

**JULY 2, 2019**

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

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, July 2, 2019.

**ATTENDANCE**

**Present:** Chair George Dunlap and Commissioners Patricia "Pat" Cotham, Trevor M. Fuller, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Elaine Powell, Susan Rodriguez- McDowell, and Ella B. Scarborough  
County Manager Dena R. Diorio  
County Attorney Tyrone C. Wade  
Clerk to the Board Janice S. Paige

**Absent:** None

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**-INFORMAL SESSION-**

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

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

**REMOVAL OF ITEMS FROM CONSENT**

The Board identified item(s) to be removed from Consent and voted upon separately. The items identified were Items: 19-5511, 19-5520, 19-5528, 19-5542, 19-5543, 19-5546, 19-5551, 19-5552, 19-5554, 19-5555, 19-5556, and 19-5557.

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**STAFF BRIEFINGS**

**19-5524 CMGC RENOVATIONS - COUNTY FLOORS**

The Board received as information a presentation on proposed renovations to the 2nd, 4th, and 11th floors of the Charlotte-Mecklenburg Government Center.

Mark Hahn, Director of Asset & Facility Management and Holly Christian with Gensler, the consultant firm, gave the presentation.

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

Commissioners Leake, Harden, Rodriguez-McDowell, and Powell expressed concern for the proposed office area for the Board. Concern was expressed with respect to commissioner offices not having a window and for the size of the space, which they said looked smaller than what commissioners currently had.

County Manager Diorio said the thought behind the proposal took into consideration the amount of time commissioners were in their office.

Commissioners still expressed concern.

**CLOSED SESSION**

**19-5534 CONSULT WITH ATTORNEY**

**19-5536 LAND ACQUISITION**

Prior to going into Closed Session, County Attorney Wade announced the following Land Acquisition matter to be discussed in Closed Session: Tax Parcel 037-101-19.

Motion was made by Commissioner Scarborough, seconded by Commissioner Jerrell and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, 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 5:35 p.m. and came back into Open Session at 6:04 p.m.***

***Commissioner Fuller was present when the Board reconvened. He entered the meeting during Closed Session.***

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***Commissioner Leake was present when the Board reconvened. She left during a portion of Closed Session.***

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

**-FORMAL SESSION-**

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

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to move Items 19-5556 Joint Proclamation - Americans With Disabilities Act Awareness Day and 19-5553 One Quarter-Cent County Sales And Use Tax Referendum up on the agenda.

**AWARDS/RECOGNITION**

**19-5486      ORDER OF THE HORNET INDUCTION OF DR. PAMELA DAVIES (COMMISSIONER HARDEN)**

Motion was made by Commissioner Harden, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to induct Dr. Pamela Davies into the Mecklenburg County Order of the Hornet.

Prior to the above vote, Dr. Davies was introduced by Commissioner Harden, who sponsored her induction and read the Order of the Hornet. Dr. Davies thanked the Board for recognizing her in this manner.

*Note: The Order of the Hornet was established in 1972. It is bestowed by the Board of County Commissioners on persons who have displayed valor or high order of service uniquely and specifically, to the citizens of Mecklenburg County. This is the highest honor bestowed by the Board. The Order of the Hornet was founded in the spirit of the early Mecklenburg patriots who signed the Mecklenburg Declaration of Independence on May 20, 1775, and proclaimed the County's freedom from Britain more than a year before the U.S. Declaration of Independence was signed. Those early patriots valiantly fought for their independence during the Revolution and gave Lord Cornwallis such difficulties during his occupation of Charlotte*

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*that he termed the town a “hornet’s nest” of rebellion. Because Dr. Pamela Davies reflects the honor, strength, and fierce American patriotism that so stung Lord Cornwallis, she was recommended for membership in the Order of the Hornet.*

*Dr. Pamela Davies has been President of Queens University of Charlotte since July 2002. As the 20th president of the institution, she has been highly committed to providing innovative and high-quality education at both the undergraduate and graduate levels. During her tenure, the university doubled its undergraduate enrollment, significantly expanded academic programming, and invested more than \$150M in new campus infrastructure. The Queens endowment has grown from \$30M to more than \$160M under her leadership.*

*Committed to service, Dr. Davies is involved in community organizations locally, nationally, and globally. On the local level she is a Trustee of the Charlotte YMCA, Chair-elect for the YMCA-USA and has served on the Executive Committee of the World Alliance of YMCAs. She is a member of the Board of Advisors for Atrium Health, the Charlotte Executive Leadership Council, and the North Carolina chapter of the National Association of Corporate Directors. Through her service to a diverse set of community organizations, Dr. Davies has developed a strong understanding of education, healthcare, health and human services, and faith-based initiatives. Dr. Davies was named Charlotte Woman of the Year in 2018 and Most Admired CEO in Education in 2019. She has received numerous awards over the years including the Charlotte Business Journal’s Lifetime Achievement award, both the John R. Mott Award and the Servant Leader Award from the YMCA of Greater Charlotte, The Excellence in Leadership Award given by the Charlotte Rotary, the Creative Thinker Award from the Counselors of Real Estate, and the Signor Thompson Community Leader Award from Mecklenburg Ministries.*

**19-5556      JOINT PROCLAMATION - AMERICANS WITH DISABILITIES ACT AWARENESS DAY**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt a joint proclamation declaring July 26, 2019 as Americans with Disabilities Act Awareness Day in Mecklenburg County and the City of Charlotte.

*Note: July is considered Americans with Disabilities Act (ADA) Awareness month nationwide. President George H. W. Bush signed the ADA into law in 1990 to ensure that individuals with disabilities have the same rights and opportunities as everyone else. This year marks the 29th anniversary of the ADA.*

The proclamation was read by Commissioner Leake and received by Lezlie Briggs with the City

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of Charlotte's Community Relations Department and the County's ADA Coordinator Timmothy Tibbs, Assistant to the County Manager.



**PUBLIC APPEARANCE**

**19-5532 PUBLIC APPEARANCE**

The following persons appeared to speak during the Public Appearance portion of the agenda and addressed climate change and the impacts of it on one's health and the environment:

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Tina Katsanos and son Leo Amon, John Harvey, Michelle Blumenthal, and Sarah Haley.

They asked the Board to consider renewal energy efforts, efforts to reduce carbon emissions, and conducting an educational campaign on climate change to educate the public.

Charles Mandizha addressed economic mobility and specifically income inequality. He said this factor was excluded by the Economic Mobility Task Force. He questioned whether the city/county were "really looking at eliminating poverty." He said income inequality comes into play when you look at employment opportunities or the lack thereof. He said parents and children are given "false hopes" that if they go to school, the employment opportunities would be there. He said for some this was true but for others it was not because of barriers. He said more equal opportunity employment was needed.

Lily Taylor registered to speak but did not appear.

## **PUBLIC HEARINGS**

### **19-5527      NAMING OF PEDESTRIAN BRIDGE AT QUEENS SPORTS COMPLEX AT MARION DIEHL PARK TO "JERRY AND IRENE BLACKMON BRIDGE AND TRAILS"**

Motion was made by Commissioner Scarborough, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to open the public hearing on the request to name the pedestrian bridge at Queens Sports Complex at Marion Diehl Park to "Jerry and Irene Blackmon Bridge and Trails".

