

October 16, 2018

**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 16, 2018.

ATTENDANCE

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

Absent: Commissioner Trevor M. Fuller

-INFORMAL SESSION-

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

Commissioner Puckett was absent when the meeting was called to order and until noted in the minutes.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) to be removed from Consent and voted upon separately. The items identified were Items 18-4932, 18-4960, 18-4971, 18-4972, 18-4973, 18-4980, 18-4984, and 18-4989.

STAFF BRIEFINGS - NONE

CLOSED SESSION

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18-4976 CONSULT WITH ATTORNEY
18-4988 LAND ACQUISITION

Prior to going into Closed Session County Attorney Wade announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcel(s): Tax Parcel 221-091-01; 221-032-20; 221-091-02; 221-101-68; 221-103-93; 009-051-11; 009-051-10; 009-051-12; 009-051-13; 009-051-14; 009-051-15; 009-041-06; 009-051-16; 009-051-09; 123-062-17; 123-062-05; 123-062-06; and 123-062-17.

Motion was made by Commissioner Dunlap, seconded by Commissioner James and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, James, Leake, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose(s): Consult with Attorney and Land Acquisition.

The Board went into Closed Session at 5:13 p.m. and came back into Open Session at 6:25 p.m.

Commissioner Puckett was present when the Board came back into Open Session. He entered the meeting during Closed Session.

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to move the following items from Consent to Awards/Recognition: 18-4949 Proclamation-ASC 60th Anniversary-National Arts and Humanities Month October 2018, 18-4971 Proclamation-Red Ribbon Week 2018, and 18-4972 Joint Proclamation-Domestic Violence Awareness Month October 2018.

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 and gave the invocation which was followed by the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.

AWARDS/RECOGNITION

18-4949 PROCLAMATION – ASC 60TH ANNIVERSARY – NATIONAL ARTS AND HUMANITIES MONTH OCTOBER 2018 (CHAIR SCARBOROUGH)

Motion was made by Commissioner Ridenhour, seconded by Commissioner James and

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unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt a proclamation declaring October 2018 as National Arts and Humanities Month in Mecklenburg County.

The proclamation was read by Commissioners Cotham and Ridenhour and received by Robert Bush and Felicia McDowell with the Arts and Science Council. A handout was provided regarding Arts and Science Council (ASC) activities.

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



18-4971 PROCLAMATION – RED RIBBON WEEK 2018

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett,

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Ridenhour, and Scarborough voting yes, to adopt a Proclamation declaring October 23 - 31, 2018 as Red Ribbon Week in Mecklenburg County.

Note: The Red Ribbon Campaign was established by Congress in 1988 to encourage a drug-free lifestyle and involvement in drug prevention and reduction efforts.

The proclamation was read by Commissioner Puckett.



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18-4972 JOINT PROCLAMATION – DOMESTIC VIOLENCE AWARENESS MONTH OCTOBER 2018

Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt a Joint Proclamation declaring October 2018 as Domestic Violence Awareness Month in Mecklenburg County and the City of Charlotte.

Note: Domestic violence is a serious crime that affects people of all races, ages, gender, and income levels. Domestic Violence Awareness Month is an opportunity for citizens to learn about preventing domestic violence.

The proclamation was read by Commissioner Puckett and received by Neil Bloomfield, Chair of Domestic Violence Advisory Board.

PROCLAMATION

City of Charlotte/Mecklenburg County

WHEREAS, domestic violence is a serious crime that affects people of all races, ages, gender, and income levels; and

WHEREAS, domestic violence is widespread and affects over four million Americans each year; and

WHEREAS, one in four women and one in seven men will be victims of severe physical violence by an intimate partner in their lifetime; and

WHEREAS, children that grow up in violent homes are believed to be abused and neglected at a rate higher than the national average; and

WHEREAS, domestic violence costs the nation billions of dollars annually in medical expenses, police, court costs, shelters, foster care, sick leave, absenteeism, and non- productivity; and

WHEREAS, only a coordinated effort can hope to slow this epidemic in our community and bring relief to its victims; and

WHEREAS, a domestic violence awareness month would provide an excellent opportunity for citizens to learn about preventing domestic violence, to show support for the numerous organizations and individuals who provide critical advocacy, services, and assistance to victims, and to help raise awareness of these services in an effort to extend a life line to survivors:

NOW, THEREFORE, WE, Vi Alexander Lyles, Mayor of Charlotte, and Ella B. Scarborough, Chair of the Mecklenburg Board of County Commissioners, do hereby proclaim October 2018 as

"DOMESTIC VIOLENCE AWARENESS MONTH"

in Charlotte and Mecklenburg County and commend its observance to all citizens.

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

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PUBLIC APPEARANCE

18-4974 PUBLIC APPEARANCE

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

Rev. Ricky Woods addressed the need for affordable housing. He informed the Board of an effort by Myers Park United Methodist Church, First Baptist Church West and OneMeck Affordable Housing Group to host a community book read. The book that the community was being asked to read was “The Color of the Law A Forgotten History of How Our Government Segregated America” by Richard Rothstein. He invited the Board to participate. He said the hope was that the community book read would lead to greater discussion and possibly policy changes within governmental bodies that would do more to create and preserve affordable housing. It was noted also, that Mr. Rothstein would be in Charlotte in January to meet with community leaders and that more information regarding this would be provided at a later date.

Rev. Ricky Woods said he was also supportive of those that would be speaking regarding the preservation of the Historic Excelsior Club.

Mattie Marshall, President of Historic Washington Heights and Nichelle Bonaparte addressed the preservation of the Historic Excelsior Club and asked the Board to take action to do so.

Ms. Marshall said according to the October 8, 2018 draft minutes of the Historic Landmarks Commission regarding the Historic Excelsior Club, the Board of County Commissioners did not approve the Option to purchase the Historic Excelsior Club that had been negotiated by the Historic Landmarks Commission with the owner of the Historic Excelsior Club.

The Board was asked to reconsider the Option and to purchase it. It was asked that the Board respond back to the speakers within the next 10 days.

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Note: Beatrice Thompson signed up to speak on the Historic Excelsior Club but did not appear.

Diane Meyer signed up to speak but canceled her appearance.

