

**Meeting Minutes
March 19, 2024**

**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 CH-14 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 6:19 p.m. on Tuesday, March 19, 2024.

Present: Chair George Dunlap, Vice-Chair Mark Jerrell,
and Commissioners Leigh Altman,
Arthur Griffin, Elaine Powell, Vilma D. Leake, Laura J Meier,
and Susan Rodriguez- McDowell
County Manager Dena R. Diorio
County Attorney Tyrone C. Wade
Clerk to the Board Kristine M. Smith
Deputy Clerk to the Board Arlissa Eason

Absent: Commissioner Patricia "Pat" Cotham

-INFORMAL SESSION-

CALL TO ORDER

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:

- 24-0119** Commissioner Leake
- 24-0127** Commissioner Powell and Leake
- 24-0132** Commissioner Leake
- 24-0133** Commissioner Leake
- 24-0134** Commissioner Leake
- 24-0154** Commissioner Leake

**Meeting Minutes
March 19, 2024**

STAFF BRIEFINGS - None

24-0140 CLOSED SESSION

Motion was made by Commissioner Meier, seconded by Commissioner Rodriguez-McDowell, and unanimously carried to go into Closed Session for the following purpose(s): To Prevent Disclosure of Information that is Confidential, Land Acquisition and Consult with Attorney.

The Board went into Closed Session at 5:14 p.m. and came back into Open Session at 6:11 p.m.

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

-FORMAL SESSION-

CALL TO ORDER

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

AWARDS/RECOGNITION

24-0131 JOINT PROCLAMATION – CHILD ABUSE PREVENTION MONTH (CHAIR DUNLAP)

Background: Child Abuse Prevention Month is an annual campaign that has been held for the last twelve years and is organized by the Mecklenburg Child Abuse Prevention Team (CAPT). The purpose is to create awareness and to educate the community about child abuse prevention strategies.

The Proclamation was read by Commissioner Meier.

Motion made by Commissioner Meier, seconded by Commissioner Altman, and unanimously carried to adopt a Joint Proclamation declaring April 2024 as Child Abuse Prevention Month in Mecklenburg County and the City of Charlotte.



City of Charlotte and Mecklenburg County



JOINT PROCLAMATION

WHEREAS, children are vital to our state's future success, prosperity and quality of life as well as being our most vulnerable assets; and

WHEREAS, all children deserve to have the safe, stable, nurturing homes and communities they need to foster their healthy growth and development; and

WHEREAS, child abuse and neglect is a community responsibility affecting both the current and future quality of life of a community; and

WHEREAS, communities that provide parents with the social support, knowledge of parenting and child development and concrete resources they need to cope with stress and nurture their children ensure all children grow to their full potential; and

WHEREAS, effective child abuse prevention strategies succeed because of partnerships created among citizens, human service agencies, schools, faith communities, health care providers, civic organizations, law enforcement agencies, and the business community:

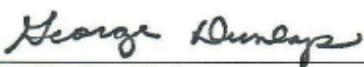
NOW, THEREFORE, WE, Vi Alexander Lyles, Mayor of Charlotte, and George Dunlap, Chair of the Mecklenburg Board of County Commissioners, do hereby proclaim, April 2024 as

"CHILD ABUSE PREVENTION MONTH"

in Charlotte and Mecklenburg County and call upon all citizens, community agencies, faith groups, medical facilities, elected leaders and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

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


Vi Alexander Lyles, Mayor
City of Charlotte


George Dunlap, Chair
Mecklenburg Board of County
Commissioners

Kneadee Jackson, from the Mecklenburg Child Abuse Prevention team, gave remarks and accepted the proclamation.

Meeting Minutes
March 19, 2024

24-0151 PROCLAMATION – MONTH OF RAMADAN (CHAIR DUNLAP)

Background: Mecklenburg County acknowledges the importance of Ramadan as a time of spiritual growth, reflection, devotion, and inspiration to work towards a more just and compassionate world for all. The values of compassion, empathy, and charity that are emphasized during Ramadan are universal principles that can bring people of all faiths and backgrounds together in a spirit of unity and solidarity. With this, Mecklenburg County recognizes March 10th to April 8th as "The Month of Ramadan."

Vice Chair Jerrell read the proclamation.

Motion made by Commissioner Jerrell, seconded by Commissioner Griffin, and unanimously carried to adopt a Proclamation declaring March 10 - April 8, 2024, as the Month of Ramadan.

Mr. Jabril Huff gave remarks and accepted the proclamation.

Mecklenburg County North Carolina Proclamation

WHEREAS, the holy month of Ramadan is a time of reflection, spiritual growth, and devotion for Muslims around the world; and

WHEREAS, during this sacred month, Muslims fast from dawn until sunset, abstaining from food, drink, and other physical needs as an act of worship and self-discipline; and

WHEREAS, Ramadan is a time for increased prayer, charity, and community service, as Muslims strive to strengthen their spiritual relationship, improve their character and conduct; and

WHEREAS, the month of Ramadan is a time to seek forgiveness, practice gratitude, and strive for personal growth and self-improvement; and

WHEREAS, the breaking of the fast each evening, known as iftar, is a time for families and communities to come together in fellowship and celebration; and

WHEREAS, the values of compassion, empathy, and charity that are emphasized during Ramadan are universal principles that can bring people of all faiths and backgrounds together in a spirit of unity and solidarity; and

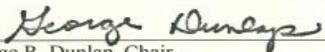
WHEREAS, the observance of Ramadan serves as a reminder of the importance of faith, community, and service in our lives, and encourages us to strive for peace, justice, and equality for all people; and

WHEREAS, we urge all people to embrace the values of compassion, empathy, and charity that are emphasized during this holy month, and to strive for a world where all people are treated with dignity and respect.

NOW, THEREFORE, BE IT RESOLVED, that the County of Mecklenburg acknowledges the importance of Ramadan as a time of spiritual growth, reflection, devotion, and inspiration to work towards a more just and compassionate world for all and declares that the County of Mecklenburg recognizes March 10th to April 8th as

“THE MONTH OF RAMADAN”

This 19th day of March 2024


George R. Dunlap, Chair
Mecklenburg Board of County Commissioners



PUBLIC ART MOMENT

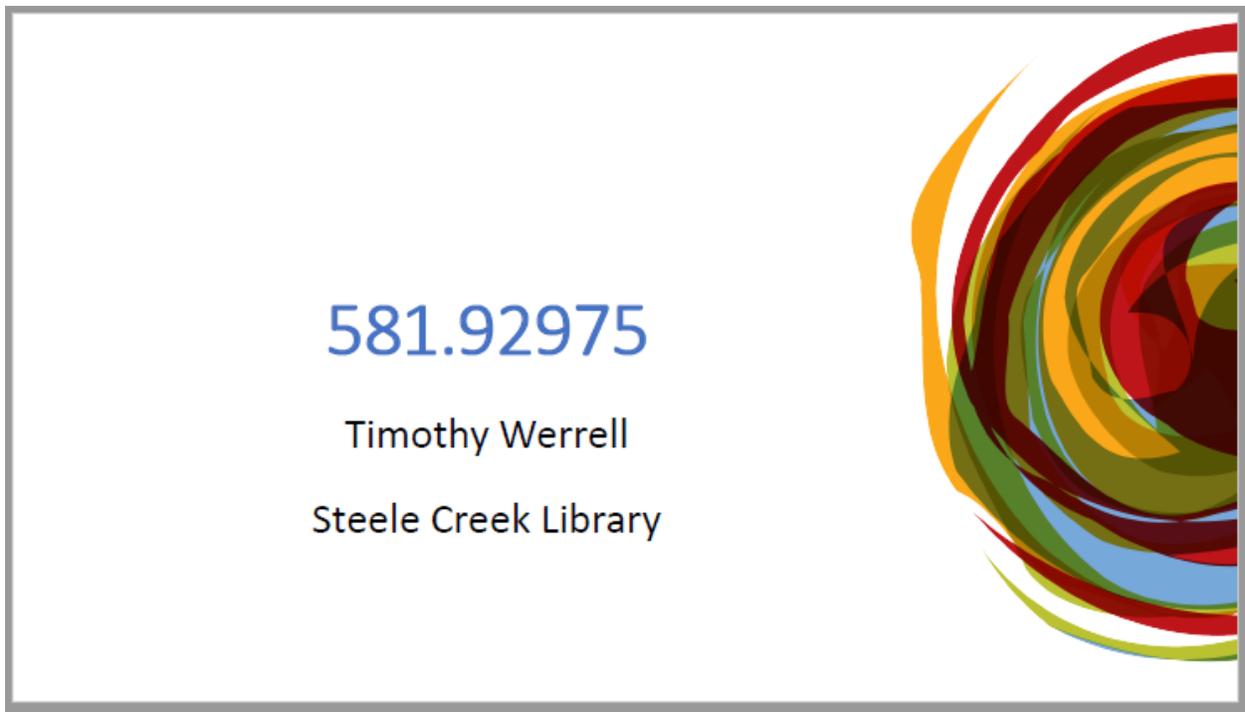
24-0141 PUBLIC ART MOMENT

Meeting Minutes
March 19, 2024

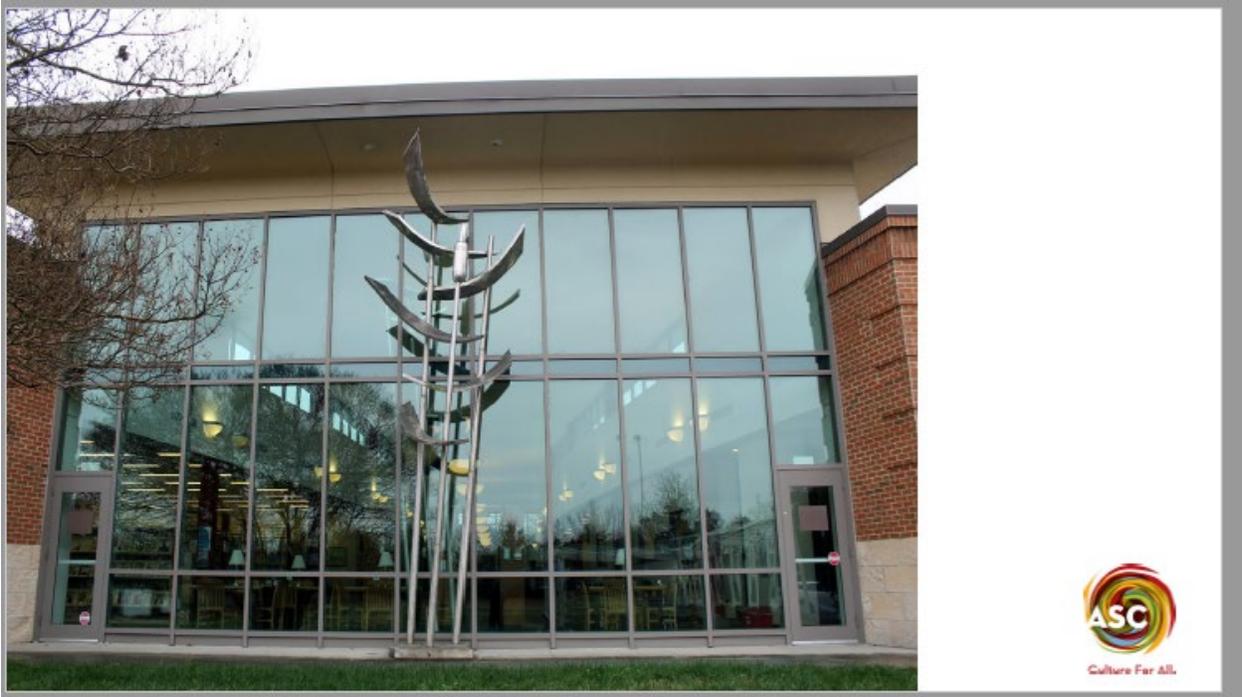
The Board received a presentation on a Public Art piece titled "581.92975."

