in the County's Code of Ethics.

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New language

*Further, this section is not intended to prevent participation by a County Commissioner or County Manager in community events or functions that are of the nature where, by virtue of the office or position held, attendance benefits the county, then attendance will not be considered a violation of this policy unless the value of the event or function exceeds the threshold amount of \$200.00 or attendance could be viewed as a reward or influence, for action taken, or to be taken, by the County in some manner, in which case the county official should either pay any amount in excess of the threshold of \$200.00 or not attend the event or function."*

Commissioner Fuller suggested that any reference to \$100.00 in the policy be changed to \$200.00 for consistency.

Motion was made by Commissioner James, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to amend the Code of Ethics to include language regarding participation by a County Commissioner or the County Manager in community events or functions as presented and to change any reference of \$100.00 in the policy to \$200.00, as recommended by Commissioner Fuller.

***Amended Code of Ethics recorded in full in Ordinance/Minute Book \_\_\_\_\_, Document # \_\_\_\_\_.***

**CONSENT ITEMS**

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

**17-4178 BUDGET AMENDMENT – SHERIFF’S OFFICE (REVENUE INCREASE)**

Recognize, receive and appropriate \$6,658.66 from Mecklenburg County Alcoholic Beverage Control (ABC) Board.

*Note: The Mecklenburg County ABC Board is providing funding to the Mecklenburg County Sheriff's Office (MCSO) for damages caused to the Sheriff's Office equipment located on the roof of the ABC Building. The Sheriff's Office will purchase replacement equipment and access points that were damaged by re-roofing work at the ABC Building.*

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**17-4181 MINUTES**

Approve Minutes of Regular meeting held August 2, 2017 and Closed Session held August 2, 2017.

**17-4183 AUCTION FOR DISPOSAL OF SURPLUS EQUIPMENT**

Approve the list, (Exhibit A), as surplus and adopt a resolution authorizing sale of surplus personal property by public auction on September 16, 2017.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS  
Resolution Authorizing Sale of Surplus Personal Property by Public Auction**

***WHEREAS**, North Carolina G.S. 160A-270(b) allows the County to sell surplus personal property at public auction upon adoption of a resolution or order authorizing the appropriate official to dispose of the surplus property at public auction; and*

***WHEREAS**, the County Manager has recommended that the surplus property listed on the attached Exhibit-A should be sold at public auction,*

***NOW, THEREFORE, BE IT RESOLVED**, by the Mecklenburg County Board of Commissioners that the County Manager or her designee is authorized to sell the surplus property described on Exhibit A at public auction on the day of September 16, 2017 at 9:00 am at 5550 Wilkinson Blvd, Charlotte, North Carolina, as per the terms and conditions in accordance with North Carolina G.S. 160A-270(b) and in compliance with County policies. The terms of the sale shall be net cash. The County Manager or her designee is directed to publish at least once and not less than ten (10) days before the date of the auction, a copy of this Resolution or a notice summarizing its content as required by North Carolina General Statute 160A-270(b).*

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

**17-4191 BUDGET AMENDMENT – DSS (REVENUE INCREASE)**

1. Recognize, receive and appropriate an increase in other revenue in the amount of \$90,800,

*Note: The Department of Social Services (DSS) will provide Tenant Based Rental Assistance to assist families with self-sufficiency by providing a stipend for rental assistance. These services are designed to assist families with maintaining their independence; addressing crisis, social and economic needs and individual well-being. The Community Resource Division (CRD) will work*

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*collaboratively with faith based and community organizations. The funding will provide families with access to resources that enable them to maintain self- sufficiency and divert them from experiencing homelessness. Upon payment of services, Mecklenburg County will receive reimbursement from the City of Charlotte. DSS entered into a contract with the City of Charlotte in FY 17 and the contract has been extended through FY18.*

2. Recognize, receive and appropriate an increase of state Adoption Promotion funding in the amount of \$12,000,

*Note: The North Carolina Division of Social Services has provided additional funding in the amount of \$12,000 for the Adoption Promotion Fund to Mecklenburg County Youth and Family Services Division of the Department of Social Services. The purpose of the fund is to enhance and expand adoption services, to secure permanent homes for hard to place children, and to promote public/private partnerships.*