APPOINTMENTS

18-4956 NOMINATIONS/APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Charlene Barr to the Adult Care Home Advisory Committee for a three-year term expiring October 31, 2021.

JUVENILE CRIME PREVENTION COUNCIL

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Brenda Prince to the Juvenile Crime Prevention Council as the Faith Community representative to fill an unexpired term expiring May 30, 2021.

Note: She replaced Darryl Johnson.

18-4997 WASTE MANAGEMENT ADVISORY BOARD

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to appoint Charles (Andrew) Stienecker to the Waste Management Advisory Board as recommended by the Matthews Board of Commissioners, per action taken on September 24, 2018, for a three-year term expiring October 31, 2021, effective November 1, 2018.

Note: He replaced Ollie Frazier.

PUBLIC HEARINGS

18-4968 TEFRA HEARING – ALLIANCE PREPARATORY SCHOOLS, INC.

Note: As more fully explained in the Resolution, Alliance Preparatory Schools, Inc., a North Carolina nonprofit corporation (the “Borrower”) has requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the “Authority”), issue its Education Revenue Bonds (Southwest Charlotte STEM Academy) Series 2018 (the “Bonds”), in an aggregate principal amount not to exceed \$23,500,00, and loan the proceeds thereof to the Borrower for the following purposes:

(a) financing or refinancing the acquisition, construction, improvement, and equipping of land and certain charter school facilities of the Borrower located at 5203 Shopton Road, Charlotte, North Carolina 28278 in the County of Mecklenburg, including but not limited to the acquisition of approximately 13.58 acres of unimproved land and the construction thereon of an approximately 64,900 square foot, two-story educational facility with approximately 49 classrooms, a gymnasium, a band room, administration areas, and offices, designed to accommodate approximately 950 students in grades K-8 and to be operated as a public charter school known as Southwest Charlotte STEM Academy (the “Project”);

(b) funding a debt service reserve fund for the Bonds

(c) funding capitalized interest on all or a portion of the Bonds; and

(d) paying all or a portion of the costs of issuance of the Bonds.

Alliance Preparatory Schools, Inc., is using the Wisconsin Public Finance Authority as the issuer of the Bonds because of a desire to have a 30-year maturity on the debt; the North Carolina Capital Facilities Finance Agency, which would be the North Carolina issuer, has a policy which prohibits a bond maturity greater than 20 years. In order to comply with federal tax law, and the code and approval requirements, Alliance Preparatory Schools, Inc. has requested that the Mecklenburg County Board of Commissioners hold a public hearing and approve the Resolution.

This approval will not make the County responsible in any way for the Bonds or the Project financed with bond proceeds. Hosting the public hearing and approving the issuance of the Bonds are merely ministerial acts that will enable the Borrower to comply with federal tax law requirements in order that interest on the Bonds be exempt from federal income tax.

Motion was made by Commissioner Jim Puckett, seconded by Commissioner Bill James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to open the public hearing to receive comments on the proposed financing by Alliance Preparatory Schools, Inc.

At 6:55 p.m., the Chairman announced that the Board would proceed to hold a public hearing and would hear anyone who wished to be heard on the proposed issuance by the Public Finance

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Authority, a public authority existing under the laws of the State of Wisconsin (the "*Authority*"), of its Education Revenue Bonds (Steele Creek STEM Academy) Series 2018 (the "*Bonds*"), in an aggregate principal amount not to exceed \$23,500,000, the proceeds of which will be loaned to Alliance Preparatory Schools, Inc., a North Carolina nonprofit corporation, or a North Carolina limited liability company of which Alliance Preparatory Schools, Inc., is the sole member (the "*Borrower*"), for the purpose of

(a) financing or refinancing the acquisition, construction, improvement, and equipping of land and certain charter school facilities of the Borrower located at 5203 Shopton Road, Charlotte, North Carolina 28278, in the County of Mecklenburg, including but not limited to the acquisition of approximately 13.58 acres of unimproved land and the construction thereon of an approximately 64,900 square foot, two-story educational facility with approximately 49 classrooms, a gymnasium, a band room, administration areas, and offices, designed to accommodate approximately 950 students in grades K-8 and to be operated as a public charter school known as Steele Creek STEM Academy (the "*Project*");

(b) funding a debt service reserve fund for the Bonds;

(c) funding capitalized interest on all or a portion of the Bonds; and

(d) paying all or a portion of the costs of issuance of the Bonds.

The Project is located at 5203 Shopton Road, Charlotte, North Carolina 28278, in the County of Mecklenburg. The Project will be owned or leased and operated by the Borrower.

On October 2, 2018, a notice of public hearing was published in *The Charlotte Observer*, a copy of the affidavit of publication being attached, setting forth a general, functional description of the type and use of the facilities to be financed or refinanced, the maximum principal amount of the Bonds, the initial owner or lessee and operator of the facilities and the location of the facilities, among other things.

The names, address and testimony of the persons who were present and who offered comments on the proposed issuance of the Bonds or who responded in writing to the notice of public hearing are as follows: **[None]**

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

After the Board had heard all persons who had requested to be heard, Commissioner Jim Puckett moved that the public hearing be closed. The motion was seconded by Commissioner Bill James and was unanimously adopted.

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

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG,
NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS
EDUCATION REVENUE BONDS (STEELE CREEK STEM ACADEMY) SERIES 2018 IN AN
AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$23,500,000**

WHEREAS, Alliance Preparatory Schools, Inc., a North Carolina nonprofit corporation, has requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the "*Authority*"), issue its Education Revenue Bonds (Steele Creek STEM Academy) Series 2018 (the "*Bonds*"), in an aggregate principal amount not to exceed \$23,500,000, and loan the proceeds thereof to Alliance Preparatory Schools, Inc., or a North Carolina limited liability company of which Alliance Preparatory Schools, Inc., is the sole member (the "*Borrower*") for the following purposes:

(a) financing or refinancing the acquisition, construction, improvement, and equipping of land and certain charter school facilities of the Borrower located at 5203 Shopton Road, Charlotte, North Carolina 28278, in the County of Mecklenburg, including but not limited to the acquisition of approximately 13.58 acres of unimproved land and the construction thereon of an approximately 64,900 square foot, two-story educational facility with approximately 49 classrooms, a gymnasium, a band room, administration areas, and offices, designed to accommodate approximately 950 students in grades K-8 and to be operated as a public charter school known as Steele Creek STEM Academy (the "*Project*");

(b) funding a debt service reserve fund for the Bonds;

(c) funding capitalized interest on all or a portion of the Bonds; and

(d) paying all or a portion of the costs of issuance of the Bonds.