Background: On January 5, 2021, the Board of County Commissioners approved the addition of an agenda topic to the second Regular meeting of the month entitled Public Art Moment. The item, with the help of the Arts & Science Council, will highlight a piece of public art - a different one each month. The purpose of this item is to raise public awareness and appreciation for the tax dollars that are spent on public art each year. This month's featured art piece is called "581.92975" by North Carolina artist Timothy Werrell. This project is located at the Steele Creek Library in District 2.

Commissioner Rodriguez-McDowell gave the presentation.



Meeting Minutes
March 19, 2024



Meeting Minutes

March 19, 2024



Meeting Minutes

March 19, 2024

24-0140 CLOSED SESSION

Motion was made by Commissioner Powell, seconded by Commissioner Griffin, and carried unanimously to authorize the County Manager to negotiate and execute all documents necessary for the acquisition of tax parcel 103-112-02, (+/- .419 acres) from Ruty's Properties, LLC for a purchase price of \$88,000 for Park and Recreation purposes.

Motion was made by Commissioner Powell, seconded by Commissioner Griffin, and carried unanimously to authorize the County Manager to negotiate and execute all documents necessary for the acquisition of tax parcel 015-091-05, (+/- .89 acres) from Joshua Worley for a purchase price of \$97,010.00 for Park and Recreation purposes.

24-0142 PUBLIC APPEARANCE

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

1. Christopher Coleman – Not in favor of teleworking being revoked
2. Telia Frazier – Not in favor of teleworking being revoked
3. Chaula Jain – Not in favor of teleworking being revoked

APPOINTMENTS

24-0122 CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

Nominations/Appointments were needed on the Charlotte-Mecklenburg Community Relations Committee to fill eight (8) unexpired terms. Terms distributed in the order the application was received.

The following were nominated:

Meeka Clark – Commissioner Meier
Lambert Guinn – Commissioners Altman and Leake
Rodney Hogue – Commissioner Altman
Karekin Johnson – Commissioner Rodriguez-McDowell
Amethyst Jones – Commissioner Powell
Justin Lane – Commissioner Altman
Ignatius Patterson – Commissioner Jerrell

Meeting Minutes

March 19, 2024

Eunice Polk – Commissioner Jerrell

Geillian Rankin-Jackson – Commissioner Jerrell

Thomas Shaffner – Commissioner Meier

Quantia Sutton – Commissioner Altman

Rhonda Taylor – Commissioner Altman

24-0126 BICYCLE ADVISORY COMMITTEE

Reappointment was needed on the Bicycle Advisory Committee for one (1) three-year term expiring March 31, 2027. John Pinnix was eligible for reappointment.

Motion was made by Commissioner Leake, seconded by Commissioner Powell, and unanimously carried to reappoint John Pinnix on the Bicycle Advisory Committee for one (1) three-year term expiring March 31, 2027.

PUBLIC HEARINGS – NONE

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

24-0042 CHARLOTTE AREA TRANSIT SYSTEM (CATS) UPDATE

The Board received as information an update on activities taking place at CATS.

Brent Cagle, CATS CEO/Assistant City Manager, gave the presentation.

Mecklenburg County Board of County Commissioners Meeting

March 19, 2024



Year-In-Review

▶ Safety and Security

- ▶ New security contracts
- ▶ CATS Connect
- ▶ Ambassador Program

▶ Asset Preservation/Facilities

- ▶ LRV Truck Maintenance and Technology System Contract with Siemens
- ▶ Bus and STS Bus Replacement Order and update to fleet replacement plan
- ▶ Hired Transit Facilities Manager – Craig Fox
- ▶ Conducting Facilities Assessments and started addressing needs (CTC, Facility Lighting, Bus Stops and Transit Centers, Rail Trail, Elevators)

▶ Valuing Employees

- ▶ Field Staff Pay Increases
- ▶ Implemented Several Communications Tools

▶ Completed Annual Rail Shutdown with No findings from NCDOT SSO

▶ Awarded a \$30M Zero Emission Grant

▶ Hired Key Executives and Implemented New Organization Chart

▶ Increased Recruitment and Retention Efforts in Bus and Rail



Meeting Minutes
March 19, 2024



Our Mission
MOVING PEOPLE FORWARD.

DWA D. Wilson Agency
STRATEGIC • EFFICIENT

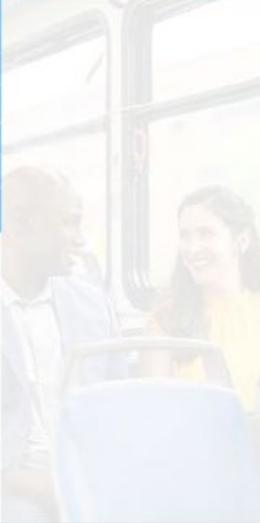
Vision Statement
To create a seamless transit experience that improves the lives of individuals, fuels economic growth, builds a connected region and fosters a sustainable future for all.

FY25 STRATEGIC PRIORITIES

1. Organizational Resilience
2. Employee Success
3. Future-Forward Planning and Innovation
4. Exceptional Customer Experience
5. Positive Community Impact

Core Values

-  Safety
-  Employee Centric
-  Customer Focused
-  Equity & Inclusion
-  Innovation
-  Sustainability
-  Excellence

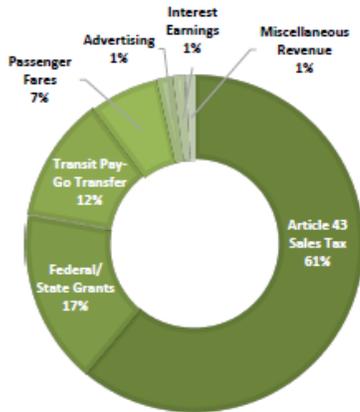


CATS FY2024 Budget Overview

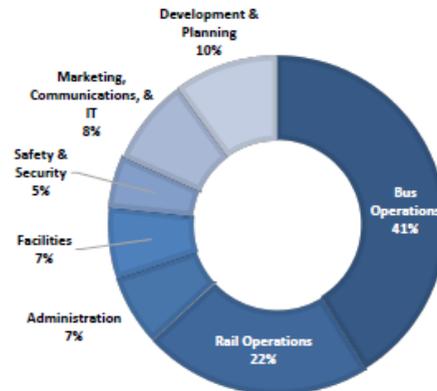


CATS FY 2024 Operating Budget - \$235M

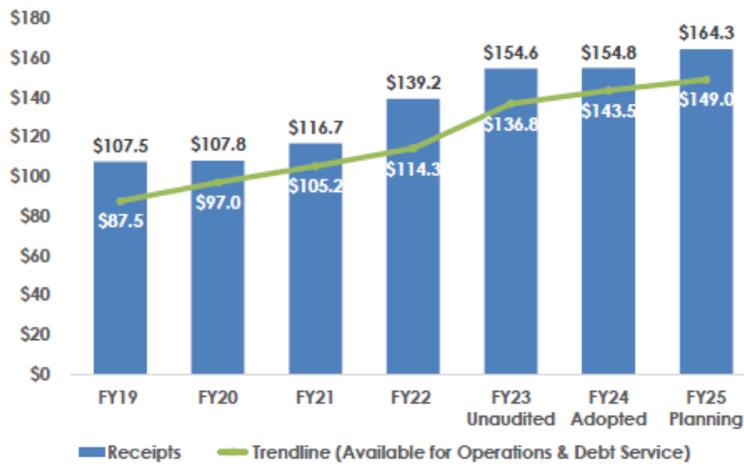
REVENUES



EXPENSES



1/2 Percent Sales Tax FY 2019 – FY 2025



1/2 Cent County-Wide Tax

Does Not Include: grocery foods, automobiles, housing, medical visits and medicines, gasoline, insurance, utilities, debt, school, etc.

■ Receipts — Trendline (Available for Operations & Debt Service)



Meeting Minutes
March 19, 2024

**FY25
Budget
Process**



- ▶ **September 2023 – November 2023:**
 - ▷ Staff budget requests provided to CATS Finance
- ▶ **November 2023– December 2023:**
 - ▷ CATS Finance and divisions review of budget requests
- ▶ **December 2023 – January 2024:**
 - ▷ Draft expenditure and revenue projections
 - ▷ Alignment with strategic priorities (based on today's discussion)
- ▶ **January 2024:**
 - ▷ Preliminary Budget Presented to MTC
- ▶ **February – April 2024:**
 - ▷ MTC Budget Workshop
 - ▷ Finalize budget and revenue projections
 - ▷ Budget reviewed with MTC & TSAC

CATS Services Overview



Meeting Minutes March 19, 2024

- ▶ **Service Area Population: 1,302,619**
- ▶ **Service Area square miles: 675**
- ▶ **Participating Sales-Tax Communities**

- ▶ Charlotte
- ▶ Cornelius
- ▶ Davidson
- ▶ Huntersville
- ▶ Matthews
- ▶ Mint Hill
- ▶ Pineville
- ▶ Mecklenburg County

- ▶ **CATS Services**

- ▶ Fixed Bus
- ▶ Light Rail & Streetcar
- ▶ Paratransit
- ▶ Vanpool

- ▶ **Annual Total Ridership: 14,027,141**



Who we serve

- ▶ More than 70% of customers are people of color
- ▶ More than 60% earn less than \$60k per year and in that group more than 40% earn less than \$30K per year
- ▶ 51% of customers do not own a car
- ▶ 83% are employed (69% full-time and 14% part-time)
- ▶ 88% walk to access transit, 6% park and ride
- ▶ 22% require a transfer to complete their trip
- ▶ Over 50% of trips are going to work or school
- ▶ Compared to prior survey the share of zero car households increased while the share of passenger households owning two or more cars dropped by almost a third.



