

October 3, 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, October 3, 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

-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) 17-4243, 17-4248, 17-4266, 17-4267, & 17-4268 to be removed from Consent and voted upon separately.

STAFF BRIEFING

17-4262 LAND CONVEYANCE – NORTH TRYON STREET PROPERTY

Jacqueline McNeil with Asset and Facility Management addressed a proposed land conveyance to the City of Charlotte. A representative from the Charlotte-Mecklenburg Police Department was also present.

Note: The County owns Tax Parcel 049-336-01A&B (8446 N. Tryon Street) which is located at the corner of N. Tryon Street and Ken Hoffman Drive. The property is +/- 1.83 acres in size and is .11 miles from W.T. Harris Blvd, along the Blue Line Extension route. The County's ownership of the property dated back to at least the 1950s. The property was most recently the site of a Department of Motor Vehicles (DMV) location under a long-term lease with the State of North Carolina. In 2014, the State terminated its lease with the County because it relocated to a new facility on Mt. Holly-Huntersville Road in Huntersville.

Following the State's departure from the building, the County began the process leading to declaring the property surplus as there was no immediately identifiable County need in this location that this site could satisfy. Through that process, the City of Charlotte asked the County to forego declaring the property surplus as it had identified the need for a new police station in the University City area and needed to complete its due diligence to determine if this location would meet its needs. The County agreed and did not market the property as surplus. The City

October 3, 2017

has now completed its due diligence process (environmental, geotechnical, architectural, etc.) and would like to move forward with the purchase of the property. The County would receive \$745,900, the appraised value of the property, from the City. A condition of the sale is that the County have a right to repurchase the property from the City for the original purchase price (\$745,900), if the City has not commenced with construction of the police station within two (2) years of the effective date of the deed. Should the County desire to exercise this option, the City agrees to convey the property back to the County within ninety (90) days of written request from the County.

Comments

Commissioner Dunlap asked about the City/County Real Estate Ledger, which was addressed.

Commissioner Leake expressed disappointment that no one from the City was present at the Board's Special meeting held earlier today. She also expressed concern for the amount of crime taking place throughout the County and the lack of police presence in certain areas, particularly, the Beatties Ford Road area.

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and carried 8-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes and Commissioner Leake voting no, to:

1. Authorize the County Manager to convey Tax Parcel 049-336-01A&B (+/- 1.83 acres) to the City of Charlotte for construction of a Charlotte-Mecklenburg Police Department station for a purchase price of \$745,900; and
2. Recognize and receive \$745,900 from the City of Charlotte as compensation for County owned Tax Parcel 049-336-01A&B and appropriate that amount to the Capital Reserve Fund for real estate acquisition costs.

CLOSED SESSION

17-4261 CONSULT WITH ATTORNEY

17-4263 LAND ACQUISITION

Prior to going into Closed Session, County Attorney Bethune announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcels:

- 033-111-12
- 033-146-08
- Portion of 033-251-02
- Portion of 033-251-04
- 033-251-05
- 033-251-14
- 033-251-15
- 033-251-16
- 033-251-17
- 033-261-05 and
- 033-251-01

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller 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 Land Acquisition.

October 3, 2017

The Board went into Closed Session at 5:35 p.m. and came back into Open Session at 6:03 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 the Pledge of Allegiance to the Flag, introductions and invocation by Chair Scarborough, after which, the matters below were addressed.

Note: Commissioners Puckett, Clarke and Ridenhour entered during introductions.

AWARDS/RECOGNITION – NONE

PUBLIC APPEARANCE

17-4259 PUBLIC APPEARANCE

No one appeared to speak during the Public Appearance portion of the agenda.

APPOINTMENTS

17-4269 APPOINTMENTS

ALCOHOLIC BEVERAGE CONTROL BOARD

Commissioner Clarke, chair of the Board's Ad Hoc Appointment Interview Committee, presented the committee's recommendation for an appointment to the Alcoholic Beverage Control Board. The Committee unanimously recommended the appointment of Monifa Drayton. The other Committee members were Commissioners Dunlap and Leake.

A copy of the Committee's recommendation is on file with the Clerk to the Board.