WHEREAS, the proceeds of the Bonds will be used by the Borrower to acquire the land on which the Project is to be constructed, which will then be operated by the Borrower;

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

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

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

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

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

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

BE IT RESOLVED by the Board as follows:

Section 1. Pursuant to and in accordance with the requirements of Section 147(f) of the Code and Section 66.0304(11)(a) of the Wisconsin Statutes and Section 4 of the Joint Exercise Agreement, the Board hereby approves (a) the Authority's issuance of the Bonds in an aggregate principal amount not to exceed \$23,500,000 and (b) the financing or refinancing of the Project located in the County.

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

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

On motion of Commissioner Jim Puckett, seconded by Commissioner Bill James, the foregoing resolution entitled "**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS EDUCATION REVENUE BONDS (STEELE CREEK STEM ACADEMY) SERIES 2018 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$23,500,000**" was duly adopted by the following vote:

AYES: Commissioners Dumont Clarke, Patricia "Pat" Cotham, George Dunlap, Bill James, Vilma D. Leake, Jim Puckett, Matthew Ridenhour, and Ella B. Scarborough

NAYS: None

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

18-4977 AMENDMENTS TO THE MECKLENBURG COUNTY FLOODPLAIN REGULATIONS

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing to receive comments on the proposed revisions to the Mecklenburg County Floodplain Regulations.

Note: FEMA has completed revisions to the Flood Insurance Rate Maps (FIRMs) for a portion of Mecklenburg County. The FIRMs show property most susceptible to flooding, are used by staff to regulate development, and are used by FEMA and homeowners for flood insurance purposes. The revised FIRMs become effective on November 16, 2018. This date is mandated by FEMA and all jurisdictions impacted by the new maps (Mecklenburg, Charlotte, Cornelius, Huntersville, Davidson, and Mint Hill) must amend their floodplain ordinance to include this date prior to November 16, 2018.

This action is required in order for Mecklenburg County to remain a participating community in the National Flood Insurance Program (NFIP). Participation in NFIP makes federally-backed flood insurance available to property owners within Mecklenburg County.

The State of North Carolina issued a new Model Floodplain Ordinance Template in 2017 for use by communities that included several required changes and some recommended changes. County staff evaluated the changes and (at the recommendation of the Storm Water Advisory Committee, SWAC) formed a stakeholders group to review the updated ordinance proposed by staff. Staff updated the Floodplain Ordinance (using the City of Charlotte ordinance as an example) and on June 29, 2018, the Stakeholders unanimously endorsed the proposed changes to the ordinance. On July 19, 2018, SWAC unanimously endorsed the updated ordinance and on July 20, 2018, the State floodplain agency (North Carolina Department of Public Safety, NCDPS) reviewed the updated floodplain ordinance and deemed it compliant with the NFIP requirements. County staff also proposed some changes to bring the County's ordinance up-to-date with Floodplain Ordinances for the City and Towns. The County Attorney has reviewed and approved the proposed Mecklenburg County Floodplain Regulations.

The Mecklenburg County Floodplain Regulations apply to only approximately one square mile of land within unincorporated Mecklenburg County that lies outside of the planning jurisdictions (and associated floodplain regulations) of the City of Charlotte and the six towns. Floodplains make up less than 50 acres of the land regulated by the Mecklenburg County Floodplain Regulations.

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No one appeared to speak.

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing and adopt the proposed revisions to the Mecklenburg County Floodplain Regulations.

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

ADVISORY COMMITTEE REPORTS

18-4925 WOMEN'S ADVISORY BOARD MID-YEAR UPDATE ON 2018 ACTIVITIES

The Board received a mid-year update on activities of the Women's Advisory Board given by Zhivi Williams, Advisory Board Chair and Melissa Lefko, Vice Chair.

The following was noted as areas of focus for the committee:

- Homelessness and Women
- Women's and Children's Access to Healthcare
- Gender Based Income Disparity
- Workplace Harassment.

Also, that as of 2018, turnover of board members continued to be a struggle; however, the advisory board was committed to using the high attrition rate as an opportunity to better diversify membership when vacancies are filled.

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

Commissioners expressed thanks to the Women's Advisory Board for their work.

Commissioner Leake asked that they continue to bring their areas of focus to the attention of all local elected bodies and that they report regularly on these issues.

Commissioner Clarke addressed the importance of the work that's done and needs to be done by the Women's Advisory Board, especially, in light of the current federal administration's view of women. He encouraged the advisory board to "step up" it's efforts.

18-4998 REZONING PETITION 2018-001C – PETITION NORHTWOOD RAVIN DEVELOPMENT

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The Board received a recommendation from the Planning Commission on rezoning request - Petition #2018-001(C) for a change in zoning for approximately 12 acres located on the west side of Lancaster Highway south of Southcrest Lane from R-3 to UR-2 (CD) with five-year vested rights, Petitioner: Northwood Ravin Development. The recommendation was for approval.

Commissioner James addressed the petition. He noted the following:

- The proposed rezoning plan appears to be in compliance with the east side of Hwy. 521 but not within the old plan for the west side of Hwy. 521.
- He's not sure if that matters at this point but said there would be a small increase in traffic in an area that's already "burdened" with traffic problems.
- The zoning was less of an issue, than the cut through neighborhood traffic, which was not this zoning request issue, but an issue nonetheless.
- At some point either the City of Charlotte needed to include this area in its Extra Territorial Jurisdiction (ETJ) or either the County would have to get more involved regarding what to do with property in this area.
- The requested zoning change made sense, but, he understood the concerns about traffic and schools.