Fixed Route Overview

▶ **Service Types – 67 Routes**

- ▶ 48 - Local
- ▶ 3 - Regional Express
- ▶ 13 - Express
- ▶ 3 - Village Rider

▶ **Hours of Service (combined): 5 am to 2 am**

▶ **FY 2023 Ridership: 8,106,539**

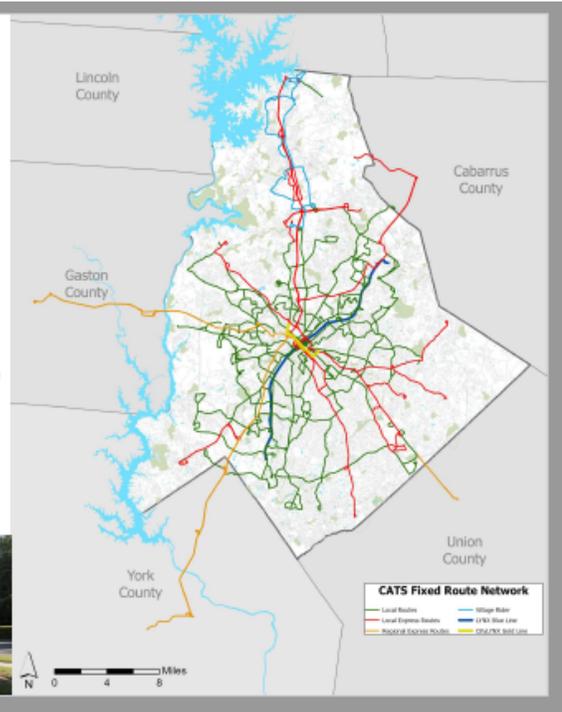
▶ **FY 2023 Revenue Miles: 9,116,523**

▶ **Fleet: 252 Fixed Route Buses (18 Battery Electric Buses)**

▶ **Avg fleet: 9.7 years**

▶ **TMOC Employees: 703 FTE's**

- ▶ Managed by RATP-Dev until Feb 11th



Rail Overview

▶ **LYNX Blue Line**

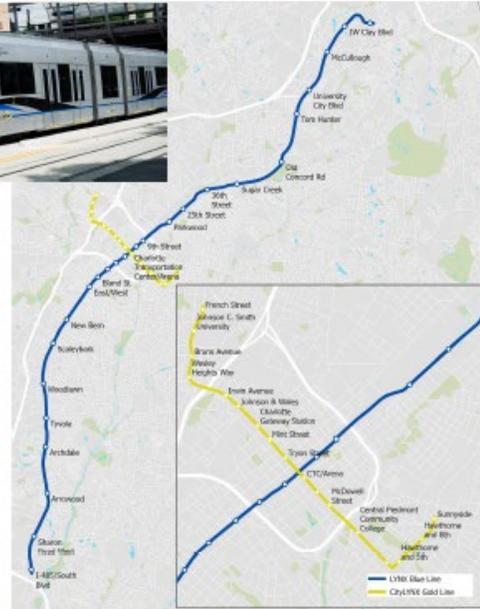
- ▶ 19 miles & 26 stations
- ▶ 42 train cars
- ▶ Hours of Service : 5 am to 2 am
- ▶ FY23 Ridership: 5,132,075

▶ **CityLYNX Gold Line**

- ▶ 4 miles & 17 stations
- ▶ 6 train cars
- ▶ Weekday: 6 am to 11:30 pm
- ▶ Saturday: 8 am to 11:30 am
- ▶ Sunday: 8 am to 10:30 am
- ▶ FY23 Ridership: 604,270

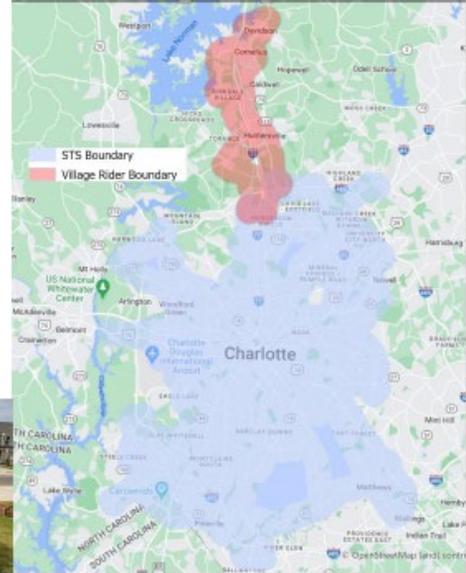
▶ **Rail Operations Team FTE's**

- ▶ 118 Operators and Ops Support Staff
- ▶ 142 Maintenance and MOW Staff members
- ▶ 38 Administrative Staff



Paratransit – STS Overview

- ▶ Eligible clients – 5,244
- ▶ Fleet - 83 buses
- ▶ Employees – 129 FTE's
- ▶ FY 2023 Ridership – 204,924
- ▶ Service area is based on federal requirement of serving a 3/4 mile buffer around fixed route local services.



Operations Facilities

- ▶ **Bus**
 - ▶ North Davidson 900 & 901 N Davidson Street (Fixed Route and Paratransit)
 - ▶ South Tryon 3146 Tryon Street (Fixed Route)
- ▶ **Light Rail**
 - ▶ South Blvd – 3200 S. Blvd, – 3305 Peloton Street
 - ▶ 1911 North Brevard – 1911 N Brevard



Passenger Facilities

- ▶ **3,021 Bus Stops**
 - ▶ 268 with a Shelter
 - ▶ 367 with a Bench
- ▶ **43 Rail Stations**
 - ▶ 26 – Blue Line
 - ▶ 17 – Gold Line
- ▶ **4 Transit Centers**
 - ▶ CTC
 - ▶ Rosa Parks TC
 - ▶ Eastland TC
 - ▶ South Park TC
- ▶ **Park and Rides**
 - ▶ 17 Express Bus
 - ▶ 11 Light Rail - 6,468 parking spaces

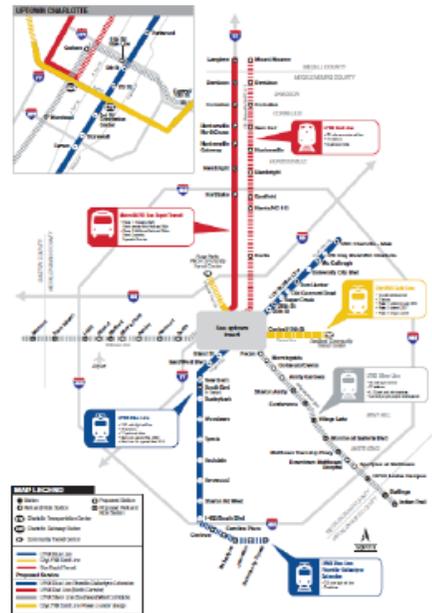


Building a System for the Region



Advancing the Plan

- ▶ Red Line
 - ▷ Design Update
 - ▷ Coordination with Norfolk Southern
- ▶ MetroRapid BRT
 - ▷ Hambright Park and Ride
- ▶ Silver Line
 - ▷ Design and Environmental
- ▶ Gold Line Phase 3
 - ▷ Design and Environmental
- ▶ Blue Line
 - ▷ South End Station



LYNX Red Line

► Project Description

- ▷ 25 miles
- ▷ 10 stations

► Design Update

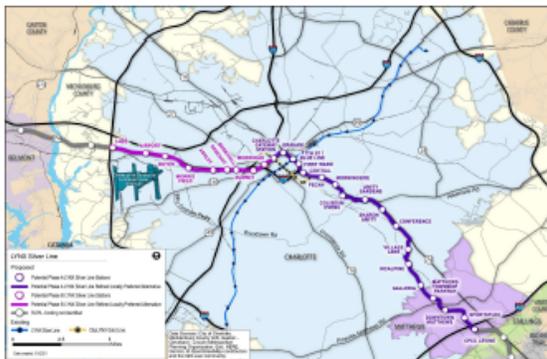
- ▷ Initiated in 2023
- ▷ Design Update
- ▷ Center City Access
- ▷ Update Operations Plan
- ▷ Confirm Station Locations
- ▷ Railroad Coordination
- ▷ Public Engagement

► Future Steps

- ▷ Complete 30% Re-design
- ▷ Environmental Document



LYNX Silver Line



► Project Description

- ▷ 29 miles, 31 stations

► Design & Environmental

► Initiated in 2020

- ▷ 15% Design Complete in 2022 (Phases A & B)
- ▷ 30% Design Underway (Phase A)
- ▷ Environmental Impact Statement (Phase A)
- ▷ Public Engagement

► Future Steps

- ▷ Complete 30% Design
- ▷ Geotechnical Studies
- ▷ Coordination with NCDOT Projects



MetroRAPID BRT: Hambright Park & Ride



► Project Description

- ▷ Located in Town of Huntersville
- ▷ 500 parking spaces
- ▷ Bus operator restroom
- ▷ Mobility hub
- ▷ Carpool/vanpool staging

► Express buses will use I-77 express lane direct connect to access the P&R

► Schedule

- ▷ Environmental Complete
- ▷ Design Contract Award Nov 2023
- ▷ Design Phase 2024 -2025
- ▷ Construction 2026



Charlotte Gateway Station

► Signature multi-modal facility

- ▷ Amtrak station
- ▷ Bus facility
- ▷ 704 Trail
- ▷ Gold Line + Silver Line + Red Line
- ▷ Mixed use development

► Phase 1 – Infrastructure

- ▷ Municipal Agreement with NCDOT
- ▷ TIGER Grant/NCDOT/City Funding (≈\$87 M)
- ▷ Track, structures, signal

► Phase 2 - Master Developer

- ▷ RFQ / RFP process
- ▷ Developer working on Master Plan Design Concept and Costing



Meeting Minutes
March 19, 2024

CTC Redevelopment

- ▶ **Public-Private Partnership**
- ▶ **Unsolicited Proposal/RFP - 2019**
 - ▷ DART/White Point Partners
 - ▷ New multi-modal bus facility with mixed use development
- ▶ **FTA RAISE Grant \$15 M - 2021**
- ▶ **City Council approvals**
 - ▷ Design Reimbursement Dec 2022
 - ▷ MOU Feb 2023
- ▶ **MTC approval – Jan 2022**
 - ▷ LPA Concourse Design Concept
- ▶ **Financial Framework**
 - ▷ Developer's Conceptual Cost Estimate \$89M



Comments

Commissioner Meier asked how we become a choice ridership. *Mr. Cagle stated that this was not an all-or-nothing proposition for choice riders, and the key was reliable, frequent service.*

Commissioner Meier stated that some plans were based on additional revenue and asked if that was sales tax. *Mr. Cagle stated that it would be contingent on many factors, but yes, additional revenue. He said the focus was on the operations and explained to develop transit further, there needed to be additional funding. He said those conversations were taking place, but it remained to be seen.*

Commissioner Rodriguez-McDowell asked to explain what micro-transit was. *Mr. Cagle said that micro-transit is a smaller vehicle that would serve areas of the County (towns) that were difficult to serve with traditional fixed route services such as large buses. He said it bridged that gap using a much smaller vehicle with several riders. He said these vehicles' priority would be to have ADA accessibility, and they would contract with companies who offered micro-transit and/or self-performance, buy vehicles, and hire people to drive them.*

Commissioner Rodriguez-McDowell asked for clarification on the routes. *Mr. Cagle stated there were approximately 19 zones throughout the County. A person would schedule a ride on the app*

Meeting Minutes

March 19, 2024

(pick up and drop off), and if someone else scheduled a similar ride, they would be combined on demand.

Commissioner Leake asked if there was a geographical area to know the number of buses that would be needed so that people could get to work on time. She asked how to help those individuals get to their destination in less time. *Mr. Cagle said they would require multiple transfers. He said they had a heavy transfer system. CTC is the central hub for transfers. He said they were taking it from a Hub and Spoke transfer system to a Point-to-Point system so that the people could make those transfers, not just at CTC but throughout the community to create a more efficient ride.*

Commissioner Powell thanked the presenter. She asked if the concerns about the Village Rider times not being consistent and reliable have been addressed and resolved. She asked about the park and ride and the 500 spaces allotted for people to park, and there were predictions of how many people would be accommodated to get out of the traffic. *Mr. Cagle said he would get some numbers on the current ridership. He said the 63X, the 77X, and the express routes to the north were some of the highest ridership they had, and this would make them even more enticing for people to utilize those routes because it would shave off some of the travel time and make it easier.*

Commissioner Powell said she was excited about it and that she wanted to come on the day that it opened to ride with him and that she supported him.