*Note: John G. "Jerry" Blackmon was a long-time public servant, U.S. Veteran, and beloved community leader. He served on the Mecklenburg Board of County Commissioners (BOCC) from 1984 - 1990 and in the NC State Legislature from 1991 - 1996. While on the BOCC, Mr. Blackmon was an early champion for the development of greenways. His generous contributions supported the development of the greenway system at the Queens University Sports Complex at Marion Diehl Park.*

*Mr. Blackmon was born on December 23, 1928 in Asheville, NC. He graduated from York High School in 1946. At the age of 17, he enlisted in the U.S. Navy. In 1950, he entered the University of South Carolina, where he met and married his wife of 66 years, Irene Herty. He graduated in 1954 with a degree in Mechanical Engineering.*

*Mr. Blackmon participated in many civic and community activities, held positions of*

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*leadership and received numerous awards and honors as listed in the naming application. Mr. Blackmon was inducted into the Mecklenburg County Order of the Hornet on December 3, 1990. This request was approved by both the South Park Region Advisory Council and the Park and Recreation Commission. Mr. Blackmon passed away on Sunday, June 9, 2019.*

The following persons spoke in support of the naming: Carla DuPuy, a former Mecklenburg County Commissioner and Chair of the Board and Dr. Pamela Davies, President, Queens University.

Ms. DuPuy noted that several of the Blackmon children were present at the meeting.

No one appeared to speak in opposition.

Motion was made by Commissioner Scarborough, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to close the public hearing and approve naming the pedestrian bridge at Queens Sports Complex at Marion Diehl Park to "Jerry and Irene Blackmon Bridge and Trails".

**19-5537 BUSINESS INVESTMENT GRANT: LENDINGTREE, LLC**

Motion was made by Commissioner Cotham, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to open a public hearing to receive comments on a proposed Business Investment Program grant to LendingTree, LLC.

Peter Zeiler, Director, Economic Development, presented the request to the Board.

Commissioner Leake asked about the number of jobs and training, which was addressed. She expressed concern about the wages and questioned whether the wages for those in non-management positions would help get persons out of poverty.

*Note: LendingTree, LLC is an online marketplace with one of the largest networks of lenders for home mortgages, credit cards, and business, automobile, personal and student loans. LendingTree was founded in Mecklenburg County in 1996 and has experienced recent, rapid growth resulting in the business need for a new corporate headquarters facility.*

*LendingTree announced its intent to locate in Charlotte in leased office space. LendingTree considered expanding headquarters locations in York County, South*

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*Carolina.*

*LendingTree's proposed headquarters project meets all the following grant guidelines for a seven-year, 50% Business Investment Grant, specifically:*

- A taxable investment of \$26,180,000 including real and personal property*
- Creation of 436 new jobs with an average wage of \$101,140 (which is equal to 200% of the average for the Charlotte-Gastonia-Rock Hill M.S.A.).*
- There was competition for this project from South Carolina.*

*The general terms and condition of this grant include:*

- A portion of the grant must be repaid if the company moves this investment from Charlotte within 7 years of the end of the grant term.*
- Actual grant payments are based on the value of the investment as appraised by the Mecklenburg County Tax Office.*
- All property taxes due from the company must be paid before a grant payment is made.*

No one appeared to speak.

Motion was made by Commissioner Scarborough, seconded by Commissioner Harden and carried 8-1 with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough voting yes and Commissioner Leake voting no, to close the public hearing and adopt a resolution approving a Business Investment Program grant to LendingTree, LLC for a total estimated amount of \$686,878 and authorize the County Manager to negotiate and execute the contract.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS  
RESOLUTION  
APPROVING BUSINESS INVESTMENT PROGRAM GRANT  
FOR LENDINGTREE, LLC**

**WHEREAS, LENDINGTREE, LLC** is seeking to establish a new headquarters in Charlotte, NC; and

**WHEREAS,** the company evaluated sites in York County, South Carolina; and

**WHEREAS,** this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the City of Charlotte and the County of Mecklenburg, the Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on December 4, 2018 and as authorized by the Board, the County communicated this information to the company; and

**WHEREAS,** taking into consideration the Board's stated intent to make an economic development grant, the company subsequently decided to locate its new headquarters in Charlotte. The project will include a

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capital investment of approximately \$26.18 million and will create 436 new jobs within five years at an average annual salary of approximately \$101,104. The Business Investment Program grant is a 50% grant over 7 years, with an estimated total amount of up to \$686,878. The grant will be subject to the County's standard contract provisions, including compliance requirements for the company related to job creation targets and clawback provisions; and

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

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

***Resolution recorded in full in Ordinance/Minute Book 48-A, Document # 50.***

#### **COUNTY COMMISSIONERS REPORTS & REQUESTS**

##### **19-5553      ONE QUARTER-CENT COUNTY SALES AND USE TAX REFERENDUM (CHAIR DUNLAP)**

The following persons spoke in support of funding for arts and culture and the proposed resolution to place on the November 5, 2019 Ballot An Advisory Referendum On The Question Of Whether To Levy An Additional One-Quarter Cent Sales And Use Tax As Authorized By Article 46 Of Chapter 105 Of The North Carolina General Statutes:

Reverend Sheila Marshall, AJ Glasco, Elsie Mufuka, Yasmine Young, Ashli Williams, Trinity Coles, Bree Stallings, Tim Scott, Nicole Salinas, Ingrid Hicks, Laura Park-Leach, Sharon Newton(on behalf of the visually impaired), Nicholas Menacho, and Sendy Mendez.

Geri Rosman registered to speak but did not appear.

Motion was made by Commissioner Scarborough, seconded by Commissioner Harden and carried 7-2 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, and Scarborough voting yes and Commissioners Cotham and Powell voting no, to adopt a resolution authorizing and directing the Mecklenburg County Board of Elections Director to place on the November 5, 2019 ballot an advisory referendum on the question of whether to levy an additional one-quarter cent sales and use tax as provided in Article 46 of Chapter 105 of the North Carolina General Statutes.

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**MECKLENBURG COUNTY  
BOARD OF COMMISSIONERS RESOLUTION DIRECTING THE MECKLENBURG  
COUNTY BOARD OF ELECTIONS DIRECTOR TO PLACE ON THE NOVEMBER 5,  
2019 BALLOT AN ADVISORY REFERENDUM ON THE QUESTION OF WHETHER  
  
TO LEVY AN ADDITIONAL ONE-QUARTER CENT SALES AND USE TAX AS  
AUTHORIZED BY ARTICLE 46 OF CHAPTER 105 OF THE NORTH CAROLINA  
GENERAL STATUTES**

**WHEREAS**, Article 46 of Chapter 105 of the North Carolina General Statutes allows the Board of County Commissioners of Mecklenburg County to institute a one-quarter cent sales and use tax subject to certain conditions, including, among other things, approval by a majority of those voting in an advisory referendum for the levy; and

**WHEREAS**, in order to levy the local sales and use tax, the County of Mecklenburg must conduct an advisory referendum in accordance with the provisions of North Carolina General Statute 163A-1592; and

**WHEREAS**, if approved by the voters the one-quarter cent local sales and use tax is estimated to generate an additional fifty million dollars annually; and

**WHEREAS**, on July 2, 2019, the Board of County Commissioners voted to place an advisory referendum before the voters on November 5, 2019;

**NOW THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners shall, and hereby does, direct the Mecklenburg County Board of Elections Director to place on the November 5, 2019 ballot an advisory referendum on the question of whether to levy an additional one-quarter cent sales and use tax as authorized by Article 46 of Chapter 105 of the North Carolina General Statutes; and

**BE IT FURTHER RESOLVED**, that pursuant to G.S. 105-537(c) the question shall appear on the ballot as:

[ ] FOR [ ] AGAINST

Local sales and use tax at the rate of one-quarter percent (0.25%) in addition to all other state and local sales and use taxes.

***Resolution recorded in full in Ordinance/Minute Book 48-A, Document # 51.***

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**Commission Comments prior to the above motion**

Commissioner Leake asked for clarity. *Chair Dunlap said adoption of the resolution would allow the matter to be placed on the ballot in November to let the citizens decide on whether they desire an increase in the Sales and Use Tax.*

Commissioner Harden shared sales tax data from across the country. She spoke in support of the matter being placed on the ballot.