Commissioner Dunlap asked County Manager Diorio if the County had the authority to develop a plan for this unincorporated area. *The response was yes, if there wasn't one already.*

Commissioner Dunlap said it made sense to have a plan for this area since rezoning requests were continuing to come before the Board. He said the plan should be consistent with either the City of Charlotte's or the Town of Pineville, which were the adjacent areas, since neither of those entities had a desire to take this area in.

County Manager Diorio said staff would look into this request and report back to the Board.

Commissioner Puckett encouraged the Town of Pineville to reconsider taking this area in.

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt the Zoning Committee's Statement of Consistency as it appeared in the agenda and noted below, as the Board of Commissioners own; and to adopt a resolution approving Petition #2018-001(C) for a change in zoning for approximately 12 acres located on the west side of Lancaster Highway south of Southcrest Lane from R-3 to UR-2 (CD) with five-year vested rights, Petitioner: Northwood Ravin Development.

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The Zoning Committee voted 6-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be inconsistent with the adjacent single family detached residential uses; however, the proposed density is consistent with other attached residential projects in the area based on the information from the staff analysis and the public hearing and because:

- The site is in an area of unincorporated Mecklenburg County outside of the sphere of influence and ETJ of Pineville and the City of Charlotte. Therefore, no adopted plans specifically addressing future land use for the area exist; and
- The petition proposes a multi-family, attached development; and
- The proposed density of 9.16 dwelling units per acre is consistent with other nearby townhome developments along Lancaster Highway.

Therefore we find this petition to be reasonable and in the public interest based on information from the staff analysis and the public hearing and because:

- The proposal will introduce additional housing options to the area; and
- The layout of the development includes alley loaded units facing the public streets, a linear landscaped amenity area between Lancaster Highway and the units fronting the highway, and a private amenity area, which results in a walkable development with outdoor amenities; and
- The development provides a 40-foot setback measured from the existing back-of-curb along Southcrest Lane that is consistent with single family detached homes along the street; and

The proposed building scale and 40 foot maximum height for the units along Southcrest Lane blends with the detached single family homes along the street; and

- The development commits to buffers adjacent to single family homes that are consistent with the requirement for traditional multifamily development; and
- The proposal commits to a number of architectural standards related to building materials, blank walls, raised entrances, and recessed garage doors that ensure building design compatible with surrounding single family homes.

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

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

MANAGER'S REPORT

18-4996 CHARLOTTE-MECKLENBURG SCHOOLS SECURITY PLAN

County Manager Diorio called on Charlotte-Mecklenburg Schools Superintendent Clayton Wilcox to address Charlotte-Mecklenburg Schools Security Plan.

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He noted efforts being made and that had been made as it related to security measures, such as, but not limited to, door upgrades, magnetic locking systems that were key card access, surveillance systems, etc. He said they changed their security protocols across the district and partnered with law enforcement agencies to conduct active shooters survival training; worked with several school administrative teams to review all their security plan operations manuals; retrofitted camera systems in thirteen schools; and upgraded the servers that operate the camera systems.

Note: As part of the FY2019 budget process, the Board of Education (BOE) requested \$9.2M to fund security upgrades for CMS. The \$9.2M request will support a multi-phase security plan. In response to the funding request, the Board of County Commissioners (BOCC) set aside \$4,600,000 in restricted contingency. The criteria for releasing the funds is contingent on the BOCC receiving a security plan from CMS. The following is a list of projects submitted to County staff from CMS to support Phase 1 of the security plan:

- additional electronic locks/controlled access - \$1,800,000;
- video surveillance - \$1,750,000;
- visitor management systems (60) - \$600,000;
- panic card alarms (10,000) - \$250,000; and
- enhanced video surveillance (20 High Schools) - \$100,000.

The total amount of security upgrades in Phase 1 is \$4,500,000. As information, CMS provided a list of projects for Phase 2 of the upgrades that also total \$4,500,000, bringing the grand total of the security plan to \$9,000,000. The upgrades listed in Phase 2 includes enhanced video surveillance, classroom camera systems, panic card alarms, and reconstruction. The Manager advised the BOCC that CMS can fund the balance of the security plan (Phase 2) with the annual deferred maintenance appropriation (\$18M) provided to CMS from the County.

Comments

Commissioner James asked about the type of video surveillance cameras and systems being used, which was addressed.

Commissioner James said he would like to know the kind of cameras, the cost per camera, and the type of systems being used. He said they should all be digital.

Commissioner Dunlap asked was there a plan to reuse the analog cameras that were being replaced, with the understanding they aren't as clear as the new cameras being purchased. *Dr. Wilcox said depending on the quality of the camera, they may be placed at some of the elementary schools. He said the digital cameras would be placed in the high schools and middle*

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schools first. Camera upgrades would occur at the elementary schools in phase two.

Commissioner Dunlap asked the process used to determine which schools would receive cameras first, which was addressed.

Commissioner Dunlap asked about the use of panic cards and the monitoring of them, which was addressed.

Commissioner Ridenhour asked if there would be a need to increase the size of the CMS' Information Technology department, because of these initiatives. *Dr. Wilcox said they were always looking at their back-room technologies. He said they were not only supporting an increase internally but were also looking at this as a cloud base technology, monitored by an outside agency, because they could do this much cheaper than CMS could.*

Commissioner Ridenhour asked about coordination between CMS Police and CMPD, which was addressed.

Commissioner Leake thanked Dr. Wilcox for the work that was being done. She said it was up to CMS to determine what needed to be done and purchased when it came to school security. She said the County's responsibility was to help provide the funds.

Commissioner Leake said she would hold the Superintendent accountable for the safety of children in the schools.

Commissioner Puckett asked about prioritization of the roll out into schools, which was addressed.

Commissioner Cotham asked about the use of consultants. *Dr. Wilcox said it wasn't that he didn't think the use of a consultant wasn't valuable, but with limited dollars and the fact that they knew cameras needed to be replaced, it was more cost effective to use the funds available in this manner first. He said as they continue to address the issue of security, a consultant could be brought in at a later date.*

Commissioner Cotham asked Dr. Wilcox to comment on balancing transparency with keeping children safe. *Dr. Wilcox said he felt it was always best err on the side of openness and transparency but, that you must keep a few cards "close to your vest." He said you must continue to practice the drills, so if that "terrible day comes," you would be able to respond as quickly and as efficiently as possible.*

Dr. Wilcox said at "the end of the day" if somebody wanted to defeat a security system and they're armed with an assault weapon, it could be very difficult to stop them, even with

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measures in place. He said school safety and security was the one issue that kept him awake at night the most.