The nominees below were interviewed except for Leonard King. Mr. King was not available for an interview.

David Conway
Monifa Drayton
Antoine Ensley
Catherine Goodrich
Leonard King
Howard Phillips
Paul Stroup

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 appoint Monifa Drayton to the Alcoholic Beverage Control Board to fill an unexpired term expiring June 30, 2019.

Note: She replaced Jennifer Stanton, who resigned.

BUILDING DEVELOPMENT COMMISSION

October 3, 2017

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 reappoint John Taylor to the Building Development Commission for a three-year term expiring September 30, 2019 as the Associated Builder & Contractor Carolina Chapter representative.

PARK AND RECREATION COMMISSION

The vote was taken on the following nominees for appointment to the Park and Recreation Commission:

Anita Brown	None
Blanche Penn	Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough

Chair Scarborough announced the appointment of Blanche Penn to the Park and Recreation Commission to fill an unexpired term expiring June 30, 2019 as the North Region 3 representative.

Note: She replaced Kendel Bryant Phillips, who resigned.

PUBLIC HEARINGS

17-4258 PUBLIC HEARING – STREET LIGHTING FINAL ASSESSMENT

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to 1) acknowledge receipt of certification that a notice of the public hearing was mailed by first class mail to all property owners in the Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions; and 2) open the public hearing on Assessment Rolls for Mecklenburg County’s participation in the Street Lighting Assessment project for the Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions.

No one appeared to speak.

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing and adopt Final Assessment Resolution for Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions.

**FINAL 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

October 3, 2017

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 \$2,062.33 to Duke Power Company for charges incurred for the operation of these street lights 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 the operation of the street lights in the Capps Hollow 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 proposed term of payment for each property owner's portion of the cost of said work must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency has prepared the Final Assessment Roll on 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 Final Assessment Roll is attached hereto and incorporated herein by reference; and

WHEREAS, after notice was duly given, a public hearing was held on October 03, 2017 at 6:30 p.m. for the purpose of confirmation, modification, or annulment of the Preliminary Assessment Roll; and

WHEREAS, there being no changes or annulment made of the Preliminary Assessment Roll, the same is hereby confirmed by this resolution.

NOW THEREFORE BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Final Assessment Roll Resolution on the Street Lighting Assessment Project for the operation of the street lighting fixtures during the 2017 Fiscal Year in the Capps Hollow Subdivision, and requests the Mecklenburg County Land Use and Environmental Services Agency to prepare the necessary documents for transmittal to the County Tax Collector's Office to provide for the collection from the property owners for the cost of the operation of the street lighting fixtures during the 2017 Fiscal Year which is \$2,362.33.

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

**FINAL 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

October 3, 2017

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

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency has prepared the Final 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 Final Assessment Roll and map are attached hereto and incorporated herein by reference; and

WHEREAS, after notice was duly given, a public hearing was held on October 03, 2017 at 6:30 p.m. for the purpose of confirmation, modification, or annulment of the Preliminary Assessment Roll; and

WHEREAS, there being no changes or annulment made of the Preliminary Assessment Roll, the same is hereby confirmed by this resolution; now, therefore be it

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Final Assessment Roll Resolution on the Street Lighting Assessment Project for the operation of the street lighting fixtures during the 2017 Fiscal Year in the Cardinal Woods Subdivision and Cardinal Woods Estate, and requests the Mecklenburg County Land Use & Environmental Services Agency to prepare the necessary documents for transmittal to the County Tax Collector's Office to provide for the collection from the property owners for the cost of the operation of the street lighting fixtures during the 2017 Fiscal Year which is \$6,219.53.

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

**FINAL 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 the street lights in the Hearthstone 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 work must be paid by direct payment to Mecklenburg County; and

October 3, 2017

WHEREAS, the Mecklenburg County Land Use & Environmental Services Agency has prepared the Final Assessment Roll on 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 the Final Assessment Roll is attached hereto and incorporated herein by reference; and

WHEREAS, after notice was duly given, a public hearing was held on October 03, 2017 at 6:30 p.m. for the purpose of confirmation, modification or annulment of the Preliminary Assessment Roll; and

WHEREAS, there being no changes or annulment made by the Preliminary Assessment Roll, the same is hereby confirmed by this resolution.