Commissioner Fuller commented on the benefits to the community were the matter placed on the ballot and approved by the citizenry. He said the real battle ahead was getting the community's support for passage of the advisory referendum. He suggested to those in the audience, supportive of the request, to work on getting the community's support.

Commissioner Powell said she loved arts and science but felt more dialogue was needed with respect to this issue. She said she was concerned about government being this involved in the funding of arts and culture. She said she had a lot of unreadiness.

Commissioner Cotham said she was a supporter of the arts, but that she would not support the resolution placed before the Board for consideration. She said a similar request was placed before voters in 2014 and failed.

Commissioner Cotham said she would feel better if there was a sunset provision, but per her inquiry to the County Manager, she was told it wasn't possible. She said not knowing what the governance model was going to be, also was a concern.

Commissioner Cotham said there were other community issues that needed addressing, such as affordable housing and climate change.

Commissioner Leake said clarity was needed on what the Arts & Science Council does. She addressed the need for band and orchestra back in the schools. Commissioner Leake said there was a need for skateboard parks, as well, which she said was a form of "art."

Commissioner Leake said she had a concern about safety on the greenways. She said in District Two she was not hearing a lot about parks and greenways being a high priority.

Commissioner Leake said equity was needed, so that everyone would have access to the arts.

Commissioner Leake expressed concern for the Arts & Science Council's management of the potential funds.

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Commissioner Leake said she was concerned about the governance and distribution of the potential funds.

Commissioner Rodriguez-McDowell spoke in support of the matter being placed on the ballot. She said not supporting placing the matter on the ballot “widens” the gap in the community.

Commissioner Jerrell said this was not a political matter. He said he wanted to do the right thing and noted that his district was the most diverse and often disproportionately impacted.

Commissioner Jerrell said for some supporters of this effort it was a “need” and for others a “want.”

Commissioner Jerrell said he would support placing the matter on the ballot, however, he was concerned about governance, allocation of potential funds, and long-term access for the “most vulnerable.”

Chair Dunlap said the issue before the Board was whether to give the citizenry the opportunity to say yes or no.

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

**STATEMENT OF INTENT REGARDING APPROPRIATION OF POTENTIAL PROCEEDS OF A ONE-QUARTER CENT SALES AND USE TAX**

Motion was made by Commissioner Scarborough seconded by Commissioner Harden, to adopt a resolution embodying the Board of County Commissioners statement of intent regarding appropriation of the potential proceeds of an additional one-quarter cent sales and use tax.

**MECKLENBURG COUNTY  
BOARD OF COMMISSIONERS POLICY ON STATEMENT OF INTENT REGARDING  
APPROPRIATION OF POTENTIAL PROCEEDS OF A ONE-QUARTER CENT SALES  
AND USE TAX AUTHORIZED BY ARTICLE 46 OF CHAPTER 105 OF THE NORTH  
CAROLINA GENERAL STATUTES**

**WHEREAS**, Article 46 of Chapter 105 of the North Carolina General Statutes allows the Board of County Commissioners of Mecklenburg County to institute a one-quarter cent sales and use tax subject to certain conditions, including, among other things, approval by a majority of those voting in an advisory referendum for the levy; and

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**WHEREAS**, the Board of County Commissioners of Mecklenburg County did on July 2, 2019 authorize and direct the Mecklenburg County Board of Elections Director to conduct on November 5, 2019, an advisory referendum on the question of whether to levy a local sale and use tax in Mecklenburg County as provided in Article 46 of Chapter 105 of the North Carolina General Statutes; and

**WHEREAS**, the Board of County Commissioners believes it would be advisable and in the best interest of all current and future residents of the County and, in particular, those persons casting a vote in the advisory referendum to be held on November 5, 2019, to adopt a policy setting forth, at the time the Board authorizes the Board of Elections Director to conduct the advisory referendum, a statement of the intent of the Board of County Commissioners regarding the proposed uses of the proceeds of the additional one-quarter cent sales and use tax should a majority of those voting in the referendum vote for the levy; and should the Board of County Commissioners subsequently approve the levy of such tax. The proposed amounts are based on the following percentages:

Arts & Culture – General	24,500,000	49%
Education (teacher supplement)	8,000,000	16%
Arts & Culture/Parks – Towns	2,500,000	5% (distributed based on assessed value)
Huntersville	781,648	
Cornelius	598,207	
Davidson	208,765	
Matthews	408,551	
Mint Hill	287,366	
Pineville	215,464	
Parks & Greenways	15,000,000	30%
Sales Tax Collected	50,000,000	100%

**NOW THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners shall, and hereby does, adopt the following proposed policy statement of intent in the form of a Board resolution regarding appropriation of the proceeds received from the levy of the proposed one-quarter cent sales and use tax authorized by Article 46 of Chapter 105 of the North Carolina General Statutes, should (1) a majority of the those persons voting in the advisory referendum approve the levy of such tax and (2) should the Board of County Commissioners, following such approval, by resolution and after 10 days’ public notice, levy such additional one-quarter cent sales and use tax.

**AND BE IT FURTHER RESOLVED**, that it is the intent of the Board of Commissioners for amounts received from the proceeds from the levy of the proposed one-quarter cent sales and use tax as authorized by Article 46 of Chapter 105 of the North Carolina General Statutes should be appropriated to Arts and Culture (General), Education (teacher supplement), Arts and Culture (Parks – Towns) and Parks and Greenways.

**Substitute motion** was made by Commissioner Jerrell, seconded by Commissioner Leake, to adopt a resolution embodying the Board of County Commissioners statement of intent regarding appropriation of the potential proceeds of an additional one-quarter cent sales and use tax, with the following amendments to the proposed allocation amounts:

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Arts & Culture – General	22,500,000	45%
Education (teacher supplement)	8,000,000	16%
Arts & Culture/Parks – Towns	2,500,000	5% (distributed based on assessed value)
Huntersville	781,648	
Cornelius	598,207	
Davidson	208,765	
Matthews	408,551	
Mint Hill	287,366	
Pineville	215,464	

Parks & Greenways 17,000,000 34% with the additional proposal to include a repurposing or reallocation of \$2,000,000 million dollars for future land acquisition for parks and greenways consistent with any future budgetary constraints.

Sales Tax Collected 50,000,000 100%

Commissioner Fuller asked for clarity with respect to the repurposing or reallocation of the \$2,000,000. It was noted that the \$2,000,000 was the County’s current appropriation to Arts & Culture.

Commissioner Powell made a motion to **amend the substitute motion, but it died for lack of a second**, to adopt a resolution embodying the Board of County Commissioners statement of intent regarding appropriation of the potential proceeds of an additional one-quarter cent sales and use tax, with the following amendments to the proposed allocation amounts:

Mental Health & Substance Abuse Treatment	4%
Public Education	16%
Parks & Greenways	40%
Arts & Culture – General	35%
Arts, Science, Culture & Greenways for Towns	5% (distributed based on assessed value)

Huntersville	781,648
Cornelius	598,207
Davidson	208,765
Matthews	408,551
Mint Hill	287,366
Pineville	215,464
Sales Tax Collected	50,000,000 100%

The vote was then taken on the substitute motion as noted below.