Commissioner Cotham asked about school resource officers, which was addressed.

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

Motion was made by Commissioner Dunlap, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to release \$4,600,000 from restricted contingency to support Charlotte-Mecklenburg Schools (CMS) security plan.

18-4982 EXTENSIONS FOR FILING ELECTRONIC LISTINGS OF PERSONAL PROPERTY

Note: Personal property is required to be listed for taxation between January 1 and January 31 of each year. By Resolutions approved on December 21, 2004, the Board authorized the Assessor to grant requested extensions for written listings until April 15th and for electronic listings until May 15th. Having 2 deadlines for listing personal property has created confusion. Accordingly, the Assessor requests that the deadline for all listings be April 15th.

Motion was made by Commissioner Dunlap, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a resolution reducing the extension period for electronic listings of personal property from May 15th to April 15th to conform with extensions for non-electronic listings, titled: Amended And Restated Resolution Providing For Electronic Listing And Extending The Time For Filing Electronic Listings Of Business Personal Property For Property Tax Purposes.

**AMENDED AND RESTATED RESOLUTION PROVIDING FOR ELECTRONIC LISTING AND
EXTENDING THE TIME FOR FILING ELECTRONIC LISTINGS OF BUSINESS PERSONAL PROPERTY
FOR PROPERTY TAX PURPOSES**

WHEREAS, North Carolina General Statute §105-304 authorizes Counties to permit electronic listing of business personal property; and

WHEREAS, North Carolina General Statute §105-307 permits the Board of County Commissioners to extend the deadline for filing electronic listings of business personal property under G.S. §105-304 to June 1; and

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WHEREAS, by Resolution dated December 21, 2004, this Board authorized the extension of the deadline for filing electronic listings of business personal property to May 15; and

WHEREAS, North Carolina General Statute §105-311(b) authorizes electronic signature of business personal property listings which are submitted electronically,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. Mecklenburg County Board of Commissioners hereby authorizes business personal property listing to be submitted and signed electronically and extends the deadline for receiving electronic business personal property listings to and until April 15 of any tax year.

Section 2. The following procedures will apply to electronic tax filings. Electronic listings must be submitted online, facsimiles will not be accepted as electronic listings. In order to file electronically, the taxpayer must use the electronic listing application and the Account Identification Number (Account ID) and a Personal Identification Number (PIN) provided by the Mecklenburg County Assessor's Office. To request an extension to file business personal property listings after January 31, the taxpayer must file an online request for extension of time during the month of January and must provide both the Account ID and the PIN which appears on his listing form. Electronic filings must be received by the Mecklenburg County Assessor no later than April 15 in order to avoid late list penalties. The Account ID and the PIN provided on electronically submitted listings forms will constitute the taxpayer's electronic signature.

Section 3. This resolution shall be recorded in the minutes of the Mecklenburg County Board of Commissioners and notice of the procedure and extension of time for electronic filing of business personal property listings shall be published as required by G.S. §105-296(c). Section

4. This resolution is effective for all tax years after its adoption and at such time as the Assessor has the ability to implement a system for electronic listing.

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

18-4995 BROADCAST OF MEETINGS ON FACEBOOK (COMMISSIONER RIDENHOUR)

The Board received staff's response regarding livestreaming/broadcasting all meetings of the Board on Facebook. It was given by Danny Diehl, Director of Public Information and staff member Nicole Nolen.

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The report addressed: What's Currently Being Done; Live Streaming Results; Strategic Approach to Social Media; City of Charlotte Facebook Streaming; and an Alternative as noted below.

Use Twitter instead of Facebook

- Six times the number of potential viewers (60k v. 9k)
- Continuous live feed is the heart of Twitter
- Commissioners, media and others already use it to follow decisions and respond
- Allows us to continue building Facebook presence, which is growing as a preferred County news resource

Conclusion

- Video stream is better than ever and can be used on any channel
- Live meetings on Facebook have the potential to dilute content and hinder growth and engagement
- Twitter is designed for live content and offers the best chance for success

It was stated that if the Board decides to stream meetings on social media, staff's recommendation would be to stream regular meetings only; and staff would report back on how it's doing maybe in ninety days.

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

Comments

Commissioner Ridenhour thanked staff for the report and said he supported piloting this for ninety days with a follow up report from staff.

Commissioner Ridenhour commented on the benefits of streaming live on Facebook.

Commissioner Dunlap asked what was wrong with having the meeting available at all times. *Director Diehl explained that currently it was available at all times and elaborated. He also addressed the pros and cons of placing it on Facebook live.*

After further discussion, it was the consensus of the Board that this not become a policy but to allow staff to move forward with livestreaming/broadcasting of Regular meetings of the Board on Facebook as a pilot and that staff report back at the end of ninety days.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

18-4985

DEPARTMENT MANAGEMENT MONTHLY REPORTS

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The Board received as information monthly department management monthly reports for October 2018.

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

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

18-4999 FEATURE DEPARTMENT/AGENCY PRESENTATION: OFFICE OF ECONOMIC DEVELOPMENT

The Board received a presentation from the Office of Economic Development about the overview of the primary initiatives currently underway, given by Peter Zeiler, Office of Economic Development Director.

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

STAFF REPORTS & REQUESTS

18-4701 PRESENTATION ON FOUNDATION FOR THE CAROLINAS' A WAY HOME PROGRAM

The Board received a briefing on the progress of the A Way Home Program. Judy Seldin Cohen, Board Chair of the AWH Housing Endowment, gave the briefing. She was assisted by Carol Morris.

Note: The A Way Home Program is a \$20 million housing endowment, funded in part by the Foundation for the Carolinas and the City of Charlotte, to assist families earning less than 50% of the Area Median Income to move from homelessness to sustainable housing. It began providing funds for rental subsidies to eligible families in 2014. Mecklenburg County government partnered with the A Way Home Program by providing funds for case managers to provide supportive services to families receiving the subsidy. A Way Home has tracked the progress of participant families since the program's inception and wanted to present its most recent findings to the Board.