3. Reduce other revenue in the amount of \$53,865; and

*Note: Carolinas Medical Center (CMC) provides funding in order to house DSS eligibility positions in their facilities. DSS was notified by CMC that they can no longer fund a vacant Human Service Specialist I position provided at one of their sites due to restraints by other CMC funding resources.*

4. Reduce State Family Caregiver revenue in the amount of \$4,912.

*Note: North Carolina Division of Aging and Adult Services has reduced the Family Caregiver allocation in the amount of \$4,912. Family Caregiver Support provides respite services to caregivers who care for individuals 60 years and older or who have dementia and meet the eligibility criteria as established in the Older Americans Act.*

**17-4198      TAX REFUNDS**

1. Approve refunds in the amount of \$9,611.00 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor; and

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

2. Approve refunds in the amount of \$36,549.63 and interest as statutorily required to be paid as requested by the County Assessor.

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*Note: This Board action was necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$4,587.75.*

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

**17-4202      STORM WATER PROGRAM – FY17 HAZARD MITIGATION FLOODPLAIN ACQUISITION**

1. Accept the Offer of Sale of Real Estate from Kenneth & Kathryn Phillips, owners of property located at 2801 Spring Valley Road, Charlotte, NC (tax parcel 173-071-03), for \$285,000;
2. Accept the Offer of Sale of Real Estate from Kenneth & Margaret Szymanski, owners of property located at 2810 Spring Valley Road, Charlotte, NC (tax parcel 173-142-23), for \$300,000;
3. Accept the Offer of Sale of Real Estate with lease agreement from Rembert & Casey Rollison, owners of property located at 2811 Spring Valley Road, Charlotte, NC (tax parcel 173-071-04), for \$295,000;
4. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structures for training exercises; and
5. Adopt a Resolution Approving Transfer of Reusable Building Materials to Habitat for Humanity of Charlotte, Inc. to allow for salvage of materials prior to demolition.

**Mecklenburg County Board Of Commissioners Resolution  
Approving Transfer Of Reusable Building Materials  
To Habitat For Humanity Of Charlotte, Inc.**

**WHEREAS**, Mecklenburg County is proposing to acquire and demolish certain structures located in flood-prone areas along various creeks in Mecklenburg County through its Charlotte-Mecklenburg Storm Water Services, Engineering & Mitigation Program, moreover described as follows:

TAX PARCEL ID	STREET ADDRESS	CITY	STATE	ZIP CODE
17314201	2800 SPRING VALLEY ROAD	CHARLOTTE	NC	28210
17307103	2801 SPRING VALLEY ROAD	CHARLOTTE	NC	28210

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17314223	2810 SPRING VALLEY ROAD	CHARLOTTE	NC	28210
17307104	2811 SPRING VALLEY ROAD	CHARLOTTE	NC	28210
17314202	6317 BIRMINGHAM DRIVE	CHARLOTTE	NC	28210
17307109	6208 COLCHESTER PLACE	CHARLOTTE	NC	28210
17307108	6214 COLCHESTER PLACE	CHARLOTTE	NC	28210
17307107	6220 COLCHESTER PLACE	CHARLOTTE	NC	28210

**WHEREAS**, the properties in question may become a part of the Mecklenburg County open space, parks and greenway system; and

**WHEREAS**, Habitat For Humanity of Charlotte, Inc. (“Habitat For Humanity”), a North Carolina not-for-profit corporation engaged in providing quality housing to low and moderate income persons in Mecklenburg County, has requested that it be allowed to remove and sell such reusable building materials from said structures, and to use the proceeds to help develop housing for low and moderate income persons in Mecklenburg County; and

**WHEREAS**, Habitat For Humanity has estimated that it will be able to sell such reusable building materials; and

**WHEREAS**, North Carolina General Statute 160A-279 provides that whenever a county is authorized to appropriate funds to any private entity which carries on a public purpose, the county may, in lieu of appropriating funds, convey for private sale to such entity any personal property which it owns provided that it attach a covenant which will assure that the property be put to a public use by the recipient entity; and

**WHEREAS**, assisting with providing housing for low and moderate income persons is a public purpose as provided in N.C.G.S. 153A-378; and