NOW THEREFORE BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Final Assessment Roll Resolution on the Street Lighting Assessment Project for the operation of the street lighting fixtures during 2017 Fiscal Year in the Hearthstone Subdivision, and requests the Mecklenburg County Land Use & Environmental Services Agency to prepare the necessary documents for transmittal to the County Tax Collector's Office to provide for the collection from the property owners for the cost of the operation of the street lighting fixtures during the 2017 Fiscal Year, which is \$2,793.35.

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

**FINAL 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

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 lights 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 the street lights in the McGinnis Village 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 work must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use & Environmental Services Agency has prepared the Final Assessment Roll on 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 the Final Assessment Roll is attached hereto and incorporated herein by reference; and

WHEREAS, after notice was duly given, a public hearing was held on October 03, 2017 at 6:30 p.m. for the purpose of confirmation, modification or annulment of the Preliminary Assessment Roll; and

WHEREAS, there being no changes or annulment made of the Preliminary Assessment Roll, the same is hereby confirmed by this resolution.

NOW THEREFORE BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Final Assessment Roll Resolution on the Street Lighting Assessment Project for the operation of the street lighting fixtures during the 2017 Fiscal Year in the McGinnis Village Subdivision, and requests the Mecklenburg

October 3, 2017

County Land Use & Environmental Services Agency to prepare the necessary documents for transmittal to the County Tax Collector's Office to provide for the collection from the property owners for the cost of the operation of the street lighting fixtures during the 2017 Fiscal Year which is \$3,604.41.

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

**FINAL 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 proposed term of payment for each property owner's portion of the cost of said work must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use & Environmental Services Agency has prepared the Final Assessment Roll on 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 the Final Assessment Roll is attached hereto and incorporated herein by reference; and

WHEREAS, after notice was duly given, a public hearing was held on October 03, 2017 at 6:30 p.m. for the purpose of confirmation, modification, or annulment of the Preliminary Assessment Roll; and

WHEREAS, there being no changes or annulment made of the Preliminary Assessment Roll, the same is hereby confirmed by this resolution.

NOW THEREFORE BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Final Assessment Roll Resolution on the Street Lighting Assessment Project for the operation of the street lighting fixtures during the 2017 Fiscal Year in the Mountain Point Subdivision, and requests the Mecklenburg County Land Use & Environmental Services Agency to prepare the necessary documents for transmittal to the County Tax Collector's Office to provide for the collection from the property owners for the cost of the operation of the street lighting fixtures during the 2017 Fiscal Year which is \$6,467.81.

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

**FINAL 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

October 3, 2017

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 proposed term of payment for each property owner's portion of the cost of said work must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use & Environmental Services Agency has prepared the Final Assessment Roll on 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 the Final Assessment Roll is attached hereto and incorporated herein by reference; and

WHEREAS, after notice was duly given, a public hearing was held on October 03, 2017 at 6:30 p.m. for the purpose of confirmation, modification, or annulment of the Preliminary Assessment Roll; and

WHEREAS, there being no changes or annulment made of the Preliminary Assessment Roll, the same is hereby confirmed by this resolution.

NOW THEREFORE BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Final Assessment Roll Resolution on the Street Lighting Assessment Project for the operation of the street lighting fixtures during the 2017 Fiscal Year in the Mountain Point Estates Subdivision, and requests the Mecklenburg County Land Use & Environmental Services Agency to prepare the necessary documents for transmittal to the County Tax Collector's Office to provide for the collection from the property owners for the cost of the operation of the street lighting fixtures during the 2017 Fiscal Year which is \$2,416.58.

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

**FINAL ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
ROYAL OAKS 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, 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 been billed 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

October 3, 2017

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owners 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 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 work must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use & Environmental Services Agency has prepared the Final Assessment Roll on a map showing each lot assessed, the basis for the 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 the Final Assessment Roll is attached hereto and incorporated herein by reference; and

WHEREAS, after notice was duly given, a public hearing was held on October 03, 2017 at 6:30 p.m. for the purpose of confirmation, modification or annulment of the Preliminary Assessment Roll; and

WHEREAS, there being no changes or annulment made of Preliminary Assessment Roll, the same is hereby confirmed by this resolution.