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

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Comments

Chair Scarborough asked about their work with the City of Charlotte, which was addressed.

Commissioner Leake asked about the City's participation, as well as, the County's, which was addressed.

Commissioner Leake asked about the number of staff involved, their salaries, and the size of the board of directors. *It was noted that the board of directors was a seven-member volunteer board that served without compensation. The board consists of the funders of the program.*

Commissioner Leake asked were there any Blacks serving on their board of directors, the response initially was no, but that was later changed to one (1), Pamela Wideman with the City of Charlotte. It was noted that Stacy Lowry, Director of Community Support Services and a member of her staff, Karen Pelletier weren't on the board but participated in the meetings.

Commissioner Leake addressed the need for diversity and inclusion on their board of directors.

Ms. Cohen thanked Commissioner Leake for raising this issue and said she would share her concerns.

Commissioner Ridenhour said he'd like to see an analysis of their success stories and what caused that success.

Commissioner Dunlap requested information on the County's investment in housing. *County Manager Diorio said she would resend the information that had been provided to the Board previously on this topic.*

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

Commissioner Dunlap left the dais and was away until noted in the minutes

CONSENT ITEMS

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and carried 7-0 with Commissioners Clarke, Cotham, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

18-4954 BUDGET AMENDMENT – SHERIFF'S OFFICE (REVENUE INCREASE)

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Recognize, receive and appropriate \$300.00 from the Huntersville Chick-fil-A.

Note: The Huntersville Chick-fil-A has made a \$300 monetary donation to the Mecklenburg County Sheriff's Office (MCSO) from proceeds from their "Back the Blue" community event to support local law enforcement agencies. MCSO is concluding its third year of participation in the Presidential Volunteer Service Awards program that recognizes MCSO employees for their volunteer hours within the Charlotte community. These funds will be used to purchase awards for MCSO employees that meet the criteria established by the Program. The average price for the awards package is less than \$15.

18-4964 LEASE EXTENSION – DEPARTMENT OF SOCIAL SERVICES, CHILD SUPPORT ENFORCEMENT, AND COMMUNITY CORRECTIONS

Authorize the County Manager to negotiate and execute a four (4) year lease extension with CE Office, LLC for office space to house staff with the Department of Social Services (Youth and Family Services), Child Support Enforcement, and Community Corrections.

18-4975 MINUTES

Approve Minutes of Regular meeting held September 18 and closed session held October 2, 2018.

18-4978 STORM WATER PROGRAM – FY19 HAZARD MITIGATION FLOODPLAIN ACQUISITION

1. Accept the Offer of Sale of Real Estate from Jeremy J. & Sarah R. Bessette, owners of property located at 5635 Wedgewood Drive, Charlotte, NC (tax parcel 171-084-07), for \$405,000;
2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to use the structure for training exercises; and
3. 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.

Note: Since late 1999, Mecklenburg County has used local storm water fee revenue to acquire property that will minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space,

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expanding greenways, constructing wetlands, etc.). The requested action will consist of acquiring the property and demolishing the existing building using Storm Water Services capital funds for the purchase.

Mecklenburg County Board of Commissioners Resolution Approving Transfer of Reusable Building Materials to Habitat for Humanity of Charlotte, Inc.

WHEREAS, Mecklenburg County desires to voluntarily 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
14920336	1300 DREXEL	CHARLOTTE
14920337	1301 DREXEL	CHARLOTTE
17108216	1015 MOCKINGBIRD	CHARLOTTE
17108217	1021 MOCKINGBIRD	CHARLOTTE
17108218	1101 MOCKINGBIRD	CHARLOTTE
17108219	1109 MOCKINGBIRD	CHARLOTTE
17108220	1115 MOCKINGBIRD	CHARLOTTE
17108221	1121 MOCKINGBIRD	CHARLOTTE
17108222	1131 MOCKINGBIRD	CHARLOTTE
17109158	1200 MOCKINGBIRD	CHARLOTTE
17109157	1214 MOCKINGBIRD	CHARLOTTE
17112119	1316 SENECA	CHARLOTTE
17108402	5601 WEDGEWOOD	CHARLOTTE
17108407	5635 WEDGEWOOD	CHARLOTTE
17109110	5801 WEDGEWOOD	CHARLOTTE
17109111	5809 WEDGEWOOD	CHARLOTTE
17109112	5815 WEDGEWOOD	CHARLOTTE
17104236	1230 WOODLAWN	CHARLOTTE
17102240	1026 MONTFORD	CHARLOTTE
20911205	3421 JOHNNY CAKE LANE	CHARLOTTE
20911207	3501 JOHNNY CAKE LANE	CHARLOTTE

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

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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 Storm Water Services, 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

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 # _____.

18-4979 TAX REFUNDS

Approve refunds in the amount of \$7,632.28 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor; and

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

Approve refunds in the amount of \$2,837.86 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$26.77.

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

18-4981 CONSTRUCTION MANAGER AT-RISK SELECTION – AMERICAN LEGION MEMORIAL STADIUM

Authorize the County Manager to negotiate a fee and execute contracts with Barton Malow Company/Edifice, Inc. for Pre-Construction and Construction Management At- Risk services for the American Legion Memorial Stadium, and in the event negotiations with this firm are unsuccessful, approve negotiations with the second ranked firm of Rodgers Builders, Inc./R.J. Leeper Construction.

Note: The American Legion Memorial Stadium project includes the reconstruction of the American Legion Memorial Stadium.

18-4983 GEOTECHNICAL, CONSTRUCTION MATERIALS TESTING AND SPECIAL INSPECTIONS SELECTION FOR EASTWAY REGIONAL AND NORTHERN REGIONAL CENTERS, AND AMERICAN LEGION MEMORIAL STADIUM

Authorize the County Manager to negotiate fees and execute a contract with Terracon for Eastway Regional Recreation Center, S&ME for Northern Regional Recreation Center, and ECS for the American Legion Memorial Stadium; and if negotiations with any of these firms are unsuccessful, authorize the County Manager to negotiate fees and execute contracts with the alternate firms as noted below.