**Substitute motion** was made by Commissioner Jerrell, seconded by Commissioner Leake and **carried 8-1** with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-

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McDowell, and Scarborough voting yes, and Commissioner Cotham voting no, to adopt a resolution embodying the Board of County Commissioners statement of intent regarding appropriation of the potential proceeds of an additional one-quarter cent sales and use tax, with the following amendments:

Arts & Culture – General	22,500,000	45%
Education (teacher supplement)	8,000,000	16%
Arts & Culture/Parks – Towns	2,500,000	5% (distributed based on assessed value)
Huntersville	781,648	
Cornelius	598,207	
Davidson	208,765	
Matthews	408,551	
Mint Hill	287,366	
Pineville	215,464	
Parks & Greenways	17,000,000	34%
Sales Tax Collected	50,000,000	100%

**MECKLENBURG COUNTY**

**BOARD OF COMMISSIONERS POLICY ON STATEMENT OF INTENT REGARDING APPROPRIATION OF POTENTIAL PROCEEDS OF A ONE-QUARTER CENT SALES AND USE TAX AUTHORIZED BY ARTICLE 46 OF CHAPTER 105 OF THE NORTH CAROLINA GENERAL STATUTES**

**WHEREAS**, Article 46 of Chapter 105 of the North Carolina General Statutes allows the Board of County Commissioners of Mecklenburg County to institute a one-quarter cent sales and use tax subject to certain conditions, including, among other things, approval by a majority of those voting in an advisory referendum for the levy; and

**WHEREAS**, the Board of County Commissioners of Mecklenburg County did on July 2, 2019 authorize and direct the Mecklenburg County Board of Elections Director to conduct on November 5, 2019, an advisory referendum on the question of whether to levy a local sales and use tax in Mecklenburg County as provided in Article 46 of Chapter 105 of the North Carolina General Statutes; and

**WHEREAS**, the Board of County Commissioners believes it would be advisable and in the best interest of all current and future residents of the County and, in particular, those persons casting a vote in the advisory referendum to be held on November 5, 2019, to adopt a policy setting forth, at the time the Board authorizes the Board of Elections Director to conduct the advisory referendum, a statement of the intent of the Board of County Commissioners regarding the proposed uses of the proceeds of the additional one-quarter cent sales and use tax should a majority of those voting in the referendum vote for the levy; and should the Board of County Commissioners subsequently approve the levy of such tax. The proposed amounts are based on the following percentages:

Arts & Culture – General	22,500,000	45%
Education (teacher supplement)	8,000,000	16%
Arts & Culture/Parks – Towns	2,500,000	5% (distributed based on assessed value)

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Huntersville	781,648		
Cornelius	598,207		
Davidson	208,765		
Matthews	408,551		
Mint Hill	287,366		
Pineville	215,464		
Parks & Greenways		17,000,000	34%
Sales Tax Collected		50,000,000	100%

**NOW THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners shall, and hereby does, adopt the following proposed policy statement of intent in the form of a Board resolution regarding appropriation of the proceeds received from the levy of the proposed one-quarter cent sales and use tax authorized by Article 46 of Chapter 105 of the North Carolina General Statutes, should (1) a majority of the those persons voting in the advisory referendum approve the levy of such tax and (2) should the Board of County Commissioners, following such approval, by resolution and after 10 days' public notice, levy such additional one-quarter cent sales and use tax.

**AND BE IT FURTHER RESOLVED**, that it is the intent of the Board of Commissioners for amounts received from the proceeds of the levy of the proposed one-quarter cent sales and use tax as authorized by Article 46 of Chapter 105 of the North Carolina General Statutes should be appropriated to Arts and Culture (General), Education (including education services and/or salaries related to education), Arts and Culture (Parks and greenways – Towns), Parks and Greenways. In addition, should those persons voting approve the advisory referendum, the Board proposes to appropriate and/or repurpose or reallocate 2,000,000 from current appropriations for arts and culture to land acquisition for parks and greenways.”

***Resolution recorded in full in Ordinance/Minute Book 48-A, Document # 52.***

**APPOINTMENTS**

**19-5514 APPOINTMENTS**

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

**HISTORIC LANDMARKS COMMISSION**

The vote was taken on the following nominees for appointment to the Historic Landmarks Commission:

Robert Barfield                      Commissioners Dunlap and Harden

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Brian Clarke                      Commissioners Cotham, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough.

Chair Dunlap announced the appointment of Brian Clarke to the Historic Landmarks Commission to fill an unexpired term expiring July 31, 2020.

*Note: He replaced Thomas Egan.*

**JUVENILE CRIME PREVENTION COUNCIL**

The vote was taken on the following nominees for appointment to the Juvenile Crime Prevention Council (Business Community Slot):

Kathy Pate                      Commissioner Harden

Brian Peay                      Commissioners Cotham, Dunlap, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough

Chair Dunlap announced the appointment of Brian Peay to the Juvenile Crime Prevention Council as the Business Community representative for a two-year term expiring June 30, 2021.

*Note: He replaced Brianna Davis.*

***Commissioner Cotham left the meeting and was absent for the remainder of the meeting. Commissioner Cotham informed the Clerk that she was leaving because she did not feel well.***

The vote was taken on the following nominees for appointment to the Juvenile Crime Prevention Council (Non-Profit Slot):

Kendra King                      Commissioners Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough

*Voting Ceased*

Helen Scott Santos  
Tysha Shaw

Chair Dunlap announced the appointment of Kendra King to the Juvenile Crime Prevention Council as the Non-Profit representative for a two-year term expiring June 30, 2021.

*Note: She replaced Darrel Gregory.*

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**PARK AND RECREATION COMMISSION**

The vote was taken on the following nominees for appointments to the Park and Recreation Commission (At-Large, Central Region 1, Northern Towns, North Region 1 and North Region 3 Representatives):

Alesha Brown	Commissioners Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough
Brian Cox	Commissioners Dunlap, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough
Paul Freestone	Commissioners Dunlap, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough
Ann Harrison	Commissioners Dunlap, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough
Blanche Penn	Commissioners Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough

Chair Dunlap announced the reappointment of Alesha Brown (Central Region 1), Brian Cox (At-Large), Paul Freestone (Northern Towns), Ann Harrison (North Region 1), and Blanche Penn (North Region 3) to the Park and Recreation Commission for three-year terms expiring June 30, 2022.

***Commissioner Fuller returned to the dais.***

**PLANNING COMMISSION**

Commissioner Powell presented the Board’s Ad Hoc Appointment Interview Committee recommendation for appointment consideration to the Planning Commission. The committee members were Commissioners Powell (Chair), Leake, Rodriguez-McDowell, and Chair Dunlap.

The committee recommended the appointment of Peter Kelly for a three-year term expiring June 30, 2022. The committee recommended nominations be reopened to seek additional applicants for the remaining slot.

**JULY 2, 2019**

The vote was taken on the following nominees for appointment to the Planning Commission:

Round One – Three-year Term

Emmitt Butts	None
Peter Kelly	Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough
Unithia McGruder	None

Round Two – Unexpired Term

Emmitt Butts	Commissioners Dunlap, Jerrell, and Scarborough
Unithia McGruder	Commissioner Fuller

Chair Dunlap announced the appointment of Peter Kelly to the Planning Commission for a three-year term expiring June 30, 2022.

*Note: He replaced Michael Sullivan.*

*It was the consensus of the Board to reopen nominations and seek additional applicants for the remaining slot to be filled.*

**PUBLIC ARTS COMMISSION**

The vote was taken on the following nominees for appointment to the Public Arts Commission (Community Representative):

Susan Tompkins	Commissioners Dunlap, Fuller, Harden, Jerrell, Powell, and Scarborough
Irene Vogelsong	Commissioners Leake and Rodriguez-McDowell

Chair Dunlap announced the appointment of Susan Tompkins to the Public Arts Commission for a three-year term expiring June 30, 2022.

*Note: She replaced L.M. Cathay Dawkins.*

**19-5539      NOMINATIONS/APPOINTMENTS**

**ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate and appoint Jeremy Arey to the Adult Care Home Community Advisory Committee for a one-year term expiring July 31, 2020.