Commissioner Griffin asked regarding the schools experiencing difficulties with their bus drivers and bus routes if there was a federal supplement to provide support for students in high school 9-12. He asked if 70% of the people were people of color; what instrument was used to determine that, and how often was the survey completed.

Commissioner Griffin asked regarding participating sales tax communities; there were the seven cities and Mecklenburg County; what about the ETJs, the communities right on the edge of the city boundaries. He asked how they participated in the strategic planning process, future for planning and innovation. He said as chair of the Public Health and Human Services Committee, often barriers to primary care provider utilization were impacted by the web of transfers because, by the time a person arrived at their doctor's appointment, they were late. *Mr. Cagle stated that the first question was really about CMS and Federal Funding, and he wasn't aware of Federal Funding, but they were very interested in how they could partner with CMS and that they were working with Commissioner Altman and CMS to identify schools that they could create pilot programs with that then could be ultimately rolled out to other schools. He said one of the challenges in servicing CMS was that not all schools were close to bus stops. He said that the survey was conducted every quarter and that it was a survey of ridership.*

Meeting Minutes

March 19, 2024

Commissioner Griffin asked if he could break that down into different groups. *Mr. Cagle stated that the ridership was predominately African American, and the Latin X community was significantly underrepresented. He said as to innovation, looking at how they could change the Hub and Spoke was really what Envision My Ride was all about. He said they would always need a central hub because of the central core but could create mobility hubs throughout the community/county that allowed for point-to-point. He said there were that would always be difficult for traditional transit.*

Vice-Chair Jerrell asked three questions: 1) What were their targets for a healthy system as far as ridership and percent of revenue. 2) For East Charlotte, one of the most densely populated areas in the community, the opportunity for ridership seems light; the community feels underserved, and they don't have enough routes to different places 3) with regard to feedback, a lot of people don't ride because of the lack of visibility for people enforcing safety measures; and 4) with regard to multimodal options he asked if they looked at overlays and work with County assets, community resource centers, recreation centers, and greenway overlays to see where they connect as far as where your stops may be and asked what that interaction looked like.

Mr. Cagle said more riders were always good, the more, the better, having a service that attracted everyone and that people felt good about using. He said regarding revenue, the riders are predominantly needed. He said that looking at all the options, fares were very complicated. He said general fares were not the highest that had been seen out there, but they were not the lowest. He said they were going to look at the fares to simplify them, take into account equity, take a comprehensive look at their fare structure, and restructure it with simplicity and equity in mind.

Mr. Cagle said there were areas that felt underserved and areas that had a lot of service. He said would always be areas, not just the southern towns, northern towns, or the unincorporated areas, but other areas throughout the County where service could be better, with more frequency and more routes. He said when routes were set, there was a policy approved by the MTC that created a hierarchy of how they were set. He said the first priority was serving areas that had the most need; the second was creating connections to areas of activity, work, grocery stores, places of worship, community centers, and all those kinds of places, and worked their way through the hierarchy. He said when you looked at the route network against demographics, there was a concentration of routes in those areas.

Mr. Cagle said there were things that make passengers uncomfortable, and there were some true safety issues for their operators and customers which was why they felt it was so important to double the spending on safety and security, double the resources, and think about a different approach because some of the issues such as mental health was not resolved by law enforcement response.

Meeting Minutes
March 19, 2024

Mr. Cagle said multimodal options were everything that had been talked about, like rails and buses, bikes, cars, walking trails, and how they created connectivity. He said as they started to reenvision the network, it was an excellent point at which they needed to look at where we had assets positioned, where they had bus stops, whether they needed to move, and whether they needed to reenvision routes to better serve.

Commissioner Altman thanked the presenter and recommended that the Board download the Cats App. She said to get buses where they need to be, they needed significant new sources of revenue because the current transit tax was fully allocated.

Mr. Cagle said the reliability of the Village Rider, in the form of missed trips and on-time performance, was suffering like the rest of the system. He said he heard that it's difficult to line up in a very efficient way because some schedules may not mesh to get from point A to point B, and that was where micro-transit should come in and help.

Chair Dunlap asked about the ability to adapt to changes in the system, for example, if there was a soccer game or a big event, and people were leaving their hotels and coming from different places. *Mr. Cagle said that frequency was important, especially when people flooded the system. He said as far as increased revenue, he stated concern about marketing and that if it was done right would increase ridership.*

Chair Dunlap asked if there was marketing to visitors and citizens, for example, advertising at the hotels and the arena, and if there was another option other than Uber or a taxicab or driving yourself. *Mr. Cagle stated that there was advertising, marketing, and education around the system, not just for visitors in Charlotte but for folks who lived here who may not know about the system. He said the way people used transit post covid was totally different than how they did pre covid, but one thing proven true was that special events drive ridership. He said the biggest single-day post covid was the Beyonce Concert, which nearly doubled the dailies. He said they had the ability to increase service for special events to a point where they could add one or two additional trains, but some of that went back to maintenance that needed to be finished off. He said they could be nimble and add additional capacity to a point right now. He said once they completed the maintenance and more vehicles came into service, they would have more capacity, and at some point, regarding better bus service, they would think about Special Event bus service.*

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

24-0143 DEPARTMENT MANAGEMENT MONTHLY REPORTS

**Meeting Minutes
March 19, 2024**

The Board received as information the department directors’ monthly management reports. The monthly management reports can be accessed online via public dashboards at:

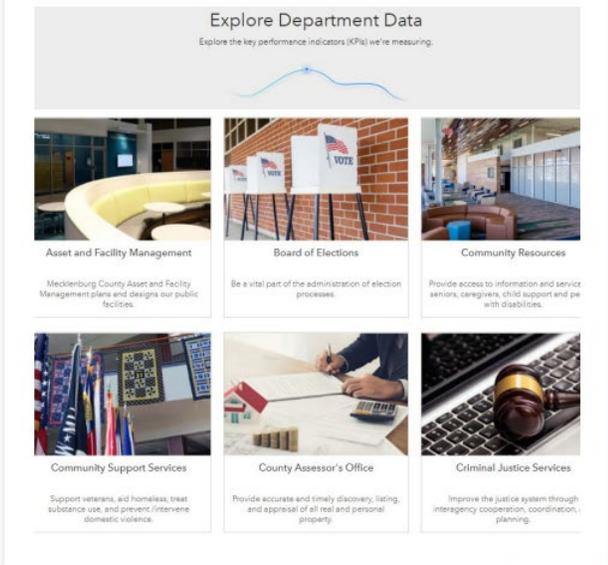
<https://meck.co/DataDashboard>

Background: The County Manager has 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.

Department Management Monthly Reports

Beginning in Fiscal Year 2023, the Department Management Monthly Reports transitioned to a public-facing dashboard.

[Click here, or click the image to the right, to access the Department Management Monthly Report Dashboard](#)



The screenshot shows a dashboard titled "Explore Department Data" with the subtitle "Explore the key performance indicators (KPIs) we're measuring." Below the title is a blue line graph. The dashboard is divided into six sections, each with a representative image and a brief description of the department's role:

- Asset and Facility Management:** Mecklenburg County Asset and Facility Management plans and designs our public facilities.
- Board of Elections:** Be a vital part of the administration of election processes.
- Community Resources:** Provide access to information and services seniors, caregivers, child support and people with disabilities.
- Community Support Services:** Support veterans, aid homeless, treat substance use, and prevent/intervene domestic violence.
- County Assessor's Office:** Provide accurate and timely discovery, listing, and appraisal of all real and personal property.
- Criminal Justice Services:** Improve the justice system through interagency cooperation, coordination, planning.

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS – NONE

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell, and unanimously carried, to approve the following item(s):

24-0128 BUDGET AMENDMENT – HEALTH DEPARTMENT (REVENUE INCREASE)

Meeting Minutes
March 19, 2024

Amend the FY 2023-2024 Budget Ordinance to recognize, receive, and appropriate an increase of \$52,000 in state revenue from NC Department of Health and Human Services, Division of Public Health (DPH) in the General Fund (0001) in the Health Department to support interpretation expenses for the Refugee Health program.

Amend the FY 2023-2024 Budget Ordinance to recognize, receive, and appropriate an increase of \$37,250 in state revenue from NC Department of Health and Human Services, Division of Public Health (DPH) in the General Fund (0001) in the Health Department to support the Food & Lodging inspections program.

Recognize, receive, and appropriate an increase of \$20,000 from the Center for Black Health & Equity in the General Grant Fund (G001) for the Tobacco Program.

Recognize, receive, and appropriate an increase of \$50,000 in federal funds in the General Grant fund (G001) within Public Health to support the PrEP & Mpox programs.

Background: The North Carolina Division of Public Health (DPH) awards state funds to the Health Department to support some public health programs. The Health Department received notification of additional funding of \$52,000 for the Refugee Health program for interpretation due to increase in screenings.

The North Carolina Division of Public Health (DPH) awards state funds to the Health Department to support some public health programs. The Health Department received notification of increased funding of \$37,250 for the Food and Lodging program.

Mecklenburg County Public Health Office of Policy and Prevention program has been awarded funding from The Center for Black Health & Equity to support their Advancing Health Equity in Tobacco Nation initiative.

The department received additional funding from the University of Alabama at Birmingham to address the sexual health needs of patients in the Public Health PrEP clinic, including Mpox education and vaccination.

24-0129 GREENWAY DONATION-SUGAR CREEK

Accept donation of tax parcel 167-221-65 (+/- 1.050 acres) from the North Carolina Department of Transportation (NCDOT), for use to construct the Sugar Creek Greenway.

Meeting Minutes
March 19, 2024

Background: The subject property owner, the North Carolina Department of Transportation, has proposed to donate Tax Parcel 167-221-65(+/- 1.050 acres) for future greenway purposes. The land is adjacent to existing County owned property and is along the proposed path of the Sugar Creek Greenway, making this property highly desirable for Park and Recreation.

The donation is consistent with Park and Recreation's Greenway Master Plan that calls for the addition of parkland, greenway, and open space within the County. It is also consistent with the County's Environmental Leadership Action Plan.

24-0130 TAX REFUNDS

Approve refunds in the amount of \$19,593.48 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor; and

Approve refunds in the amount of \$1,466,199.45 as statutorily required to be paid as requested by the County Assessor

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

This Board action is necessary to approve tax refunds resulting from clerical errors, audits, and other amendments, including revaluation appeals. There is accrued interest of \$59,610.05 to be added to refunds of \$1,402,845.54. There is no accrued interest to be added to the refunds of \$3,743.86. The total refunds with interest added is \$1,466,199.45.

24-0135 DONATION OF COURTS (RENOVATIONS) AT SUGAW CREEK PARK

Recognize and receive the donation and renovation of outdoor basketball courts with a value up to \$75,000 from Love.Futbol, Inc.