**WHEREAS**, said N.C.G.S. 160A-279 requires that the procedural provisions of G.S. 160A-267 shall apply, which statute requires that the Board adopt a resolution authorizing appropriate officials to dispose of the property by private sale at a negotiated price, and that a notice summarizing the contents of the resolution be published once after its adoption, and that such sale be consummated no earlier than ten (10) days after the publication of said notice; and

**WHEREAS**, the Board of County Commissioners has determined that it would be in the public interest and appropriate to use this statutory authorization to convey the reusable building materials to Habitat For Humanity; now, therefore, be it

**RESOLVED** that the Mecklenburg County Board of Commissioners does hereby authorize W. Dave Canaan, Director of Mecklenburg County Water and Land Resources, to transfer title to the reusable building materials contained in structures listed above once under the ownership of Mecklenburg County, to Habitat For Humanity, with the covenant that Habitat For Humanity must remove the building materials in a timely manner, and that such building materials either be used directly in the construction of housing for low and moderate income persons, or that the property be sold and the proceeds be used to provide housing for low and moderate income persons; and be it further

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**RESOLVED** that the Clerk to the Board is directed to publish a notice summarizing the contents of this resolution once after its adoption, and that the transfer of property to Habitat For Humanity not be consummated until ten (10) days after its publication.

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

**17-4203          BUDGET AMENDMENT – LUESA (REVENUE INCREASE)**

1. Recognize, receive, and appropriate up to \$43,750 in matching funds from property owner Thomas Keeling;
2. Authorize the carry forward of unspent matching funds to subsequent years until completion of the project;
3. Authorize the County Manager to execute a contract with Thomas Keeling for elevating his house: 3020 Airlie St.; and
4. Authorize the County Manager to execute a construction contract with Brock Builders & Construction, LLC as part of a FEMA grant and the retroFIT program.

*Note: Since late 1999, Mecklenburg County has received numerous Hazard Mitigation Grants and contributed local storm water fee revenue towards the Charlotte-Mecklenburg Storm Water Services' Engineering & Mitigation Program. The goal of the program is to minimize the risk of potential loss of life and property damage during a flood event while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc). These actions allow the County to receive grant matching funds from Mr. Keeling and to contract the work under a FEMA grant and Storm Water Services existing retroFIT grant program. The work will initiate a flood mitigation project at 3020 Airlie Road, Charlotte, NC.*

**17-4206          INSURANCE REIMBURSEMENTS**

Recognize, receive and appropriate insurance reimbursement funds of \$13,517 for Asset and Facility Management; \$1,995 for Sheriff's Office; \$6,180 for Park and Recreation; and \$2,130 for Land Use and Environmental Services.

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



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**17-4208 LAND DONATION – TORRENCE CREEK GREENWAY**

Accept donation of portions of Tax Parcels 009-322-24, 009-321-94, and 009-321-96 (+/- 12.155 acres) for inclusion into Torrence Creek Greenway from Cobblestone Manor Community Association, Inc.

**17-4217 EASEMENT DONATION – BACKCREEK GREENWAY**

Accept the donation of a temporary construction easement ( $\pm$  0.349 acres) for potential restoration of County-owned Tax Parcel 051-122-31 (Back Creek Greenway) from the Villages at Back Creek Homeowners Association Inc.

**17-4219 PEARL STREET PARK INTERLOCAL AGREEMENT**

Approve Pearl Street Park Interlocal Agreement negotiated by the County Manager.

*Note: At the regular meeting of the Board of County Commissioners on October 4, 2016, the Board authorized a series of actions related to the renovation of Pearl Street Park, associated construction of new infrastructure, and associated adjacent private development. These actions included property transactions with the City of Charlotte, rezoning of County-held land, and property transactions with the Charlotte Housing Authority among others. One action was to authorize the County Manager to negotiate an Interlocal Agreement with the City of Charlotte to reimburse the City for payments it would make to Pappas Properties and Terwilliger Pappas for the construction of an extension of Peral Park Way to connect to Baxter Street. The City has now finalized its agreement with Pappas Properties / Terwilliger Pappas which contemplates a reimbursement of actual project construction costs, not to exceed \$4,417,574 excluding interest costs. Under the terms of the Interlocal Agreement, the County will pay to the City an amount equal to 45% of the incremental ad valorem taxes created by the Pappas Properties / Terwilliger Pappas mixed use development project. Along with the funds received from the County, the City will also contribute 45% of its incremental ad valorem taxes. The term of the reimbursement is ten years or actual costs (subject to cap) plus interest, whichever is satisfied first. This requested action allows for the County to formally execute the Interlocal Agreement, now that it has been fully negotiated and the City has completed its negotiation of an Infrastructure Reimbursement with Pappas Properties / Terwilliger Pappas.*