**BUILDING DEVELOPMENT COMMISSION**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-2 with Commissioners Dunlap, Fuller, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, and Commissioner Harden and Chair Dunlap voting no, to not reappoint Ezequiel Acosta, Glenn Berry, Terry Knotts, Aaron Moody, and Paul Stefano to the Building Development Commission for three-year terms expiring July 31, 2022, but instead continue to seek other applicants.

*Note: Concern was expressed for the lack of diversity on the Building Development Commission.*

**CITIZEN'S CAPITAL BUDGET ADVISORY COMMITTEE**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to reappoint Susan Flowers and William Rakatansky to the Citizen's Capital Budget Advisory Committee for three-year terms expiring July 31, 2022.

*Note: David Tibbals was willing to serve another term, at the completion of this his second full term expiring July 31, 2019, since there were no applicants, however, the Board decided to keep nominations open. Mr. Tibbals can continue to serve, however, until a replacement is appointed.*

**NURSING HOME COMMUNITY ADVISORY COMMITTEE**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate and appoint Charles McCrory and Carmen

**JULY 2, 2019**

Shaw to the Nursing Home Community Advisory Committee for one-year terms expiring July 31, 2020.

**PLANNING COMMISSION**

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

Andrew Blumenthal	by Commissioner Rodriguez-McDowell
Astrid Chirinos	by Commissioner Rodriguez-McDowell
Bridgett Luther	by Commissioner Harden

*Note: It was the consensus of the Board to keep nominations open and to seek additional applicants. This matter will be placed on the Board's August 7, 2019 agenda for further consideration.*

**SMALL BUSINESS AND ENTREPRENEURSHIP ADVISORY BOARD**

Motion was made by Commissioner Harden, seconded by Commissioner Powell and failed 7-1 with Commissioners Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough voting yes and Commissioner Leake voting no, to reappoint Nick Koutsoupas, Raj Parikh, Will Peters, and Florence Wilkins to the Small Business and Entrepreneurship Advisory Board for a three-year term expiring June 30, 2022.

*Note: A unanimous vote is required for persons to be reappointed. This matter will be placed back on the Boards August 7, 2019 agenda for reconsideration.*

**WOMEN'S ADVISORY BOARD**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to reappoint Ruth Pierce to the Women's Advisory Board for a three-year term expiring June 30, 2022.

Motion was made by Commissioner Harden, seconded by Commissioner Rodriguez-McDowell and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-





**JULY 2, 2019**

**19-5550 TOWN OF MINT HILL PLANNING BOARD**

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and carried 7-1 with Commissioners Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough voting yes and Commissioner Leake voting no, to reappoint Roger Hendrix to the Town of Mint Hill Planning Board as an Extraterritorial Jurisdiction (ETJ) representative as recommended by the Town of Mint Hill Board of Commissioners for a term expiring June 30, 2021.

*Note: Statutory and Ordinance requirements require that appointments of this nature be approved by the Board of County Commissioners. The Town of Mint Hill Board of Commissioners voted June 13, 2019 to request that Roger Hendrix be reappointed to the Town of Mint Hill Planning Board as an ETJ representative for a term expiring June 30, 2021.*

**ADVISORY COMMITTEE REPORTS**

**19-5545 LAKE WYLIE MARINE COMMISSION ANNUAL REPORT**

The Board received the annual report of the Lake Wylie Marine Commission.

Neil Brennan, Chairman of the Lake Wylie Marine Commission gave the report and addressed questions.

Chair Dunlap and other Commissioners thanked Mr. Brennan for his report.

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

**MANAGER'S REPORT**

**19-5559 BUYOUT AND RETROFIT GRANT FLOOD RECOVERY PROGRAM**

Tim Trautman with Storm Water Services addressed the County's Buyout and RetroFIT Grant Flood Recovery Program.

***Chair Dunlap left the dais and was away until noted in the minutes.***

***Vice-Chair Powell chaired the meeting until noted in the minutes.***

**JULY 2, 2019**

*Note: Days prior to June 9 and 10, 2019, the Catawba River basin received up to 11 inches of rain. Floodwater on Mountain Island Lake (MIL) nearly equaled the mapped '100-year' floodplain, while river levels directly downstream of the MIL dam reached nearly the '50-year' flood level. About 100 homes/dwellings were impacted by floodwaters, and approximately 40 of those had flooding within the finished living space. Mitigating during the recovery process is the most effective way to reduce future flood damage.*

*In three major flooding events (July 2003, September 2008, and September 2011), the Board previously authorized Mecklenburg County Storm Water Services (MCSWS) to utilize "Rainy Day" funding from Storm Water's available fund balance to implement "Quick Buy" programs. The concept was to voluntarily acquire floodprone homes before substantial repairs began. The Quick Buy program has proven effective in not only reducing future flood losses, but also providing the property owners an option to consider during the recovery.*

*In August 2015, the Board approved the retroFIT grant program to aid floodplain property owners in making their dwellings more resilient to flood damage. Up to \$250,000/year has been available. Currently, the "Rainy Day" fund has \$3.5M allocated to flood mitigation projects. This action would provide up to \$3.5M in dedicated funding for voluntary buyouts of flood damaged homes and retroFIT grants to assist owners in elevating their homes and utilities during the recovery process. Based upon damage assessments and initial feedback from residents, staff developed guidelines for a voluntary buyout and retroFIT grant flood recovery program as described in the attached Resolution. Approximately 10-20 homes could be considered for voluntary buyout, and 8 to 14 homeowners could qualify for a retroFIT grant to elevate their home as part of the repair process.*

*MCSWS expects the program will run 6-12 months. Offers of Sale for properties could be presented to the Board as early as the September 4th Board meeting. Eligible retroFIT grants could be submitted to the Charlotte-Mecklenburg Storm Water Advisory Committee (SWAC) for approval as early as their July 18th meeting. Consistent with NCGS 153A-274.1 and the RetroFIT Program Policy document adopted by the Board in August 2015, the SWAC has the authority to review and approve retroFIT grant applications.*

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

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

**JULY 2, 2019**

1. Approve the concept of a voluntary Buyout & RetroFIT Grant Flood Recovery Program for floodplain structures that sustained damage during flooding along the Catawba River on June 9 & 10, 2019;
2. Adopt the Resolution for a voluntary Buyout & RetroFIT Grant Flood Recovery Program; and
3. Appropriate \$3,500,000 from Storm Water Capital Reserve Fund Balance and authorize staff to implement the voluntary Buyout & RetroFIT Grant Flood Recovery Program.