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Eastway Regional Recreation Center, Terracon, **Alternate Kleinfelder**
Northern Regional Recreation Center, SM&E, **Alternate ESP**
American Legion Memorial Stadium, ECS, **Alternate SM&E**

18-4987 GRANT APPLICATION – WIC REGIONAL LACTATION TRAINING CENTER

Approve submission of a \$180,000 grant application (\$60,000 per year for three years) for continuation of the WIC Regional Lactation Training Center program from the NC Department of Health and Human Services, Division of Public Health, Women's and Children's Health Section.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner James left the dais and was absent for the remainder of the meeting.

**18-4932 BUDGET AMENDMENT – CHILD SUPPORT ENFORCEMENT DEPARTMENT
(REINVESTMENT REVENUE)**

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and carried 6-0 with Commissioners Clarke, Cotham, Leake, Puckett, Ridenhour and Scarborough voting yes, to

- 1) Amend Section XX of the FY19 Budget Ordinance to strike the phrase "... 'for contracting services'..." and replace with "staff and related expenses"; and
- 2) Approve creation of eight child support positions, six Case Coordinators and two Social Services Supervisors; and
- 3) Recognize, receive and appropriate an additional \$232,600 in Federal Child Support Reinvestment funds for legal support services staff to include, an Attorney, a Legal Assistant and an Administrative Support Assistant II; and
- 4) Approve creation of three legal positions, Attorney, Legal Assistant and Administrative Support Assistant II; and
- 5) Recognize, receive and appropriate an additional \$250,000 in Federal Child Support Reinvestment funds to contract for additional Child Support enforcement support.

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Note: Child Support Enforcement (CSE) receives reinvestment incentive funds to be used to carry out Child Support program activities as authorized by the Federal Office of Child Support Enforcement and in accordance with regulations contained in OCSE-AT-01-04. Title IV of the Social Security Act Section 458(f) mandates that all Reinvestment incentive funds earned by Child Support programs be reinvested into the child support program. There are funds available in the Child Support Reinvestment Special Revenue Fund, of which \$433,279 have been appropriated for the cost of Court Team staffing in Section XX of the FY19 Budget Ordinance. This action will appropriate an additional \$232,600 from the Special Revenue Fund for legal support services staff and an additional \$250,000 for contracts to support Child Support enforcement activities, including support for process servers, multimedia, location tool, software licenses and support, equipment, and temporary staff. This action will also amend the Budget to allow the County to hire staff to support the Child Support Court Team, rather than contracting for those services. The total appropriation for this action is \$482,600 and will increase the total appropriated to the Special Revenue fund to \$915,879 in FY19.

Commissioner Leake removed this item from Consent for more public awareness. County Manager Diorio addressed this item. Commissioner Leake asked to be kept informed of when the positions were filled. She asked that it be noted in the minutes that these would be County employees and not contracted employees.

18-4960 APPOINTMENT OF REVIEW OFFICER

Motion was made by Commissioner Leake seconded by Commissioner Puckett and carried 6-0 with Commissioners Clarke, Cotham, Leake, Puckett, Ridenhour and Scarborough voting yes, to amend "Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office pursuant to N.C. G. S. 47-30.0" to designate Ryan Lipp as a Review Officer and to delete Dillon Lackey.

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

AMENDMENT TO RESOLUTION DESIGNATING REVIEW OFFICERS TO REVIEW EACH MAP AND PLAT RECORDED IN THE REGISTER OF DEEDS OFFICE PURSUANT TO N.C.G.S. 47-30.2

WHEREAS, on September 16, 1997 the Mecklenburg County Board of Commissioners adopted a resolution entitled "Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office Pursuant to N.C.G.S. 47-30.2"; and

WHEREAS, the Resolution has been amended multiple times to accommodate additions and deletions; and

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WHEREAS, the Mecklenburg County Board of Commissioners now desires to amend the Resolution to make additional modifications.

Now, therefore, BE IT RESOLVED by the Mecklenburg County Board of Commissioners that the Resolution adopted on September 16, 1997, as amended on prior occasions, be amended and the same hereby is further amended as follows: 1. Ryan Lipp is hereby designated as Review Officer in addition to those persons so designated in the Resolution of September 16, 1997, and other appointees as amended on prior occasions; thus, the Resolution is accordingly amended to add this name. 2. Dillon Lackey shall be deleted from the Resolution adopted on January 20, 2016.

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

18-4973 CONSERVATION DECLARATIONS ON COUNTY PROPERTY

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and carried 6-0 with Commissioners Clarke, Cotham, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to execute conservation declarations on the following County properties located along the Little Sugar Creek Stream Restoration and Greenway Project:

- (a) Tax Parcel 207-06-203
- (b) Tax Parcel 207-07-105
- (c) Tax Parcel 207-12-163
- (d) Tax Parcel 207-12-164
- (e) Tax Parcel 207-22-198

Note: Mecklenburg County's Storm Water Services and Asset & Facility Management are currently constructing the Little Sugar Creek Stream Restoration and Greenway project from Archdale Drive to I-485. Construction is scheduled for completion in spring 2019. The stream restoration project was funded with Storm Water Services fees and a NC Clean Water Management Trust Fund (CWMTF) grant. The Board Action for the CWMTF grant submittal was approved on February 3, 2015. The NC CWMTF grant requires the restoration area to be permanently protected with a conservation declaration. The permanently protected areas vary from approximately 30 ft. to 50 ft. from the top of the stream's bank for each parcel. The total easement area will be approximately 18 acres along Little Sugar Creek and only includes the areas of the project that were improved using NC CWMTF's grant funds.

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

Commissioner Dunlap returned to the dais.

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18-4980 REVISED DUKE LIGHTING SERVICE CONTRACT – JAMES DENNIS RASH THIRD WARD NEIGHBORHOOD PARK

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve a revised 3-year Duke Energy Lighting Service Contract at \$26.19 per month for LED lighting at the James Dennis Rash Third Ward Neighborhood Park

Note: On June 19, 2018, the BOCC approved a 3-year contract, Item 18-4761, for LED lights at 911 W. 4th Street Extension. The original contract was \$45.69 per month and will now be \$26.19 per month, a reduction of \$702.00 over the term of the contract. Duke Energy is the only light provider for this area. A service contract with Duke Energy is more cost efficient than installing and maintaining private poles and lights.