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

**17-4220 REVALUATION RESERVE FUND**

Appropriate \$1,225,000 from the Revaluation Reserve Fund into the County Assessor's Office budget for FY18 and authorize the carry forward of the unspent balance until the project is completed.

**17-4221 CHARLOTTE-MECKLENBURG BOARD OF EDUCATION FY2017-2018 ADOPTED BUDGET**

Approve Charlotte-Mecklenburg Schools Budget Amendment.

*Note: The Board of Education (BOE) requested approval of a change in the allocation of the County appropriation by purpose and function of the amount included in the Board of County Commissioners (BOCC) budget resolution on June 20, 2017. As part of the adopted FY2018 County budget, the BOCC approved a total operating funding level of \$428,744,699 for CMS. The BOCC is required to approve any reallocation of funds submitted by the BOE that exceeds ten percent within the purpose/function code categories of the approved County appropriation. The BOE's amendment to the Capital Outlay appropriation is the only purpose/function code that requires the BOCC's approval. The purpose/function code allocation in the County's budget ordinance is a placeholder based on a proportional allocation of funds while CMS determines how it will actually allocate all available funds (e.g., State, Federal).*

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

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

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**17-4187 PRELIMINARY STREET LIGHTING ASSESSMENTS – SET PUBLIC HEARING**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt Preliminary Assessment Roll Resolutions for the operating cost of street lights in the Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood subdivisions; and set a public hearing on October 3, 2017 on the preliminary assessment rolls.

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Commissioner Leake removed this item from Consent for more public awareness and clarity. County Attorney Marvin Bethune addressed this item.

**Preliminary Assessment Roll Resolution Street Lighting Assessment Project Capps Hollow Subdivision Operation Costs FY 2017**

**WHEREAS**, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

**WHEREAS**, the economical traditional street lighting fixtures have been installed and are being operated on streets in the Capps Hollow Subdivision; and

**WHEREAS**, the Mecklenburg Board of County Commissioners adopted Final Assessment Resolutions on this project on September 2, 1997, and November 6, 2002, approving both projects for Sections 1 & 2 and requesting that Duke Power Company install and operate the economical traditional street lighting fixtures on all streets in the Capps Hollow Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

**WHEREAS**, Mecklenburg County has paid a total of \$2062.33 to Duke Power Company for charges incurred for the operation of these street lighting fixtures on said streets in the Capps Hollow Subdivision during the 2017 Fiscal Year plus \$300 in legal and other costs for a total of \$2,362.33 spent for these street lighting fixtures in the Capps Hollow Subdivision during the 2017 Fiscal Year; and

**WHEREAS**, the basis for assessment will be 100% of the property owner's share of the total costs to operate these street lighting fixtures during the 2017 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets within the Capps Hollow Subdivision; and

**WHEREAS**, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

**WHEREAS**, the method of payment for each property owner's portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

**WHEREAS**, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it

**RESOLVED**, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Capps Hollow Subdivision during the 2017 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 03, 2017 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published,

**September 5, 2017**

at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Capps Hollow Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first class mail and the date on which they were mailed.

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

**Preliminary Assessment Roll Resolution  
Street Lighting Assessment Project  
Cardinal Woods Subdivision And Cardinal Woods Estate  
Operation Costs FY 2017**

**WHEREAS**, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

**WHEREAS**, twenty-four acorn street lighting fixtures have been installed and are being operated on streets within the Cardinal Woods Subdivision and Cardinal Woods Estate; and

**WHEREAS**, the Mecklenburg Board of County Commissioners adopted a Final Assessment Resolution on this project on October 20, 1998, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on the streets in the Cardinal Woods Subdivision and Cardinal Woods Estate, and providing that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating costs would be assessed to the property owners by Mecklenburg County; and