Background: Love.Futbol, Inc. is a development partner funded through the Return to Play Fund, founded by Beyond Sport and ESPN. The fund supports the development and renovation of sports court facilities in communities with higher-than-average Black and Brown populations.

Meeting Minutes

March 19, 2024

Love.Futbol, Inc. approached Mecklenburg County Park and Recreation to identify existing basketball court(s) in need of renovation. After coordination with County staff, Love.Futbol, Inc. has offered to renovate two existing basketball courts at Sugaw Creek Park.

Love.Futbol, Inc. proposed to fund up to seventy-five thousand dollars (\$75,000) in improvements to the two existing basketball courts. Improvements will include renovations to the two basketball courts, new seating, landscape improvements, and other related improvements in the general area of the basketball courts.

Love.Futbol, Inc. will host community build day on April 19, 2024, and an inauguration/celebration event on May 4, 2024. Invitations will be shared once these dates and times are confirmed.

24-0146 MINUTES

Approve the following Meeting Minutes:

May 18, 2023 Manager's Recommended Budget
May 22, 2023 Budget/Public Policy Workshop
June 13, 2023 Budget/Public Policy Workshop
February 27, 2024 Budget/Public Policy Workshop
March 12, 2024 Budget/Public Policy Workshop

24-0153 APPROVAL OF POLICY UPDATES FOR BOARD COMMITTEE APPOINTMENTS AND PUBLIC APPEARANCE

Approve policy updates for Board Committee Appointments and approve policy updates for Public Appearance.

Background: Several board policies do not serve the best interest of the board for the efficient conduct of County business and need revisions. Para A. deals with nominations and reappointments and the number of votes to approve a reappointment. Para B. deals with changes to public appearance during regular meetings. These minor policy revisions should have a positive effect on the efficient conduct of County business.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
APPOINTMENT POLICY**

Purpose: Citizen involvement is a key element to open government. It provides an opportunity for public input in the decision-making process. This appointment policy governs the process for making appointments to boards established by the Mecklenburg County Board of Commissioners and those established by legislation or interlocal agreements requiring appointments by the Board of Commissioners. Appointments to boards established by legislation or interlocal agreements shall be done consistent with the legislation or interlocal agreements for those boards as hereby noted in the policy.

1. Eligibility for Appointment

- A. Any person appointed to a board must be a resident of Mecklenburg County.
- B. The general intent of the Board of Commissioners is to not appoint an individual to more than one board at the same time. The Board, however, reserves the right to do so under special circumstances, as determined by the Board.
- C. A person appointed to one board who has also applied for other boards shall automatically be removed as an applicant for the other board(s).
- D. To be appointed to a board, an individual must either be nominated by a member of the Board of County Commissioners and receive the votes of at least a majority of the entire membership of the Board (five votes if all members are present at the dais), or be appointed by a motion receiving the votes of at least a majority of the entire membership of the Board (five votes if all members are present at the dais).
- E. Mecklenburg County employees are prohibited from serving on any board where appointments are made by the Board of Commissioners or where funding is provided by Mecklenburg County, including special study committees appointed for the purpose of recommending funding or policy. This policy does not prohibit County employees from serving in an ex-officio and/or non-voting capacity on any board when required by law, or when such service is deemed by the Board of Commissioners to be in the best interests of the County.

Meeting Minutes
March 19, 2024

2. Nomination Process

- A. Nominations to boards shall appear, as appropriate, on the agenda for the second regular business meeting of each month; appointments will be made at the first regular business meeting of each month; however, the Board reserves the right to deviate from this schedule.
- B. At the meeting when nominations are being made, a person who is eligible for re-appointment may be re-elected by majority vote of all members of the Board present at the dais at the time of the vote, provided at least a majority of the entire membership of the Board (five members) is present at the dais and votes on the re-appointment.
- C. Persons may be nominated and appointed at the same meeting if the number of nominees equals or is less than the number of vacancies and by a majority vote of all members of the Board present at the dais at the time of the vote, provided at least a majority of the entire membership of the Board (five members) is present at the dais and votes in favor of the re-appointment.
- D. Persons nominated for the following boards must go through an interview process conducted by an ad hoc committee of the Board, in each instance, appointed by the Chairman of the Board of County Commissioners. Designated staff may serve as non-voting members. The ad hoc committee shall bring a recommendation(s) for appointment back to the full board for consideration. Those boards are: Alcoholic Beverage Control; Central Piedmont Community College Board of Trustees; Charlotte-Mecklenburg Planning Commission; Library Board of Trustees; and Board of Equalization and Review.
**Nominees for the Alcoholic Beverage Control Board must also complete the "Mecklenburg County Alcoholic Beverage Control Board Nominee Questionnaire" and deliver the completed questionnaire to the Clerk to the Board at least three (3) business days prior to their interview.

3. Voting Procedures

- A. To be appointed to any board, an individual must receive the votes of at least a majority of the entire membership of the Board of County Commissioners present (five votes if all members are present).
- B. When a member of the Board of County Commissioners is present at a meeting, he or she must vote at least once on the nominations before the Board for each board being considered. The maximum number of times that a member of the Board of County Commissioners may vote is the lesser of the number of vacancies or the number of nominees.

**Meeting Minutes
March 19, 2024**

- C. If any position remains unfilled after the first ballot vote, the voting should be repeated for that position as many times as necessary to obtain the votes of the majority of the membership for a nominee to fill the position. When repeated voting for a position is necessary, only the names of nominees having received votes are kept on the ballot. If after repeated voting the position remains unfilled, the Board shall direct the Clerk to continue to advertise for the vacancy.

4. Membership Terms

- A. Except in extraordinary circumstances or where otherwise restricted by legislative authority creating or authorizing the creation of a board, it shall be the policy of the Board that terms of membership shall be staggered and that members serve not more than two full consecutive terms. Therefore, any person appointed to an unexpired term would be eligible to serve two full consecutive terms after completing the unexpired term. The preferred length of terms is three years; however, it may be more or less. A person having served two full consecutive terms on a board must wait at least a year before being eligible to serve again on the same board. However, in extraordinary circumstances, the Board reserves the right to deviate from this provision.
- B. Effort should be made when creating new boards and with present boards to consolidate expiration of terms for members to expire at one time during each quarter of each year.

5. Attendance Requirement

- A. Any member who fails during any calendar year to attend 65% of all regularly scheduled committee or board meetings from the time one's term begins until the end of that calendar year and each subsequent calendar year thereafter, shall be automatically removed from said board. There are no excused absences.
- B. Members must be present for 50% of a meeting in order to be counted present at that meeting.
- C. Members cannot miss three consecutive regularly scheduled committee meetings.
- D. The chairman or his/or designee of each board shall submit to the Clerk to the Board an annual attendance report by January 31st listing any member who at the end of the previous calendar year failed to meet the attendance requirement stated above. Persons not meeting the attendance

**Meeting Minutes
March 19, 2024**

requirement are removed automatically upon receipt of the annual report by the Clerk to the Board. Vacancies resulting from members' failure to attend the required number of meetings shall be filled as provided herein.

Exceptions:

- 1) Persons appointed to boards where appointments are made by both the Board of County Commissioners and Charlotte City Council and administered by the City of Charlotte shall comply with the attendance requirement as prescribed by the Charlotte City Council. Those boards are the Charlotte-Mecklenburg Planning Commission and the Bicycle Committee.
- 2) Persons appointed to boards established by legislative authority shall comply with the attendance requirement as prescribed by the applicable legislation. Those boards are, but may not be limited to: Adult Care Home Community Advisory Committee, Nursing Home Community Advisory Committee, Alcoholic Beverage Control Board, Central Piedmont Community College Board of Trustees, and Library Board of Trustees.

6. Removal Of Members From Boards

- A. The Board of Commissioners reserves the right, at any time and for any reason, to remove any member of any board when a motion for removal receives the votes of at least a majority of the entire membership of the Board present at the meeting.

Exceptions:

Removal of persons appointed to boards established by legislation and/or interlocal agreements shall be done so in accordance to the legislation and/or interlocal agreement governing that board. Those boards include, but may not be limited to: Charlotte-Mecklenburg Planning Commission, Alcoholic Beverage Control Board, Central Piedmont Community College, and Library Board of Trustees.

Charlotte-Mecklenburg Planning Commission – Interlocal Cooperation Agreement, Section 3.33.3

Alcoholic Beverage Control Board – N.C.G.S. 18B-704

Central Piedmont Community College Board of Trustees – N.C.G.S. 115D-19

Library Board of Trustees - Chapter 70 of the 2007 North Carolina Session Laws

**Meeting Minutes
March 19, 2024**

7. Committee Reporting

All Committees must report at least annually to the Board of Commissioners on their activities. Reports can be submitted to the Clerk to the Board for distribution to the Board in writing, or for formal presentation at a regular Board Meeting. The committee's assigned liaison shall work with the Clerk to the Board on establishing the annual reporting schedule.

8. Committee Bylaws

All changes to Committee Bylaws, excluding boards established by legislative authority, must be brought to the Board of Commissioners as a Consent Item for approval. Boards established by legislative authority shall comply with the requirement for change as prescribed by the applicable legislation.

9. Committee Funding

No Committees may independently raise or solicit funds. If any Advisory Board has a legitimate need, they must go through their aligned Department to request funding. The business reason must align with Department priorities, and will come from the aligned Department's budget.

10. The Board reserves the right to deviate from any portion of this policy not otherwise required to be followed by legislation or interlocal agreements.

11. Administrative Procedures

- A. The agenda item for appointments to boards will be prepared by the Clerk to the Board and provided to the Board as part of the Board's agenda package. The agenda item will include the name of the board, its purpose, membership criteria, number of vacancies, applicant information, and current membership information.
- B. The Clerk to the Board will prepare and post on-line an annual schedule of upcoming board appointments and revisions as they occur.
- C. The Clerk to the Board will maintain all appointment records pertaining to boards.
- D. Applications submitted for appointment consideration to any board will remain on file for one year from the date of its receipt by the Clerk to the Board, after which they will be destroyed.

**Meeting Minutes
March 19, 2024**

- E. Applicants must complete an original application for each board of their interest.
- F. Appointments and reappointments of board members will be coordinated by the Clerk to the Board having direct contact with the board chairperson and/or staff liaison.
- G. The Clerk to the Board shall notify the board chairperson and the staff liaison of upcoming vacancies.
- H. The board chairperson and/or the staff liaison shall notify the Clerk to the Board of any discrepancies in the upcoming vacancy report received. They shall also notify the Clerk to the Board in writing of any resignations.
- I. The Clerk to the Board shall provide copies of applications to board chairpersons and/or staff liaisons upon request. After the chairperson and/or staff liaison have reviewed the applications, he or she will notify the Clerk to the Board, in writing (to include e-mail), of any recommendation for appointment, if they so desire.
- J. Applications received after the appointment package has been prepared for distribution to the Board of Commissioners will not be considered in that month's appointments process but will be filed and submitted to the Board at the next appropriate time.
- K. The Clerk to the Board shall advertise all current vacancies and all upcoming appointments.
- L. Minutes of appointed board meetings will be maintained by the County Agency Director with an assigned staff liaison to said board. Said minutes are to be kept in perpetuity. Minutes of Boards established by legislation and/or interlocal agreements shall be maintained in accordance with the legislation or interlocal agreement governing that board.