NOW THEREFORE BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Final Assessment Roll Resolution on the Street Lighting Assessment Project for the street lighting operation costs during 2017 Fiscal Year in the Royal Oaks Subdivision and requests the Mecklenburg County Land Use & Environmental Services Agency to prepare the necessary documents for transmittal to the County Tax Collector's Office to provide for the collection from the property owners of these operation costs which is \$3,489.73.

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

**FINAL 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

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 street lights in the Spicewood Subdivision during the 2017 Fiscal Year plus \$300 in legal and other costs for a total of \$2,047.21 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 for the operation of 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 work must be paid by direct payment to Mecklenburg County; and

October 3, 2017

WHEREAS, the Mecklenburg County Land Use & Environmental Service Agency has prepared the Final Assessment Roll on 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 the Final Assessment Roll is attached hereto and incorporated herein by reference; and

WHEREAS, after notice was duly given, a public hearing was held on October 03, 2017 at 6:30 p.m. for the purpose of confirmation, modification or annulment of the Preliminary Assessment Roll; and

WHEREAS, there being no changes or annulment made of the Preliminary Assessment Roll, the same is hereby confirmed by this resolution.

NOW THEREFORE BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Final Assessment Roll Resolution on the Street Lighting Assessment Project for the operation of the street lighting fixtures during the 2017 Fiscal Year in the Spicewood Subdivision, and requests the Mecklenburg County Land Use and Environmental Services Agency to prepare the necessary documents for transmittal to the County Tax Collector's Office to provide for the collection from the property owners for the cost of the operation of the street lighting fixtures during the 2017 Fiscal Year which is \$2,047.21.

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

ADVISORY COMMITTEE REPORTS – NONE

MANAGER'S REPORT

County Manager Diorio introduced and welcomed Derrick Ramos, the new Assistant County Manager/Chief of Staff.

17-4287 ETJ POLICING PROJECT

County Manager Diorio gave an update on the Extra Territorial Jurisdiction (ETJ) Policing Project and highlights from the Board's Special Meeting held earlier today regarding this topic. The following was noted:

- Staff would follow up, again, with the City of Charlotte to request a one-year extension of the contract.
- Service Level data for the ETJ was needed, as well as, a way to measure and track it.
- The cost needs to be controlled over the term of the contract.
- There should be reporting from the CMPD on an on-going basis.
- There needs to be some confirmation and commitment that annexation in the ETJ, would not increase taxes for those who remain in the ETJ.
- It needs to be made clear that the County was eliminating general fund subsidy to the ETJ as it relates to Charlotte.
- Additional details were needed from the Sheriff on how the proposed ETJ patrol division would be wound down as the area decreased, as a result of annexation.
- There will be discussion with the City regarding Mint Hill.

County Manager Diorio said she would follow-up on the above referenced concerns and report back to the Board. County Manager Diorio said time was of the essence to get this matter resolved.

Comments

Commissioner Dunlap asked would the County Manager be able to report back at the Board's October 11, 2017 Budget/Public Policy meeting. *The response was yes.*

Commissioner Fuller asked would it be possible for the Board to make a decision on October 11, 2017. *The response was yes.*

October 3, 2017

Commissioner Fuller acknowledged and thanked Sheriff Irwin Carmichael for the work that he'd done with respect to this issue and for presenting a proposal for the Board's consideration. He said no matter what decision the Board ultimately made, it was no reflection of the Sheriff and his agency. He complimented the Sheriff's Office for the fine and valuable work that they do.

Commissioner Leake echoed Commissioner Fuller's sentiments with respect to the find work done by the Sheriff's Office.

Commissioner Leake expressed disappointment that there was no one from the City of Charlotte, particularly from City Council, present at the Board's Special meeting held today around this issue.