**WHEREAS**, Mecklenburg County has paid a total of \$5,919.53 to Duke Power Company for the monthly operation costs incurred for these street lighting fixtures in the Cardinal Woods Subdivision and Cardinal Woods Estate during the 2017 Fiscal Year and has incurred \$300 in legal and other costs for a total of \$6,219.53 spent for the operation of these acorn street lighting fixtures in the Cardinal Woods Subdivision and Cardinal Woods Estate during the 2017 Fiscal Year; and

**WHEREAS**, the basis for assessment will be 100% of the property owner's share of the total costs to operate these street lighting fixtures during the 2017 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on the streets in the Cardinal Woods Subdivision and Cardinal Woods Estate where the acorn street lighting fixtures are located; and

**WHEREAS**, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

**WHEREAS**, the method of payment for each property owner's portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

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**WHEREAS**, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax records, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it

**RESOLVED**, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Cardinal Woods Subdivision and Cardinal Woods Estate during the 2017 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 03, 2017 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Cardinal Woods Subdivision and Cardinal Woods Estate at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

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

**Preliminary Assessment Roll Resolution  
Street Lighting Assessment Project  
Hearthstone Subdivision  
Operation Costs FY 2017**

**WHEREAS**, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

**WHEREAS**, the special street lighting fixtures have been installed and are being operated on all of the streets in the Hearthstone Subdivision; and

**WHEREAS**, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on January 19, 1993, approving the project and requesting that Duke Power Company install and operate the street lighting fixtures on all streets in the Hearthstone Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

**WHEREAS**, Mecklenburg County has paid a total of \$2,493.35 to Duke Power Company for charges incurred for the operation of these street lights in the Hearthstone Subdivision during the 2017 Fiscal Year plus \$300 in legal and other costs for a total of \$2,793.35 spent for the operation of these street lights in the Hearthstone Subdivision during the 2017 Fiscal Year; and

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**WHEREAS**, the basis for assessment will be 100 percent (100%) of the property owner's share of the total cost of the operation of these street lights during the 2017 Fiscal Year, plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

**WHEREAS**, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

**WHEREAS**, the method of payment for each property owner's portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

**WHEREAS**, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it

**RESOLVED**, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Hearthstone Subdivision during the 2017 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 03, 2017 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at

least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Hearthstone Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

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

**Preliminary Assessment Roll Resolution  
Street Lighting Assessment Project  
McGinnis Village Subdivision  
Operation Costs FY 2017**

**WHEREAS**, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

**WHEREAS**, the economical traditional street lighting fixtures have been installed and are being operated on all of the streets in the McGinnis Village Subdivision; and

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**WHEREAS**, the Mecklenburg Board of County Commissioners adopted a Final Assessment Resolution on this project on October 5, 1999, approving the project and requesting that Duke Power Company install and operate the economical traditional street lighting fixtures on all of the streets in the McGinnis Village Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and the operating costs would be assessed to the property owners by Mecklenburg County; and

**WHEREAS**, Mecklenburg County has paid a total of \$3,304.41 to Duke Power Company for charges incurred for the operation of these street lighting fixtures on said streets in the McGinnis Village Subdivision during the 2017 Fiscal Year plus \$300 in legal and other costs for a total of \$3,604.41 spent for the operation of these street lighting fixtures in the McGinnis Village Subdivision during the 2017 Fiscal Year; and

**WHEREAS**, the basis for assessment will be 100% of the property owner's share of the total costs to operate these street lighting fixtures during the 2017 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on the streets in the McGinnis Subdivision within Mecklenburg County; and

**WHEREAS**, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

**WHEREAS**, the method of payment for each property owner's portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

**WHEREAS**, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it

**RESOLVED**, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the McGinnis Village Subdivision during the 2017 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 03, 2017 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the McGinnis Village Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

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

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**Preliminary Assessment Roll Resolution  
Street Lighting Assessment Project  
Mountain Point Subdivision  
Operation Costs FY 2017**

**WHEREAS**, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

**WHEREAS**, the acorn street lighting fixtures have been installed and are being operated on all of the streets in the Mountain Point Subdivision; and

**WHEREAS**, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on February 3, 1998, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on all streets in the Mountain Point Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