*Adopted March 16, 1981
Revised March 1, 1982
Revised July 19, 1982
Revised May 20, 1985
Revised November 3, 1986
Revised April 5, 1988
Revised June 6, 1988
Revised September 5, 1989
Revised October 2, 1989
Revised October 16, 1989
Revised November 2, 1992
Revised February 21, 1994
Revised March 19, 1996
Revised May 20, 2003
Revised November 18, 2008*

Meeting Minutes
March 19, 2024

Revised October 5, 2010
Revised February 15, 2011
Revised September 19, 2017
Revised March 19, 2024



Policy recorded in full in Ordinance Book 52, Document #86

Meeting Minutes March 19, 2024

POLICY OF THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS

Procedure for Public Appearance

The agenda format of the Mecklenburg County Board of Commissioners for regular meetings sets a time in the meeting for public appearances. The purpose of this policy is to set forth the rules concerning the use of this time by members of the public.

1. Members of the public who wish to speak during the public appearance portion of a regular meeting must sign up with the Clerk to the Board in accord with the Clerk's sign up policy. The Clerk will keep a record of the order in which members of the public sign up. Although members of the public will generally be called in the order in which they sign up, the Chairman has the discretion to revise the order if the Chairman determines that a revised order will result in a more orderly meeting.
2. Members of the public who appear during the public appearance portion of a regular meeting may discuss any matter within the jurisdiction of the Board of Commissioners except for the following types of matters: (a) a matter which appears on the agenda of that meeting of the Board; (b) a matter which concerns the candidacy of any person seeking public office, including the candidacy of the person appearing before the Board; (c) a request that the Board consider funding a certain program or activity, either from the current budget, or by inclusion in a future budget (such funding requests would be made at the Board's annual budget public hearing).
3. Members of the public appearing before the Board will each be given three (3) minutes to speak unless there are four (4) or more speakers who wish to speak concerning the same matter, in which case, all persons wishing to speak on the same matter will be considered a group and given a total of ten (10) minutes in which to speak. The group (four (4) or more speakers) would divide the ten (10) minutes among themselves. The Board reserves the right to alter these rules on a case by case basis as necessary for the efficient and effective conduct of business.
4. Members of the Board will not engage in dialogue with public appearance speakers. Comments will be received and followed up on as applicable by County staff and/or members of the Board.
5. Handouts and/or tokens shall be given to the Clerk for distribution to Board members at the conclusion of the meeting.
6. For the efficient and orderly conduct of County business, the Board of Commissioners reserves the right to set a maximum number of speakers whom they will hear from during the public appearance portion of any meeting or to set a maximum time for the public appearance portion of a meeting. Members of the public wishing to address the Board during this portion of the meeting must appear in person if the Board is meeting in person. In the event that the Board exercises its right to set such limits on the number of speakers or the maximum time allowed for the public appearance portion of a meeting, the names of any persons who signed up to speak but did not get the opportunity to speak will go to the top of the list of persons requesting to be heard during the public appearance portion of the next regular meeting of the Board should such persons indicate to the Clerk that they wish to appear at the next regular meeting.
7. Persons addressing the Commission are expected to observe the decorum of the Chamber, to be respectful of the Commission and the public, to refrain from the use of profanity, coarse or foul language. The Chairman may rule out of order any comments tending to disrupt the meeting that are rude, inappropriate, or intended to harass any person or group of people, and is authorized to take reasonable and appropriate measures to ensure compliance with these rules.

Meeting Minutes
March 19, 2024

Adopted March 14, 1994
Revised June 12, 2001
Revised October 5, 2010/Amended October 19, 2010
Revised March 19, 2024

Policy recorded in full in Ordinance Book 52, Document #87

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Meeting Minutes
March 19, 2024

24-0145 PULLED CONSENT ITEMS

Commissioners may remove agenda items from the Consent Agenda for a separate vote, to bring public awareness or to make comments. The following items were pulled and voted upon separately:

24-0119 DUKE LIGHTING SERVICE CONTRACT – DETENTION CENTER NORTH

Motion was made by Commissioner Leake, seconded by Commissioner Altman, and unanimously carried, to approve a 3-year contract with Duke Energy to install and maintain exterior lighting fixtures at Detention Center North for 3 years at \$549.19 per month.

Background: This contract with Duke Energy will replace outdated pole lights under a current contract with Duke Energy with highly efficient LED lighting for the Detention Center North Facility. This new service contract with Duke Energy is more cost efficient than installing and maintaining County-owned poles and lights.

**24-0127 GRANT APPLICATION – NORTH CAROLINA DEPARTMENT OF JUSTICE
– ENVIRONMENTAL ENHANCEMENT GRANT PROGRAM**

Motion was made by Commissioner Powell, seconded by Commissioner Meier, and unanimously carried, to authorize the County Manager to apply for NC Department of Justice Environmental Enhancement Grant (EEG) Program grant funding of up to \$290,000 to be used for the construction of freshwater mussel habitat in Reedy Creek and the re-colonization of freshwater mussels into Reedy Creek and other existing restored streams and if awarded, recognize, receive, and appropriate the award amount to the (G705) state funds and to also adopt a grant project ordinance for the North Carolina Department of Justice - Environmental Enhancement Grant Program Grant in the (G705) state funds and to authorize the County Manager to execute the contract(s) with the NC Department of Justice.

Background: The County's Storm Water Capital Improvement Program (CIP) began restoring Mecklenburg County creeks and floodplains to improve water quality in 1997. The program is funded with revenue from Storm Water fees. These natural infrastructure investments have many other benefits to greenway systems, increasing native plants/trees, open space, aesthetic improvements, and corridors for wildlife. The projects have resulted in documented improvements to fish and aquatic insect populations. In 2022, Storm Water Services (STW) in partnership with U.S. Fish and Wildlife (USFW) and Park and Recreation (P&R) conducted a pilot effort to reintroduce

Meeting Minutes

March 19, 2024

freshwater mussels into the Stevens Creek CIP project area in Mint Hill, NC. The effort was highly successful and STW seeks to recreate the success in additional CIP project areas in the County.

Staff seeks to pursue a grant from the NC Department of Justice (NC DOJ) for the design and construction of six freshwater mussel specific habitat features in the upcoming Reedy Creek Stream Restoration project (project grant previously approved by the Mecklenburg Board of Commissioners on February 7, 2023). Additionally, requested grant funds would be used for the reintroduction of mussels into the features constructed in the Reedy Project area as well as the selection and re-colonization of up to 12 additional sites in previously restored streams. Sites located in US EPA Disadvantaged Communities areas will be prioritized for re-colonization. Mussels will be species common to the area and will be sourced from nearby streams with abundant populations. Re-colonized areas will be monitored and assessed for mussel survival and suitability in specific conditions. STW will be the lead agency and will partner with USFW, Johnson C. Smith University faculty and students, the City of Charlotte, and P&R to complete the effort. STW is requesting funding in the amount of \$290,000 and the grant application is due April 4, 2024.

**Meeting Minutes
March 19, 2024**

GRANT PROJECT ORDINANCE

WHEREAS, Mecklenburg County is applying and/or has been awarded a grant from the North Carolina Department of Justice (NCDOJ). The grant is through the NCDOJ Environmental Enhancement Grant (EEG) Program up to the amount of \$290,000; and

WHEREAS, the grant funds must be used to construct mussel habitat in Reedy Creek and recolonize freshwater mussels at up to 16 sites in Mecklenburg County;

WHEREAS, the Mecklenburg County Board of County Commissioners deems this activity to be a worthy and desirable undertaking;

NOW, THEREFORE, PURSUANT TO N.C.G.S. 159-13.2, BE IT ORDAINED BY THE MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS that:

- Section 1. The project described in the NCDOJ EEG grant application is hereby authorized to be undertaken for the duration of the grant.
- Section 2. The County Manager is authorized to execute the grant agreement and other documents that are required or appropriated for the County to receive the NCDOJ EEG grant and to undertake the project. The County Manager is directed to take the necessary steps to ensure compliance with all spending and reporting requirements made by NCDOJ.
- Section 3. The following revenues are anticipated for Mecklenburg County in the G705 fund to complete this project:

NCLWF Restoration Grant: up to \$290,000
Mecklenburg County Storm Water Cash Match: \$2,140,000
(Mecklenburg County Storm Water Cash Match funding previously approved on February 4, 2023)
- Section 4. The following expenses are appropriated for Mecklenburg County in the G705 fund to complete this project:

NCLWF Restoration Grant: up to \$290,000
Mecklenburg County Storm Water Cash Match: \$2,140,000
(Mecklenburg County Storm Water Cash Match funding previously approved on February 4, 2023)

Adopted this ____ day of _____

Clerk to the Board

Ordinance recorded in full in Ordinance Book 52, Document #83.

Meeting Minutes

March 19, 2024

**24-0132 JUVENILE CRIME PREVENTION COUNCIL (JCPC) UPDATE TO PROPOSED FY24
FUNDING ALLOCATION – CJS**

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell, and unanimously carried to approve the revised FY24 funding allocation plan as recommended by the Mecklenburg County Juvenile Crime Prevention Council (JCPC).

Background: The Mecklenburg County Juvenile Crime Prevention Council (JCPC) received \$2,051,713 in FY24 funding from the North Carolina Department of Public Safety. The Board approved item #23-0384 on June 21st, 2023, to recognize, receive, and appropriate the funds for Mecklenburg County Criminal Justice Services. This funding plan update is due to two of the programs, Achieving Success on Purpose-Building Reality w/ Imagination, Consciousness & Knowledge is changing part of its local funding from In-Kind to cash match, and The FACTS Initiative, is adjusting their cash match.

Meeting Minutes
March 19, 2024

Mecklenburg County
NC DPS - Community Programs - County Funding Plan

Available Funds: \$ 12,051,713 Local Match: \$ 567,772 Rate: 30%

DPS JCPC funds must be consistent with a Program Agreement submitted in NC Afilis and electronically signed by authorized officials.

#	Program Provider	DPS-JCPC Funding	LOCAL FUNDING			OTHER State/Federal	OTHER Funds	Total	% Non DPS-JCPC Program Revenue
			County Cash Match	Local Cash Match	Local In-Kind				
1	JCPC Administration	\$15,500					\$15,500	0%	
2	CRPD Youthful Shenon Program	\$25,000		\$21,657	\$3,343		\$314,636	28%	
3	Transporta Positive Action Program	\$260,855			\$80,960		\$350,815	23%	
4	Life Connections of the Carolinas-SABH Mentoring	\$179,825			\$55,754		\$235,580	24%	
5	Transforming Youth Movement (TYM) GIFT	\$272,891			\$52,800		\$355,791	23%	
6	Thompson Child and Family Focus-Court Assessment Program	\$205,808			\$61,743		\$267,551	23%	
7	Team-Up Connections-Group Mentoring	\$206,632			\$75,400		\$282,032	27%	
8	Youth Development Initiative-YDI Family Life Skills Academy	\$58,471			\$19,100		\$77,571	25%	
9	Youth Development Initiative-YDI Vocational and Career Development Academy	\$152,052			\$47,840		\$199,892	24%	
10	Acting Up Success on Purpose-Building Identity of Imagination, Consciousness & Knowledge	\$112,048		\$18,283	\$15,828		\$146,260	23%	
11	Youth4U-ARISE	\$43,207			\$13,189		\$56,402	23%	
12	For The Struggle, Inc-Related	\$103,780		\$52,000			\$155,780	33%	
13	Youth Style Fitness, Inc	\$106,378		\$6,000	\$28,350		\$138,728	23%	
14	The FACTS Initiative	\$60,000		\$18,000			\$78,000	23%	
15	Life Connections of the Carolinas-SABH Vocational Learning Community	\$40,000			\$12,345		\$52,345	24%	
16							\$0	0%	
17							\$0	0%	
18							\$0	0%	
TOTALS:		\$2,051,713	\$0	\$115,950	\$567,772	\$0	\$0	\$2,726,435	25%

The above plan was derived through a planning process by the Mecklenburg County Juvenile Crime Prevention Council and represents the County's Plan for use of these funds in FY 2023-2024.