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

18-4984 INTERLOCAL AGREEMENT FOR FLEET MAINTENANCE OPERATIONS

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a resolution titled: Resolution Authorizing Execution of Amended and Restated Interlocal Agreement For Consolidation Of Fleet Maintenance Operations Between Mecklenburg County and the City of Charlotte and authorize the County Manager to execute the 2018 Amended Interlocal Agreement.

Note: The City of Charlotte (City) and Mecklenburg County (County) previously entered into an Interlocal Agreement for Consolidation of Fleet Maintenance Operations effective July 1, 2008 (the "2008 Fleet Interlocal Agreement"). The City and the County wish to enter into an Amended and Restated Interlocal Agreement for Consolidation of Fleet Maintenance Operations (the "2018 Fleet Interlocal Agreement") by which the City will perform fleet maintenance operations for the County in the manner described in the 2018 Fleet Interlocal Agreement. The County and City have negotiated amendments to the 2008 Fleet Interlocal Agreement to include the following details:

- Term: From the effective date of October 1, 2018, agreement shall continue in effect through June 30, 2020 unless sooner terminated. Beginning on July 1, 2020 this Agreement shall be automatically renewed for a one-year term on July 1st of each year, unless either party gives the other a written notice of non-renewal at least fourteen (14) months prior to the upcoming

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July 1st renewal date.

-The City will be responsible for the maintenance and repair of County vehicles, including the stocking and issuing of necessary parts and supplies, and any related administrative services such as policies and procedures, equipment specifications and preparation, budgeting, vehicle inspections and vehicle disposal.

- The County operates a fleet of approximately 1,380 units, with the majority of the fleet being cars and light-trucks. In addition, the fleet includes some construction equipment, large trucks and landscape equipment.

- The County agrees to lease to the City for \$1 per year for the duration of this agreement the current Mecklenburg County fleet maintenance facility located at 900 West 12th Street.

-Rates and fees for specific services and staff time will be agreed to on an annual basis.

-The City will invoice the County monthly for actual costs incurred for the provision of services in the previous month.

Commissioner Leake removed this item from Consent for more public awareness. County Manager Diorio addressed this item. Commissioner Leake requested salary information on City employees working in the Fleet Maintenance division.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION AUTHORIZING EXECUTION OF AMENDED AND RESTATED INTERLOCAL AGREEMENT FOR CONSOLIDATION OF FLEET MAINTENANCE OPERATIONS BETWEEN MECKLENBURG COUNTY AND THE CITY OF CHARLOTTE

WHEREAS, North Carolina General Statute §160A-461 and North Carolina General Statute §153A-445 authorize units of local government to enter into agreements with each other in order to execute an undertaking by one unit of local government on behalf of another unit of local government; and

WHEREAS, the City of Charlotte (“City”) and Mecklenburg County (“County”) previously entered into an “Interlocal Agreement for Consolidation of Fleet Maintenance Operations effective July 1, 2008 (the “2008 Fleet Interlocal”); and **WHEREAS**, the County issued a Request for Proposal (“RFP”) for Fleet Maintenance and Related Services dated December 30, 2015; and

WHEREAS, the City submitted a proposal in response to the RFP; and **WHEREAS**, the City and the County wish to enter into the attached Amended and Restated Interlocal Agreement for Consolidation of Fleet Maintenance Operations (the “Interlocal Agreement”) by which the City will perform fleet maintenance operations for the County in the manner described in the Interlocal Agreement.

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NOW, THEREFORE, BE IT RESOLVED that the Mecklenburg County Board of Commissioners hereby: 1. Approves and ratifies the attached Amended and Restated Interlocal Agreement; and 2. Authorizes the County Manager to execute the Agreement in substantially the form presented to the Mecklenburg County Board of Commissioners with technical corrections and minor modifications as the County Manager may deem necessary consistent with the spirit and intent of the transactions; and 3. Authorizes the County Manager to take all actions contemplated by the Amended and Restated Interlocal Agreement, including such amendments as are permitted therein; and 4. Directs that this resolution be reflected in the minutes of the Mecklenburg County Board of Commissioners meeting.

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

**18-4989 BUDGET AMENDMENT – MECKLENBURG COUNTY CODE ENFORCEMENT
DIVISION**

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize and appropriate transfer of \$1,791,374 from the Code Enforcement General Fund Balance Reserve to the Technology Reserve Fund to finance a new Plan Review System - Accela: Phase I Services.

Note: Accela is the replacement solution for LUESA’s current Electronic Plan Management System (EPM). EPM is a workflow tool that allows architects, engineers and designers the ability to oversee their projects through plan review and permitting from their offices. This application has features that allow you to submit commercial applications online and provides real-time tracking of the project as it progresses from Intake, Scheduling, Pre-paid fees, Gate, Plan/Plat review to Permits. The new system should have all the functional equivalent features plus any additional features as indicated in the requirements/specifications below. The fund balance appropriation requested will be used to finance Service Year 1 subscriptions: software licenses, implementation services, training services and travel cost.

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

**18-4967 REGISTER OF DEEDS AUTOMATION ENHANCEMENT/PRESERVATION SPECIAL
REVENUE FUND**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Puckett, Ridenhour and Scarborough

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voting yes, to recognize and appropriate fee revenue for Register of Deeds Automation Enhancement/Preservation Special Revenue Fund in the amount of \$800,000 for automation and enhancements.

Note: This fund was established pursuant to NCGS §161-11.3, effective January 2, 2002, to provide new automation and/or preservation of the historical record collection at the Register of Deeds' Office by setting aside 10% of all fees collected by the Register of Deeds and Vital Records offices. By this action, the Board will recognize revenue for this fund and will allow the County to appropriate money from the fund for the annual software and maintenance fees for the land records software and database at the Register of Deeds' Office, and also to be used to provide for preservation and enhancements of the Register of Deeds' Historical Record Collection.

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

ADJOURNMENT

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:37 p.m.

Janice S. Paige, Clerk

Ella B. Scarborough, Chair