**WHEREAS**, Mecklenburg County has paid a total of \$6,167.81 to Duke Power Company for charges incurred for the operation of these street lights in the Mountain Point Subdivision during the 2017 Fiscal Year plus \$300 in legal and other costs for a total of \$6,467.81 spent for the operation of the street lights in the Mountain Point Subdivision during the 2017 Fiscal Year; and

**WHEREAS**, the basis for assessment will be 100 percent (100%) of the property owner's share of the total cost to operate the street lights, during the 2017 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

**WHEREAS**, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

**WHEREAS**, the method of payment for each property owner's portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

**WHEREAS**, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it

**RESOLVED**, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Mountain Point Subdivision during the 2017 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 03, 2017 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of



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general circulation in County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Mountain Point Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

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

**Preliminary Assessment Roll Resolution  
Street Lighting Assessment Project  
Mountain Point Estates Subdivision  
Operation Costs FY 2017**

**WHEREAS**, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

**WHEREAS**, the acorn street lighting fixtures have been installed and are being operated on all of the streets in the Mountain Point Estates Subdivision; and

**WHEREAS**, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on February 1, 2000, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on all streets in the Mountain Point Estates Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

**WHEREAS**, Mecklenburg County has paid a total of \$2,116.58 to Duke Power Company for charges incurred for the operation of these street lights in the Mountain Point Estates Subdivision during the 2017 Fiscal Year plus \$300 in legal and other costs for a total of \$2,416.58 spent for the operation of the street lights in the Mountain Point Estates Subdivision during the 2017 Fiscal Year; and

**WHEREAS**, the basis for assessment will be 100 percent (100%) of the property owner's share of the total cost to operate the street lights, during the 2017 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

**WHEREAS**, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

**WHEREAS**, the method of payment for each property owner's portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

**WHEREAS**, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed

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against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it.

**RESOLVED**, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Mountain Point Estates Subdivision during the 2017 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 03, 2017 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Mountain Point Estates Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

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

**Preliminary Assessment Roll Resolution  
Street Lighting Assessment Project  
Royal Oaks Subdivision  
Operation Costs FY 2017**

**WHEREAS**, the Mecklenburg Board of County Commissioners has adopted street lighting assessment program pursuant to North Carolina law; and

**WHEREAS**, twenty-four acorn street lighting fixtures have been installed and are being operated on the streets within the Royal Oaks Subdivision; and

**WHEREAS**, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on February 6, 1996, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on the streets in the Royal Oaks Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating costs would be assessed to the property owners by Mecklenburg County; and

**WHEREAS**, Mecklenburg County has paid a total of \$3,189.73 to Duke Power Company for the monthly operation costs incurred for these street lighting fixtures in the Royal Oaks Subdivision during the 2017 Fiscal Year and has incurred \$300 in legal and other costs for a total of \$3,489.73 spent for operation of these street lighting fixtures in the Royal Oaks Subdivision during the 2017 Fiscal Year; and

**WHEREAS**, the basis for assessment will be 100 percent (100%) of the property owner's share of the total cost to operate these street lighting fixtures during the 2017 Fiscal Year, plus other costs as described in Section 153A-193

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of General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

**WHEREAS**, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

**WHEREAS**, the method of payment for each property owner's portion of the cost of the said operation must be paid by direct payment to Mecklenburg County; and

**WHEREAS**, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it

**RESOLVED**, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Royal Oaks Subdivision during the 2017 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 03, 2017 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Royal Oaks Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

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

**Preliminary Assessment Roll Resolution  
Street Lighting Assessment Project  
Spicewood Subdivision  
Operation Costs FY 2017**

**WHEREAS**, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

**WHEREAS**, the special street lighting fixtures have been installed and are being operated on all of the streets in the Spicewood Subdivision; and

**September 5, 2017**

**WHEREAS**, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on October 5, 1992, approving the project and requesting that Duke Power Company install and operate the street lights on all streets in the Spicewood Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

**WHEREAS**, Mecklenburg County has paid a total of \$1,747.21 to Duke Power Company for charges incurred for the operation of these streetlights in the Spicewood Subdivision during the 2017 Fiscal Year plus \$300 in legal and other costs for a total of \$2,047.21 spent for the operation of the street lights in the Spicewood Subdivision during the 2017 Fiscal Year; and

**WHEREAS**, the basis for assessment will be 100 percent (100%) of the property owner's share of the total cost to operate the street lights during the 2017 Fiscal Year, plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; And

**WHEREAS**, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

**WHEREAS**, the method of payment for each property owner's portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

**WHEREAS**, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it

**RESOLVED**, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Spicewood Subdivision during the 2017 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 03, 2017 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Spicewood Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

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

September 5, 2017

Motion was made by Commissioner Cotham, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to amend Mecklenburg County Human Resources Policy & Procedures - Section I: Board Policy to include the Paid Family Leave Benefit.