Amount of Unallocated Funds \$0

Amount of funds reverted back to DPS

Discretionary Funds added

Nicole Beverly 2/29/2024
Chairperson, Juvenile Crime Prevention Council (Date)

check type initial date update final

---DPS Use Only---

Reviewed by: _____ Date: _____
Area Consultant

Reviewed by: _____ Date: _____
Program Assistant

Verified by: _____ Date: _____
Designated State Office Staff

Chairperson, Board of County Commissioners or County Finance Officer (Date)

County Funding Plan recorded in full in Ordinance Book 52, Document #84

Meeting Minutes

March 19, 2024

24-0133 CAPITAL RESERVE EXPENDITURE – GOLF COURSE REPAIRS – CHARLES T. MYERS GOLF COURSE, SUNSET HILLS, DR. CHARLES SIFFORD AND HARRY L. JONES SR. GOLF COURSE (PARK AND RECREATION)

Motion was made by Commissioner Jerrell, seconded by Commissioner Powell, and unanimously carried, to appropriate \$750,000 in available funds from the Public Golf Courses Consolidated Capital Reserve Fund (9002) to complete capital improvements and repairs at Charles T. Myers Golf Course, Sunset Hills, Dr. Charles Sifford and Harry L. Jones Sr. Golf Course.

Background: On December 5, 2023, the Board of County Commissioners approved the appropriation of \$500,000 to fund structural and cosmetic repairs to the clubhouses, pump houses, cart barns, and maintenance buildings at all the courses. The work included roof repair, drainage issues, electrical updates, sidewalk and concrete repair, insulation of maintenance buildings, and exterior painting of all buildings. A portion of the funds were also towards cart path repair at all the courses.

This funding request is a continuation of newly identified repairs on the vertical structures located at Sunset Hills, CT Myers, and Harry L. Jones. This includes structure repairs/roof replacement on multiple buildings at CT Myers, vertical foundation repairs/roof replacement at Sunset Hills, and repairs to vertical external surfaces at Harry L. Jones. This funding will also complete asphalt repairs at all 4 golf courses.

24-0134 RESOLUTION TO TRANSFER OWNERSHIP OF CANINE OFFICER

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell, and unanimously carried, to adopt a resolution titled " RESOLUTION AUTHORIZING THE SHERIFF OF MECKLENBURG COUNTY TO TRANSFER OWNERSHIP OF RETIRED MECKLENBURG COUNTY SHERIFF'S OFFICE CANINE OFFICER AGGIE."

Background: The Mecklenburg County Sheriff's Office is requesting the Board adopt the above referenced Resolution to transfer ownership of retired Mecklenburg County Sheriff's Office Canine Officer Aggie.

Due to their specialized training, the Canine Officer Aggie would be a danger to public health and safety if adopted by or sold to a member of the general public who is unfamiliar with their law enforcement training. The Canine Officer Aggie is of no economic value to Mecklenburg County, NC and therefore, pursuant to authority granted by NCGS 160A-266(d)(iii), can be transferred without payment of compensation to his handler, who is familiar with his law enforcement training.

**Meeting Minutes
March 19, 2024**

**MEMORANDUM OF UNDERSTANDING FOR
TRANSFER OF OWNERSHIP OF LAW ENFORCEMENT CANINE**

Retiring Canine Officer Aggie, a member of the Mecklenburg County Sheriff's Office (MCSO) canine force, is of retirement age and no longer useful for law enforcement purposes. Due to her specialized training, Canine Officer Aggie is a danger to public health and safety if adopted by or sold to a member of the general public who is unfamiliar with Canine Officer Aggie's law enforcement training. Therefore, Canine Officer Aggie is of no economic value to Mecklenburg County, NC (the "County"). Pursuant to a Mecklenburg County Board of Commissioners Resolution adopted on September 15, 2009, ownership and possession of Canine Officer Aggie is hereby transferred to MCSO Deputy Daniel Tuomey in consideration of his agreement to the following conditions:

1. Deputy Tuomey assumes full responsibility for Aggie's welfare, including but not limited to providing adequate shelter, food, grooming and veterinary care; and
2. Deputy Tuomey hereby acknowledges that he is aware of the general background, training and utilization of Canine Officer Aggie by MCSO and, being so informed, is fully cognizant of any and all risks associated with assuming ownership and possession of Canine Officer Aggie. Deputy Tuomey does hereby release, forever discharge and covenant not to sue MCSO or the County and all past, present and future employees, elected and appointed officials, contractors, agents and representatives of MCSO and/or the County as a result of any actions of Canine Officer Aggie or arising out of or attributable to Canine Officer Aggie's physical and mental condition or training.
3. Deputy Tuomey does hereby indemnify and hold harmless MCSO and the County from any and all claims, demands, damages, causes of action, liabilities judgments, costs and expenses (including legal costs and attorneys' fees) arising from or related in any way to the ownership, possession, use, condition, actions or activities of Canine Officer Aggie, beginning effective March 20, 2024.

**MECKLENBURG COUNTY SHERIFF'S
OFFICE**


Garry L. McFadden
Sheriff of Mecklenburg County

Date

2/22/2024

DEPUTY DANIEL TUOMEY


Deputy Daniel Tuomey

Date

2/21/2024

**Meeting Minutes
March 19, 2024**

**RESOLUTION AUTHORIZING THE SHERIFF OF MECKLENBURG COUNTY
TO TRANSFER OWNERSHIP OF RETIRED MECKLENBURG COUNTY
SHERIFF'S OFFICE CANINE OFFICER AGGIE**

WHEREAS, Canine Officer Aggie, a member of the Mecklenburg County Sheriff's Office (MCSO) canine force, has performed her law enforcement duties faithfully and diligently; and

WHEREAS, Canine Officer Aggie has reached the age and physical condition for retirement and is no longer useful for law enforcement purposes; and

WHEREAS, Due to his specialized training, Canine Officer Aggie would be a danger to public health and safety if adopted by or sold to a member of the general public who is unfamiliar with Canine Officer Aggie's law enforcement training; and

WHEREAS, Canine Officer Aggie is therefore of no economic value to Mecklenburg County, NC (the "County") and therefore, pursuant to authority granted by NCGS 160A-266(d)(iii), can be transferred without payment of compensation to his handler, who is familiar with his law enforcement training; now, therefore:

BE IT RESOLVED by the Mecklenburg County Board of Commissioners that the Sheriff of Mecklenburg County, or his designee, is hereby authorized to transfer ownership and possession of MCSO Canine Officer Aggie to his handler, MCSO Deputy Daniel Tuomey, pursuant to the attached Memorandum of Understanding between MCSO and Deputy Daniel Tuomey.

This resolution is adopted the 19th day of March 2024 to be effective immediately.

Approved as to Form:

County Attorney

CERTIFICATION

I, _____, Clerk to the Mecklenburg County Board of Commissioners, Charlotte, North Carolina, do hereby certify that the foregoing is a Resolution adopted by the Mecklenburg County Board of Commissioners in regular session convened on the 19th day of March, 2024 and recorded in full in Resolution Book ____ Page ____.

Witness my hand and seal this the ____ day of _____, 2024.

(Seal)
Clerk to Board

Resolution recorded in full in Ordinance Book 52, Document #85.

Meeting Minutes
March 19, 2024

24-0154 ANIMAL CONTROL ORDINANCE

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell, and unanimously carried, to approve Revisions to the Animal Control Ordinance.

Background: The Board of County Commissioners adopted an Animal Control Ordinance. Charlotte-Mecklenburg Police Department is responsible for enforcing the County's Animal Control Ordinance. The Ordinance has been revised over the years for various reasons. Most recently, due to legislative changes it is necessary to revise the Ordinance again to strengthen the terms as well as correct minor typographical errors. It was last revised on June 7, 2005, to be effective August 1, 2005.

The proposed ordinance has been reviewed by Dr. Josh A. Fisher, MHA, CAWA, Director of Charlotte-Mecklenburg Animal Care & Control.

Meeting Minutes
March 19, 2024



MECKLENBURG COUNTY
ANIMAL CONTROL ORDINANCE

ARTICLE I. IN GENERAL

<u>SEC. 3-1. PURPOSE</u>	Page 3
<u>SEC. 3-2. CONSOLIDATION AGREEMENT</u>	Page 3
<u>SEC. 3-3. DEFINITIONS</u>	Page 3-7
<u>SEC. 3-4 EFFECTIVE DATE</u>	Page 7
<u>SEC. 3-5 – 3-30 RESERVED</u>	

ARTICLE II. ADMINISTRATION AND ENFORCEMENT

<u>SEC. 3-31. BUREAU</u>	Page 7
<u>SEC. 3-32. INSPECTION, INTERFERENCE OR CONCEALMENT</u>	Page 8-9
<u>SEC. 3-33. ENFORCEMENT</u>	Page 9-11
<u>SEC. 3-34. NEGLIGENCE PER SE</u>	Page 11-12
<u>SECS. 3-35 – 3-60 RESERVED</u>	Page 12

ARTICLE III. CARE, CONTROL AND PROHIBITED OR RESTRICTED ACTS

<u>SEC. 3-61. ABANDONED ANIMALS</u>	Page 12
<u>SEC. 3-62. ABUSE OF ANIMALS</u>	Page 12-14
<u>SEC. 3-63. ANIMAL BITE</u>	Page 14
<u>SEC. 3-64. AGGRESSION-TRAINED DOGS</u>	Page 15
<u>SEC. 3-65. GUARD DOGS</u>	Page 15-16
<u>SEC. 3-66. BITING OR ATTACKING ANIMALS</u>	Page 17
<u>SEC. 3-67. ANIMALS AT COUNTY SPONSORED EVENTS</u>	Page 17
<u>SEC. 3-68. INJURING ANIMALS</u>	Page 18
<u>SEC. 3-69. NUISANCE</u>	Page 18-19
<u>SEC. 3-70. RECKLESS RIDING AND DRIVING OF ANIMAL</u>	Page 19
<u>SEC. 3-71. RESTRAINT OF ANIMALS</u>	Page 19-20
<u>SEC. 3-72. HARBORING STRAY ANIMALS</u>	Page 21
<u>SEC. 3-73. EXOTIC OR WILD ANIMALS</u>	Page 21
<u>SEC. 3-74 – 3-100. RESERVED</u>	Page 21

ARTICLE IV. LICENSING AND PERMITS

<u>SEC. 3-101. LICENSE AND RABIES TAGS AND FEES</u>	Page 22-23
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**Meeting Minutes
March 19, 2024**