**MECKLENBURG BOARD OF COUNTY COMMISSIONERS  
RESOLUTION  
ADOPTING GUIDELINES FOR A VOLUNTARY  
BUYOUT AND RETROFIT GRANT FLOOD RECOVERY PROGRAM  
FOR FLOODPLAIN STRUCTURES THAT SUSTAINED DAMAGE DURING FLOODING ALONG  
THE CATAWBA RIVER ON JUNE 9 AND 10, 2019**

**WHEREAS**, on December 3, 1997 the Mecklenburg County Board of Commissioners adopted the Mecklenburg County Floodplain Management Guidance Document aiming to achieve two objectives: 1) to prevent or reduce the loss of life, disruption of services and damage caused by floods and 2) to preserve and restore the natural and beneficial functions of the floodplain; and

**WHEREAS**, since adoption of the Floodplain Management Guidance Document, Mecklenburg County Storm Water Services has removed over 460 buildings from floodplains using a combination of State, Federal and Local funding, and provided over 15 retroFIT grants to homeowners to implement floodproofing projects; and

**WHEREAS**, on June 9 and 10, 2019, approximately 100 structures located in the Catawba River floodplain were impacted by floodwater; and

**WHEREAS**, some of these flooded properties are non-compliant and located within the FEMA Floodplain and are at continued risk of loss of life, disruption of services and damage caused by potential future flooding; and

**WHEREAS**, the following Program Guidelines and Process, which are similar to processes adopted after floods by Mecklenburg Board of County Commissioners in 2003, 2008, and 2011, are necessary to establish and offer guidance for the Buyout and retrofit Grant Recovery Program for properties flooded on June 9 and 10, 2019:

**JULY 2, 2019**

## **PROGRAM GUIDELINES**

Staff will use the following guidelines to offer voluntary acquisitions and retroFIT grants to owners of properties that were flooded on June 9 and 10, 2019, under this Buyout and retroFIT Grant Flood Recovery Program. Priority under this program will be given to homes that are deemed Substantially Damaged by the Floodplain Administrator. Criteria to be used to guide decisions on property specific mitigation include:

### **BUYOUTS**

- Owner interest
- Amount of damage from flooding on June 9 and 10, 2019
- Height of finished living space above ground to achieve compliance with Floodplain Regulations
- Location within the FEMA Floodway or Community Encroachment Area
- Difficulty/expense of elevating compared to value/condition of existing house
- Location/grouping of land for future maintenance/public benefit

### **RETROFIT GRANTS**

- Owner interest
- Substantial Damage requiring compliance with Floodplain Regulations as determined by the Floodplain Administrator
- Amount of damage from flooding on June 9 and 10, 2019
- Location outside the FEMA Floodway or Community Encroachment Area 2
- Difficulty/expense of elevating home compared to existing value/condition of existing house or utilities
- Eligibility of proposed project per the retroFIT Program Policy Document

## **BUYOUT PROCESS**

Mecklenburg County will use the following criteria to determine an amount to offer an eligible homeowner:

- (a) for properties **without** flood insurance, the 2019 tax value (if not under review as part of an appeal), or fair market value as of June 8, 2019 determined by a licensed appraiser (pre-flood values); minus damages caused by the flood as determined by either; 1) a full repair estimate provided by a licensed contractor hired by the property owner, or 2) the Actual Cash Value Loss (i.e. depreciated damages) as determined by an independent adjuster retained by the County.
- (b) for properties **with** flood insurance, the 2019 tax value (if not under review as part of an appeal) or fair market value as of June 8, 2019 determined by a licensed appraiser (pre-flood value); minus the Actual Cash Value Loss (i.e. depreciated damages) as listed on the Flood Insurance Claim.
- (c) for **all** properties:
  - i) a credit will be added to the offer amount for reasonable, allowable, and

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documented flood clean-up expenditures that were required to restore safe use of the flooded property, including costs to restore “temporary” power for cleanup. For properties with flood insurance, this credit to the offer amount shall not exceed the clean-up costs listed in the flood insurance settlement.

ii) there will be no credit added to the offer amount for any post-flood repairs to the structure. However, all property owners retain the right to remove improvements made to the property after the date of the flood (i.e. HVAC equipment, ductwork, cabinets, flooring, etc), which will not result in any deduction from the purchase price.

iii) owners meeting Low to Moderate Income standards (LMI), are entitled to a “replacement dwelling payment” if they purchase another property outside the floodplain in Mecklenburg County within 6 months of the buyout. Incidental expenses (i.e. closing costs, lender fees, inspections, transfer taxes, etc.), will be reimbursed and must be documented. Legal occupants are entitled to a “moving payment” to cover costs associated with relocating to a new dwelling. Moving expenses will be reimbursed from receipts or based on the fixed moving payment schedule referenced in the Uniform Relocation Act. The total amount of these two payments is not to exceed 3% of the pre-flood value. Any expenditure greater than the maximum payment amount will be the property owners’ responsibility.

The funding sources will be from Storm Water Special Revenue Fund (Available Fund Balance), or Storm Water Capital Improvement funds.

**NOW THEREFORE, BE IT RESOLVED** by the Mecklenburg Board of County Commissioners that the **PROGRAM GUIDELINES AND BUYOUT PROCESS** are approved to establish guidelines and offer guidance for the voluntary Buyout and retroFIT Grant Flood Recovery Program for floodplain structures that sustained damage during flooding along the Catawba River on June 9 and 10, 2019, and that this BUYOUT PROCESS will be used to present offers to eligible homeowners.

***Resolution recorded in full in Ordinance/Minute Book 48-A, Document # 53.***

**DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS**

**19-5393      JULY FEATURE DEPARTMENT/AGENCY PRESENTATION: PUBLIC INFORMATION DEPARTMENT**

The Board received as information a presentation on the Public Information Department.

Danny Diehl, Director of Public Information (PI), gave the report. The report addressed current initiatives within the department and countywide.

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

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## Comments

Commissioner Rodriguez-McDowell congratulated Director Diehl on the awards received by the Department. She asked that as many tools possible be provided to the Board to enhance their communication with the public. She encouraged PI to tell the County's story. She said there were a lot of "great things" being done that needed sharing with the public.

Commissioner Leake thanked the department as well for its work. She echoed Commissioner Rodriguez-McDowell's remarks regarding getting the County's stories out, especially regarding the work of the Health Department.

Commissioner Leake said information should be accessible to everyone and especially, senior citizens.

Commissioner Leake said someone approached her regarding having a town hall meeting in her District specifically for Latinos, but that her response was that her meetings were open to everyone. Commissioner Leake said she would not be holding town hall meetings for specific groups.

Commissioner Jerrell thanked PI for their work and their responsiveness. He asked Director Diehl where he saw the department going forward with respect to social media and getting information out.

Director Diehl said he couldn't give a specific, but that they try to stay "ahead of the game."

Commissioner Harden said strategic placement of information was important. She said the County needed to push information out more, rather than assuming people will make a request for information. Commissioner Harden asked about the quality of the Board's broadcast and asked was there something else that could be done to "move it up a notch." *Director Diehl responded and addressed the current viewership and by what means people were viewing the meeting.*

Commissioner Harden expressed the desire for the County's broadcast of its meetings to be on the cutting edge.

Commissioner Rodriguez-McDowell asked was there a way to track the number of people watching the broadcast, which was addressed.

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Commissioner Rodriguez-McDowell said different community groups had requested meetings, but it was not to exclude anyone.

Chair Dunlap thanked PI for its work and for assistance provided to him in his capacity as chair.

Chair Dunlap reminded Commissioners of the policy titled Mecklenburg County Government District/Community Meetings Policy & Procedures that addressed staff assistance during an election year. He said there were some parameters around the type of assistance that can be provided during the campaign period. He said it should be kept in mind, however, that Commissioners were elected for two years and serve as a commissioner that entire time. He encouraged Board Members to share any comments or concerns they had regarding the policy with the County Manager, to ensure they receive the support they need to carry out their duties as a commissioner.

**STAFF REPORTS & REQUESTS - NONE**

**CLOSED SESSION**

**19-5536      LAND ACQUISITION – NORTH PARK REGION ATHLETIC FIELDS**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of a portion of Tax Parcel 037-101-19 (+/- 31.6504 acres) in the extra-territorial jurisdiction of the City of Charlotte for athletic fields to serve the North Park Region of the County from Ragam Investments, LLC for a purchase price of \$900,000.

**CONSENT ITEMS**

**Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the following item(s):**

**19-5498      CONSTRUCTION CONTRACT - HISTORIC STEWART CREEK STREAM  
ENHANCEMENT PROJECT-PHASE I**

**JULY 2, 2019**

Authorize the County Manager to execute a construction contract with Blythe Development Company in the amount of \$3,344,143.80 for the Historic Stewart Creek Stream Enhancement Project.