Commissioner Puckett said it was not expected that someone from Charlotte City Council would be present at the Board's Special meeting. He said the Board directed the County Manager to represent the County in these discussions and that those discussions had taken place between the County Manager and the City Manager, per Charlotte City Council's directive to their Manager.

Commissioner Puckett suggested the Board take final action at the Board's October 17, 2017 meeting instead of on October 11, 2017. He said this would allow more time and probably more conducive for City Council, since the Board wasn't aware of their meeting schedule between now and October 11th.

Commissioner Clarke said he was okay with waiting to make a final decision on October 17th, since the Board wasn't sure what City Council's schedule was. He said City Council should have time to weigh in on the matter.

Note: This concluded the discussion. The above was not inclusive of every comment but was a summary.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

17-4280 APPOINTMENT POLICY FOR BOARDS & COMMISSIONS (COMMISSIONER DUNLAP)

Commissioner Dunlap, Chair of the Board's Ad Hoc Advisory Board Review Committee, presented proposed effective dates for recent policy amendments approved by the Board on September 19, 2017.

Motion was made by Commissioner Fuller, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve effective date(s) for recent amendments to the Board's Appointment Policy as noted below:

- Amendment 1 ABC Board Nominee Questionnaire (Effective Immediately)

- Amendment 2 Attendance Requirement (Effective Immediately with the exception of the stipulation regarding missing three consecutive meetings, which would become effective January 1, 2018)

- Amendment 3 Committee Reporting (Effective January 1, 2018)
- Amendment 4 Committee By-laws (Effective Immediately)
- Amendment 5 Committee Funding (Effective Immediately)

CLOSED SESSION

17-4263 LAND ACQUISITION - OAK HILLS PROPERTY

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 authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcels:

- 033-111-12
- 033-146-08
- Portion of 033-251-02
- Portion of 033-251-04
- 033-251-05
- 033-251-14
- 033-251-15
- 033-251-16
- 033-251-17
- 033-261-05 and
- 033-251-01

totaling +/- 158 acres in the extra-territorial jurisdiction of the City of Charlotte from Oak Hills, Inc for a purchase price of \$170,000 for parcel 033-251-01 (+/- 2.17 acres) and \$24,500 per acre for the remaining approximately 156 acres for a total approximate purchase price of \$3,987,835.

Note: Park and Recreation wanted to acquire +/- 158.0 acres (with final acreage determined by a survey) in the extra-territorial jurisdiction of the City of Charlotte for a future regional park and greenway trail on Long and McIntyre Creeks.

CONSENT ITEMS

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 approve the following item(s):

17-4247 STORM WATER PROGRAM – FY17 HAZARD MITIGATION FLOODPLAIN ACQUISITION

1. Accept the Offer of Sale of Real Estate from Mary Thompson & Steven Shipp, owners of property located at 6214 Colchester Place, Charlotte, NC (tax parcel 173-071-08), for \$320,000; and
2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

October 3, 2017

Note: Since late 1999, Mecklenburg County has used local storm water fee revenue to acquire property that would 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.). This action would consist of acquiring the property and demolishing the existing building using Storm Water Services capital funds for the purchase.

17-4255 BUDGET AMENDMENT – COMMUNITY SUPPORT SERVICES (REVENUE INCREASE)

Recognize, receive and appropriate an increase of \$6,070 in federal funds received from North Carolina Council for Women and Youth Involvement for prevention of domestic violence and teen dating violence.

17-4256 BUDGET AMENDMENT – LUESA (BUDGET INCREASE)

Recognize, receive and appropriate \$5,100 from I-77 Mobility Partners, LLC for future plantings at Anita Stroud Neighborhood Park.

17-4260 MINUTES

Approve Minutes of Regular meeting held September 19, 2017 and Closed Session held September 19, 2017.

17-4264 TAX REFUNDS

Approve refunds in the amount of \$6,682.71 and interest as statutorily required to be paid as requested by the County Assessor.