<u>SEC. 3-102. COUNTY PERMITS</u>	Page 23-26
<u>SEC. 3-103. PERMIT FOR THREE OR MORE DOGS KEPT OUTSIDE</u>	Page 26-27
<u>SEC. 3-104. APPEAL OF DENIAL OR REVOCATION OF PERMIT</u>	Page 27
<u>SEC. 3-105. NONRESIDENT EXCEPTIONS</u>	Page 28
<u>SEC. 3-106 – 3-130. RESERVED</u>	Page 28

**ARTICLE V. IMPOUNDMENT, SEIZURE/FORFEITURE, CONTAINMENT, SPAY/NEUTER SERVICES
AND DISPOSITION OF ANIMALS**

<u>SEC. 3-131. IMPOUNDMENT</u>	Page 28-29
<u>SEC. 3-132. SEIZURE, FORFEITURE, AND DISPOSITION OF ANIMALS</u>	Page 29
<u>SEC. 3-133. DANGEROUS ANIMAL SEIZURE/FORFEITURE PROCEDURE</u>	Page 29-33
<u>SEC. 3-134. GENERAL SEIZURE/FORFEITURE PROCEDURE</u>	Page 33-34
<u>SEC. 3-135. PROTECTIVE MEASURES FOR CONTAINMENT OF ANIMALS</u>	Page 34-36
<u>SEC. 3-136. FEES</u>	Page 36-38
<u>SEC. 3-137. SPAY AND NEUTER SERVICES</u>	Page 38-39
<u>SEC. 3-138. RABIES IMPOUNDMENT</u>	Page 39
<u>SEC. 3-139. UNCARED-FOR ANIMALS</u>	Page 39
<u>SEC. 3-140. SALE OR EUTHANASIA</u>	Page 39-41

**Meeting Minutes
March 19, 2024**

- **Shelter** means any facility designated by the city for the purpose of sheltering any animal lawfully impounded by the bureau.
- **Spayed female** means a female dog or cat that has been rendered sterile by surgical means (ovariohysterectomy).
- **Trespass** means the wrongful or legally unauthorized entrance onto or invasion of the property of an animal owner or lawful possessor. The cause of the individual to be on the property and any other relevant circumstances shall be considered in order to determine whether or not a trespass has occurred. A child under the age of seven shall not be deemed to be a trespasser.

SEC. 3-4

Effective Date. The effective date of this Ordinance when first passed was August 1, 2005. As revised, this ordinance is effective upon approval.

SEC. 3-5 – 3-30 RESERVED

ARTICLE II. ADMINISTRATION AND ENFORCEMENT

SEC. 3-31. BUREAU

- (a) Created; authority. The Charlotte-Mecklenburg Animal Control Bureau is a consolidated bureau created by the execution of an interlocal agreement between the county and the city. Pursuant to that agreement, the bureau is under the authority of the city.
- (b) Duties of manager and officers. There shall be a bureau manager of the bureau. The bureau manager and animal control officers shall be charged with the responsibilities of the following:
 - (1) Enforcing and carrying out the sections of this chapter and of any other ordinance assigning animal control duties and of all relevant state laws, except that the bureau manager and animal control officers shall have no duties or responsibilities whatsoever with respect to organizing and carrying out any rabies vaccination clinics.
 - (2) Making canvasses, including homes and businesses, for the purpose of:
 - a. Ascertaining that all dogs, cats and ferrets are properly licensed, if required;
 - b. Ascertaining that all dogs and cats and ferrets are vaccinated against rabies;
 - c. Organizing and carrying out any such canvas having sole and exclusive authority, control and responsibility for such actions; and
 - d. Ascertaining that sections of this chapter are being followed.
 - (3) Investigating complaints regarding animals.
 - (4) Enforcing the laws with regard to the vaccination of dogs, cats and ferrets against rabies and enforcement of the county rabies ordinances; investigating all reported animal bites or other human physical contact of the suspected rabid

Meeting Minutes March 19, 2024

such as a leash, cage, bridle or similar effective device which restrains and controls the animal, or within a vehicle or adequately contained by a fence on the premises or other secure enclosure. If the physical restraint used is a leash, bridle, or other device requiring a person to control the animal, then the person using such restraint must be of sufficient age and physical size or ability to reasonably restrain the animal. If the secure enclosure is an effective, working invisible fence, then there must be a visible, permanent sign on the premises stating that there is an invisible fence.

1. *Exception.* This section shall not apply to dogs kept on the owners premises five acres or greater in size, do not have to be kept with a fence or other secure enclosure, or under any physical restraint while on such premises.
- (b) *Adult with animal on premises.* If a responsible adult is physically outdoors, and immediately adjacent to the animal, on the land where the owner of the animal resides, and the animal is under the person's direct control and is obedient to that person's commands, this section shall not apply during the duration of the time the animal is in the company and under the control of that adult and the animal is on the premises. An adult is defined as a person 18 years of age or older.
- (c) *Public parks.* It shall be unlawful for any person owning or having possession, charge, custody, or control of any dog to take the dog into or allow the dog to enter any public park without being at all times under the restraint of a leash, except while in designated off-lease areas, in accordance with the rules and regulations pertaining to such off-lease areas. This sub-section shall not apply to the following:
- 1) Parks that have been designated as leash free parks by the governmental agency responsible for the park.
 - 2) Guide and hearing aid dogs that are in the company of blind or deaf persons or being trained for such purposes.
 - 3) Dogs employed or hired by law enforcement agencies or by the governmental agency responsible for the park to perform a governmental purpose within the park.
- (d) *Hunting on or off premises.* Hunting dogs shall be excluded from this subsection requiring physical restraint while the dogs are engaged in hunting provided that the hunting complies with state law and provided that the hunters are not trespassing.

**Meeting Minutes
March 19, 2024**

animal.

(4) Any animal owner 62 years of age or older who owns a sterilized animal may receive their license free of charge.

(5) Any handicapped owner of a dog which is used for seeing or hearing purposes and is spayed or neutered shall obtain a license free of charge.

(6) Any governmental agency that owns for a governmental purpose an animal subject to licensing shall obtain their license free of charge.

(c) *Guard dog license:* It shall be unlawful for any dog owner, possessor or harborer to bring a dog into the county to function as a guard dog without first obtaining a guard dog license. Such license will supersede the normal dog license required by subsection (a) of this section.

(d) *Rabies Inoculation:* It shall be unlawful for any person who owns, possesses, or harbors a dog, cat, or ferret not to have the animal inoculated against rabies.

(e) *Rabies tag:* It shall be unlawful for the owner, possessor, or harborer of any dog or cat in the county not to have the dog or cat wear the rabies vaccination tag issued to them by the veterinarian administering the rabies vaccine. It shall be unlawful for the owner, possessor, or harborer of any ferret in the county not to have in the owner's possession the rabies vaccination tag issued to that person by the veterinarian administering the rabies vaccination. Dogs and cats not wearing such tags, and for which the owner cannot promptly display a valid rabies tag, may be impounded pursuant to section 3-131.

(f) *Reclaiming Animal:* If the bureau has lawfully acquired custody or control of an animal and the bureau has probable cause to believe that the animal does not have the lawfully required inoculation against rabies, then the bureau shall have the authority to inoculate the animal against rabies. The owner, possessor, or harborer of the animal shall not have the right to reclaim the animal until the owner, possessor, or harborer has paid the Animal Control Bureau for the cost of the rabies inoculation.

SEC. 3-102. COUNTY PERMITS.

(a) *Required.* It shall be unlawful for any person to own, keep, have, or maintain any equine animals, cloven-hoofed animals or other livestock or any chickens, turkeys, ducks, guineas, geese, pheasants, pigeons or other domestic fowl in the county without first receiving from the bureau a permit to do so, or to continue to have any of such animals or fowl after a permit has been denied.

**Meeting Minutes
March 19, 2024**

This section shall not apply to, and no permit shall be required for, any agricultural operation within G.S. 106-700, which pertains to nuisance liability of agricultural operation, meets the exception under section 3-71(a)(1), or to any rabbit that is kept exclusively inside it owner's residence. The permit shall be valid for one year from the date of issuance and shall be renewed annually. The annual fee for such permit shall be \$40.00 per household. The application shall list all such animals and fowl on the premises. Before a permit is issued, an employee of the bureau shall inspect the premises to determine if the keeping of the animals or fowl on the premises will endanger or is likely to endanger the health, safety, peace, quiet, comfort, enjoyment of or otherwise become a public nuisance to nearby residents or occupants or places of business.

- (b) *Denial.* When a permit is denied for any reason, the applicant shall be given a written explanation of the reason for denial.
- (c) *Compliance required prior to issuance.* An owner or possessor of such animals or fowl shall comply with the following applicable provisions before a permit is issued. Compliance with the following applicable subsections will create a rebuttal presumption that a permit shall be issued. That presumption may only be rebutted by specific findings supported by competent evidence that, despite compliance with the following, the presence of such animals or fowl are still likely to endanger the health, safety, peace, quiet, comfort, enjoyment of or otherwise become a public nuisance to nearby residents or occupants or places of business:

- (1) *Fowl and other specifically identified animals.* The keeping of chickens, turkeys, ducks, guineas, geese, pheasants or other domestic fowl or rabbits shall be in compliance with the following:

- a. The run must be well-drained so there is no accumulation of moisture.
 - b. The coop, fowl house or hutch shall be kept clean, sanitary and free from accumulation of animal excrement and objectionable odors. It shall be

**Meeting Minutes
March 19, 2024**

cleaned daily, and all droppings and body excretion shall be placed in a fly proof container and double-bagged in plastic bags.

- c. The coop, fowl house or hutch shall be a minimum of 25 feet from any property line.
- (2) *Pigeons.* Pigeons, while allowed to fly to and from the premises, must be provided with adequate space on the premises, and sanitary conditions must be maintained.
- (3) *Cloven-hoofed animals.* The keeping of Cloven-hoofed animals, equines and other livestock shall be in compliance with the following:
- a. Such animals must be provided with adequate shelter to protect them from the elements.
 - b. The shelter shall be kept clean, sanitary and free from accumulations of animal excrement and objectionable odors.
 - c. The shelters for cows and other large livestock, which are covered by the zoning ordinance, shall be kept at a minimum of 75 feet from any property line. The shelters for goats and other small livestock shall be kept at a minimum of 25 feet from any property line.
- (4) *Slaughter.* Any slaughter of any livestock or poultry not regulated by state law or otherwise forbidden or regulated, shall be done only in a humane and sanitary manner and shall not be done open to the view of any public area or adjacent property owned by another.
- (5) *Exceptions.* A permit shall not be required for animals of any kind if the animals are kept by a governmental authority or other appropriately certified and recognized academic institution, museum, raptor center, etc.
- (d) *Revocation.* The bureau may revoke any permit:

Meeting Minutes
March 19, 2024

COMMISSIONER REPORTS

24-0144 COMMISSIONER REPORTS

Commissioners shared information of their choosing within the guidelines as established by the Board, which included, but not limited to, past and/or upcoming events.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell, and unanimously carried, that there being no further business to come before the Board that the meeting be adjourned at 8:27 p.m.

Kristine M. Smith, Clerk to the Board

George Dunlap, Chair