**19-5526            BUDGET AMENDMENT-LUESA AUCTION REVENUE**

Recognize, receive and appropriate May 11, 2019 vehicle auction revenue of \$11,750.96. Of the auction proceeds, appropriate \$6,440.69 to LUESA in the General Fund and \$5,310.27 to the Storm Water Special Revenue Fund.

*Note: County obsolete equipment and rolling stock is periodically sold and the proceeds are distributed to the original sources for additional purchases. Net proceeds of \$11,750.96 were realized from the May 11, 2019 County vehicle auction as belonging to LUESA. The rolling stock for LUESA is funded by fees and regulations require the sales proceeds be used by the department where the fees are generated. This was a request that funds from the latest auction be returned to LUESA's Code Enforcement, Water and Land, Storm Water, and Air Quality divisions.*

**19-5529            TAX REFUNDS**

Approve tax refunds in the amount of \$596.80 as statutorily required to be paid, as requested by the County Assessor.

*Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. There is no accrued interest.*

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

**19-5533            MINUTES**

Approve Minutes of Regular meetings held June 4, 2019 and June 18, 2019.

**JULY 2, 2019**

**19-5535 APPOINTMENT OF REVIEW OFFICERS**

Amend "Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office pursuant to N.C.G.S. 47-30.2" to include Sierra L. Saumening, and Lauren Speight and to remove Alison Adams, Whitney Hodges and Caroline Sawyer.

**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

**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. Sierra L. Saumening and Lauren Speight from the Town of Huntersville are hereby designated as Review Officers 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 these names.
2. Alison Adams shall be deleted from the Resolution adopted on November 18, 2014 from the Town of Huntersville; Whitney Hodges shall be deleted from the Resolution adopted on December 5, 2006 from the Town of Huntersville; Caroline Sawyer shall be deleted from the Resolution adopted on April 7, 2015 from the Town of Huntersville.

***Resolution recorded in full in Ordinance/Minute Book 48-A, Document # 55.***

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**19-5541 LAND ACQUISITION - CHARLOTTE-MECKLENBURG SCHOOLS**

Approve a purchase price of \$874,000 for Charlotte-Mecklenburg Board of Education to purchase Tax Parcels 105-091-19, 105-091-21, and 105-091-27 (+/- 5.388 acres) in Charlotte from Billy M. Stegall and Kay C. Stegall for the construction of relief elementary school.

*Note: Charlotte-Mecklenburg Schools identified the parcels noted above, located at 7421, 7431, and 7511 The Plaza Charlotte, NC 28215, as the candidate sites it intends to purchase for use as the site for a relief elementary school that is included in the 2017 bond project list.*

*The site is approximately 5.388 acres and is located at 7421, 7431, and 7511 The Plaza Road and adjoins the Northridge Middle School property CMS owns. The site is currently under contract with CMS and is expected to close by July 5, 2019. The Board approved the acquisition in Closed Session on June 18, 2019. Open Session approval was required.*

**19-5544 LAND ACQUISITION -NORTH MECKLENBURG PARK (PARK & RECREATION)**

Authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcels 009-111-20, 009-111-27, and 009-111-33 (+/- 3.187 acres) in the Town of Huntersville for addition to North Mecklenburg Park from Erin R. Purves and Eric L. Purves for a purchase price of \$260,000.

*Note: The Board approved the acquisition in Closed Session on June 18, 2019. Open Session approval was required.*

**19-5547 BUDGET AMENDMENT - CODE ENFORCEMENT FUND BALANCE APPROPRIATION**

Authorize and appropriate transfer of \$1,600,000 from the Code Enforcement General Fund Balance Reserve to the Technology Reserve Fund to finance implementation of tasks identified in the Accela Gap Analysis for the Electronic Plans Management (EPM) and Electronic Plans Review (EPR) system replacement project.

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

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**19-5511 INTERLOCAL COOPERATION AND TRANSFER OF PROPERTY AGREEMENT - ABC BOARD AND ANUVIA**

Motion was made by Commissioner Jerrell, seconded by Commissioner Leake and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Authorize the County Manager to negotiate and execute all documents necessary to acquire Tax Parcel 157-072-35 (+/- 3.33 acres) located at 100 Billingsley Road, Charlotte, NC 28211, from the Mecklenburg County Alcoholic Beverage Control Board and transfer the same parcel to Anuvia Prevention and Recovery Center, Inc.; and
2. Adopt a resolution titled "Resolution Approving an Interlocal Cooperation Agreement Between Mecklenburg County Alcoholic Beverage Control Board and Mecklenburg County to Acquire and Transfer 100 Billingsley Road to Anuvia Prevention and Recovery Center".

*Note: Mecklenburg County Alcoholic Beverage Control Board (ABC) approached the County with a request to facilitate the transfer of ABC owned property to Anuvia Prevention and Recovery Center, Inc. (Anuvia). The subject property is located at 100 Billingsley Road and is currently leased by ABC to Anuvia for public rehabilitative and preventative treatment services related to victims of substance abuse. The deed from the County to Anuvia will contain language that in the event the property ceases to be used for rehabilitative and preventative treatment services, the property will immediately revert to County ownership. This transaction is exempt from N.C.G.S. 160A-266 (NC law governing conveyance of public property) by N.C.G.S. 160A-279 and N.C.G.S. 160A-274.*

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

**MECKLENBURG COUNTY  
BOARD OF COMMISSIONERS  
RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN  
MECKLENBURG COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD AND  
MECKLENBURG COUNTY TO ACQUIRE AND TRANSFER 100 BILLINGSLEY ROAD TO  
ANUVIA PREVENTION AND RECOVERY CENTER.**

**WHEREAS**, Mecklenburg County Alcoholic Beverage Control Board (ABC), an independent local political subdivision of the State of North Carolina pursuant to Chapter 18B of the General Statutes of North Carolina, owns Tax Parcel 157-072-35 (+/- 3.33 acres) located at 100 Billingsley Road in Charlotte, NC and leases the same to Anuvia Prevention and Recovery Center, Inc. (Anuvia) for the delivery of rehabilitative

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and preventative treatment services for victims of substance abuse; and

**WHEREAS**, both ABC and Anuvia desire that the property at 100 Billingsley Road be transferred to Anuvia's ownership for the continued delivery of treatment services for members of the public; and

**WHEREAS**, ABC approached the County to request assistance with transference of the subject property to Anuvia, and the County agreed to provide assistance by accepting ownership of the subject property and subsequently transfer the subject property to Anuvia; and

**WHEREAS**, Anuvia has agreed to a deed restriction and reverter clause that restricts the use of the property for public purposes to the delivery of treatment services for victims of substance abuse and that upon ceasing to deliver treatment services, the property at 100 Billingsley Road will revert to County ownership; and

**WHEREAS**, N.C. Gen. Stat. 160A-461 allows one unit of local government (including boards) to enter into interlocal cooperation undertakings for the contractual exercise by one unit of local government on behalf of the other unit; and

**WHEREAS**, N.C. Gen. Stat. 160A – 274 allows the transfer of real property from one unit of local government (including boards) to another unit of local government upon any such terms and conditions as it may deem wise; and

**WHEREAS**, the conveyance of the subject property to Anuvia by the County is exempt from N.C. Gen. Stat. 160A266 (methods of sale for public property) by N.C. Gen. Stat 160A –279, the sale of property to entities carrying out a public purpose; and

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

**RESOLVED** by the Mecklenburg County Board of Commissioners that the Board authorizes the County Manager, or her designee, to negotiate and execute the Transfer to Anuvia of 100 Billingsley Road Interlocal Cooperation Agreement between the County and ABC Board to accomplish the purposes stated above.