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

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

17-4265 SET PUBLIC HEARING – NC DEPT. OF TRANSPORTATION COMMUNITY TRANSPORTATION GRANT APPLICATION, URBAN GRANT 5307 APPLICATION AND URBAN GRANT 5307 APPLICATION

Schedule a public hearing for October 17, 2017 to receive comments on the Mecklenburg County Department of Social Services' applications for:

- a. North Carolina Department of Transportation's Community Transportation Grant for Fiscal Year 2018-2019;
- b. North Carolina Department of Transportation's 5307 Urbanized Area Formula Grant for Fiscal Year 2017-2018; and
- c. North Carolina Department of Transportation's 5307 Urbanized Area Formula Grant for Fiscal Year 2018-2019.

October 3, 2017

17-4283 ALCOHOLIC BEVERAGE CONTROL (ABC) BOARD CEO SALARY APPROVAL (CHAIR SCARBOROUGH)

Approve the salary for the Alcoholic Beverage Control Board CEO, Jason Hughes, as requested and approved by the ABC Board, in the amount of \$174,720, effective July 1, 2017.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

17-4243 BUDGET AMENDMENT – SENIOR HEALTH INSURANCE INFORMATION PROGRAM GRANT

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 recognize, receive and appropriate grant funds \$1,998.00, above the original request of \$8,000.

Note: Mecklenburg County Park and Recreation Department applied for and received, a Senior Health Insurance Information Program grant in the amount of \$9,998. This is \$1,998 greater than the \$8,000 submitted to the board on August 2, 2017. The grant award will be distributed in FY2018 and will be used to continue existing Medicare education and counseling services offered in all three MCPR Senior Centers, Levine Senior Center, some MCPR 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. *Director of Park and Recreation Jim Garges addressed the grant.*

17-4248 CONSTRUCTION CONTRACT – STEVENS CREEK NATURE PRESERVE EARLY SITE DEVELOPMENT

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 award a construction contract to Eagle Wood, Inc. in the amount of \$951,226.20 for the Stevens Creek Nature Preserve Early Site Development.

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

17-4266 SECOND WARD HIGH SCHOOL GYM/METRO SCHOOL LIGHTING AGREEMENT

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 negotiate and execute the Second Ward High School Gym/Metro School Lighting Agreement with the Charlotte-Mecklenburg Board of Education to allow the County to install lighting on the Metro School property, Tax Parcel 125-071-26, in connection with the Second Ward High School Gym renovation.

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

17-4267 CAPITAL RESERVE EXPENDITURE REQUEST – RENAISSANCE GOLF COURSE (PARK AND RECREATION)

October 3, 2017

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 approve expenditure of \$117,826 from Park and Recreation Golf Course Capital Reserve account for improvement projects at Renaissance Park as follows:

1. \$105,826 for Phase II for the redesign of Renaissance Golf Course due to settling from underlying landfill; and
2. \$12,000 for new signage at Renaissance Golf Course and new flooring in the kitchen.

Commissioner Leake removed this item from Consent for more public awareness. She also asked about the cost to name the golf course after the late and former Mecklenburg County Manager Harry L. Jones, Sr. *Director Garges said he did not recall but would get that information to the Board.*

17-4268 GRANT APPLICATION – NORTH CAROLINA GENERAL PURPOSE GRANT (SENIOR CENTERS)

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;

1. Affirm submittal of a grant application of up to \$3,647 for a NC General Purpose Grant for the North Mecklenburg Senior Center;
2. Affirm submittal of a grant application of up to \$10,939 for a NC General Purpose Grant for the Tyvola Senior Center;
3. Affirm submittal of a grant application of up to \$10,939 for a NC General Purpose Grant for the Shamrock Senior Center; and
4. If awarded, recognize, receive and appropriate such funds.

Note: Mecklenburg County Park and Recreation Department applied for a NC Senior Center General Purpose grants in the amounts indicated. The grant awards will be distributed in FY2018 and will be used to continue existing programming at each of the centers. The required 25% match will be fulfilled with salaries of Center staff. Application for the grant had to be submitted to the Area Agency on Aging by August 11, 2017 but the grant covers expenses back to July 1, 2017.

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

ADJOURNMENT

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, that there being no further business to come before the Board that the meeting be adjourned at 6:53 p.m.

Janice S. Paige, Clerk

Ella B. Scarborough, Chair