*Note: This employer paid benefit will allow eligible employees time away from work for the birth, adoption or placement of a child, or care for a family member with a serious health condition, as defined by FMLA for eligible employees. The County will provide 100 percent of the employee's salary, not to exceed six weeks, which will run concurrently with FMLA. The attached policy adds paid family leave and makes minor refinements to remove effective dates that have passed. Staff will include language consistent with the attached Board policy for inclusion in the County Manager's portion of the policy manual prior to January 1, 2018.*

Commissioner Cotham removed this item from Consent for more public awareness and to ask about paid military leave.

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

**17-4190      FY17-18 NCDOT RURAL OPERATING ASSISTANCE PROGRAM (ROAP) GRANT**

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

1. Affirm/Adopt Certified Statement FY2018 Rural Operating Assistance Program County of Mecklenburg included in the Mecklenburg County Department of Social Services application for the North Carolina Department of Transportation's Rural Operating Assistance Program (ROAP) Grant for Fiscal Year-2017-2018; and
2. Recognize, receive and appropriate a net increase in State revenue in the amount of \$31,139.

Commissioner Leake removed this item from Consent for more public awareness and for clarity. Director of Social Services Peggy Eagan addressed this item.

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

September 5, 2017

**17-4201 BUDGET AMENDMENT – HEALTH DEPARTMENT (REVENUE INCREASE/DECREASE)**

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 recognize, receive and appropriate a net increase in revenue of \$185,689 to reflect actual state, federal and other revenue changes.

*Note: The North Carolina Division of Public Health (DPH) awards the Health Department funding to support federal and state programs. During the fiscal year, the Health Department receives notification of modified funding for programs within the Department from DPH. The net increase of \$53,731 to federal revenue is in the Tobacco Prevention, TB Control, WIC Lactation Training Center, WIC Client Services, and WIC Breastfeeding Peer Counselor programs. The net increase of \$49,958 to state revenue is in the Tobacco Prevention, Healthy Communities, Care Coordination for Children, and Pregnancy Care Management programs. Other revenue adjustments include: an increase in the Medicaid CAP-Waiver and a decrease of awarded funds from The Junior League of Charlotte for Big Shot Saturday events.*

Commissioner Leake removed this item from Consent for more public awareness and for clarity. Interim Health Director Gibbie Harris addressed this item.

**17-4207 DONATION OF \$150,000 FROM CAROLINA PANTHERS (PARK AND RECREATION)**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate donation of funding in the amount of \$150,000 for a new synthetic field at Revolution Park from the Carolina Panthers.

*Note: The Carolina Panthers donated \$150,000 to assist the County with the renovation of the synthetic field at Revolution Park. Park and Recreation will provide the funding balance of \$367,000 for a total project cost of \$517,000. The Carolina Panthers have worked with Park and Recreation in the past for donations, including NFL Play60 playgrounds at Freedom Park and Hornet's Nest Park. This partnership has allowed the County to offer alternative fitness and play opportunities to children and adults. The Carolina Panthers donated funding of \$275,000 for the original synthetic field installation at Revolution Park in 2006. The Carolina Panthers continue to be great partners with Mecklenburg County Park and Recreation.*

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

September 5, 2017

**17-4210      SOLE SOURCE VENDOR APPROVAL – KEYPER SYSTEMS**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to approve a sole source contract with KEYper Systems for the management of County vehicles.

Commissioner Leake removed this item from Consent for more public awareness and for clarity. Director of Social Services Peggy Eagan addressed this item.

**ADJOURNMENT**

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, that there being no further business to come before the Board that the meeting be adjourned at 8:15 p.m.

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Janice S. Paige, Clerk

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Ella B. Scarborough, Chair