***Resolution recorded in full in Ordinance/Minute Book 48-A, Document # 54.***

**19-5520 GRANT APPLICATION - U.S. EPA - LUESA AIR QUALITY**

Motion was made by Commissioner Leake, seconded by Commissioner Powell and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and

Scarborough voting yes, to:

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A. Approve the submission of the County's FY20 & FY21 Clean Air Act (CAA) Section 105, Federal grant application up to \$498,952 per year for a total up to \$997,904;

B. Upon award of grant, recognize, receive and appropriate the amount awarded; and

C. Authorize the carry forward of any unspent funds to subsequent years.

*Note: Grant funds are used to fund and support, in part, commitments to U.S. EPA to implement programs to improve ambient air quality. These activities include permitting stationary sources of hazardous air pollutants, conducting ambient air monitoring, conducting emission inventories and enforcing environmental laws and regulations.*

Commissioner Leake removed this item from Consent for more public awareness and clarity. Ebenezer Gujjarlapudi, Director of LUESA, addressed this item.

**19-5528           CONSULTANT TEAM SELECTION - MECKLENBURG COUNTY COMPREHENSIVE PARK & RECREATION MASTER PLAN**

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to negotiate fees and execute a contract with Agency Landscape and Planning, for master planning services for the Mecklenburg County Comprehensive Park & Recreation Master Plan and in the event negotiations with this firm are unsuccessful, approve negotiations with the alternate firm of AECOM.

Commissioners Leake and Powell removed this item from Consent for more public awareness and clarity. Lee Jones, Director of Park and Recreation, addressed this item.

**19-5542           CONSTRUCTION CONTRACT - MARION DIEHL AND SUGAW CREEK RECREATION CENTER RENOVATIONS**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to award a construction contract to Walter B. Davis Company in the amount of \$4,041,067 for the renovations of Marion Diehl and Sugaw Creek

Recreation Centers.

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

**19-5543      LAND ACQUISITION - PLOTT ROAD PROPERTY (PARK & RECREATION)**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcels 107-231-04 and 107-231-06 (+/- 20.85 acres) in the City of Charlotte from Noble L. Dodd and Mary K. Dodd for a purchase price of \$429,000.

*Note: Park and Recreation wants to acquire Tax Parcels 107-231-04 and 107-231-06 (+/-20.85 acres). The property is east of E. W.T. Harris Blvd and south of The Plaza with street frontage on Plott Road. Acquisition of these parcels will contribute to filling a gap in community and regional parks within the surrounding east Charlotte area. Park and Recreation envisions using the property for a future greenway trail along Reedy Creek Tributary 3 as well as for neighborhood park amenities such as picnic shelter, playgrounds, multi-purpose fields, and other amenities.*

*The Board approved the acquisition in Closed Session on June 18, 2019. Open Session approval was required.*

Commissioners Jerrell and Leake removed this item from Consent for more public awareness and clarity. Lee Jones, Director of Park and Recreation, addressed this item.

**19-5546      DEVELOPMENT AND COOPERATION AGREEMENT FOR IRVINS CREEK GREENWAY - TOWN OF MATTHEWS**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to negotiate and execute a Development and Cooperation Agreement between the County and the Town of Matthews for construction, operation and maintenance of Irvins Creek Greenway.

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

**19-5551 DSS ENERGY PROGRAMS OUTREACH PLAN**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the DSS Energy Programs Outreach Plan for FY20.

*Note: Annually, the Department of Social Services (DSS) submits for Board approval the Energy Business Plan. The funding plan specifies the services that are provided with this grant such as: Crisis Intervention Program (CIP) and the Low-Income Energy Assistance Program (LIEAP). These funds are included in the FY20 approved budget.*

Commissioners Harden, Leake, and Rodriguez-McDowell removed this item from Consent for more public awareness and clarity. Peggy Eagan, Director of Social Services, addressed this item.

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

**19-5552 JUVENILE CRIME PREVENTION COUNCIL FUNDING**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve an increase in the FY20 funding plan in the amount of \$350,000 for temporary shelter care programming for justice involved youth as recommended by the Mecklenburg County Juvenile Crime Prevention Council.

*Note: The Juvenile Crime Prevention Council (JCPC) recommended \$350,000 in JCPC funds be approved for the development of temporary shelter care programming for justice involved youth with Thompson Child and Family Focus. It is anticipated that with the implementation of the Raise the Age legislation, temporary shelter care programming would be needed for older justice involved youths in an effort to avoid unnecessary hospitalizations, placement in YFS custody and/or detention. The FY20 Funding allocation plan was previously approved for \$1,065,682 at the June 4, 2019 meeting on RFBA 19-5474. This action will increase the FY20 funding plan approval to the full amount allocated to Mecklenburg County by the Department of Public Safety - Division of Juvenile Justice of \$1,415,682 for FY20.*

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

**19-5554      CLERK TO THE BOARD AD HOC SELECTION COMMITTEE**

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve creation of a Board of County Commissioners Ad Hoc Interview Selection Committee to interview for the Clerk to the Board position and receive information from the Board Chair regarding committee appointments.

Chair Dunlap said he would serve as chair of the Ad Hoc Interview Selection Committee and joining him on the committee would be Commissioners Harden, Leake, and Powell.

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

*Note: Janice S. Paige, Clerk to the Board of County Commissioners will be retiring at the end of this year, 2019 with 33 years of dedicated service to Mecklenburg County. She has a total of 35 years of local government service, having worked for the City of Lancaster, S. C. prior to coming to the County. The Clerk to the Board is an appointed position made by the Board of County Commissioners. Staff shared the recruitment plan for filling the position at the June 18, 2019 meeting. The Board's Ad Hoc Interview Selection Committee will interview and recommend a candidate for the incoming Clerk position to the full Board. Any recommended candidate selected by the Ad Hoc Committee would require a vote by the full Board to officially appoint the new Clerk. Once hired, the incoming Clerk would train alongside the current Clerk until the current Clerk's official retirement.*

**19-5555      GRANT APPLICATION - N C GOVERNOR'S CRIME COMMISSION - U S DEPT. OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE - 2019 JUSTICE ASSISTANCE GRANT (SHERIFF'S OFFICE)**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Approve the submission of a grant application up to \$250,000 from the N C Governor's Crime Commission funded through the U.S. Department of Justice, Office of Justice Programs; and
2. If awarded, recognize, receive and appropriate the grant funds.

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*Note: The North Carolina Governor's Crime Commission (GCC) opened its grant application process for the 2019 Byrne Justice Assistance Grant. Grant opportunities include Equipment Purchases, Non-Residential Re-Entry Initiatives, Opioid Initiatives and Training. The grant application deadline is July 31, 2019. There is no local match required for this grant.*

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

**19-5557 GOVERNOR'S CRIME COMMISSION - JUSTICE ASSISTANCE GRANT**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Approve the submission of a formal grant application for funding in the amount up to \$500,000 from the Governor's Crime Commission; and
2. If awarded, recognize, receive and appropriate funds for the amount awarded for the duration of the grant period.

*Note: Criminal Justice Services Re-Entry Services Division has delivered services to residents returning to Mecklenburg County from incarceration in State and Federal prisons since 2013. The requested funding will allow the Criminal Justice Services Re-Entry Services Division to expand vocational and employment opportunities. Primary support services include pre- and post-release services for returning residents, completion of primary education and support secondary education, entrepreneurship development training, specific vocational skills training, job matching assistance, assistance with transportation, and materials and equipment needed for securing employment. Grant funds are for a 2-year period with up to \$250,000 per year beginning January 1, 2020 and ending December 31, 2021.*

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

**ADJOURNMENT**

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 11:19 p.m.

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Janice S. Paige, Clerk

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George Dunlap, Chair