

**Meeting Minutes
June 04, 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 6:00 p.m. on Tuesday, June 4, 2024.

ATTENDANCE

Present: Chair George Dunlap, Vice-Chair Mark Jerrell,
and Commissioners Leigh Altman, Patricia "Pat" Cotham,
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: None

-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:

24-0260 Commissioner Leake
24-0295 Commissioner Leake
24-0296 Commissioner Leake
24-0300 Commissioner Leake
24-0303 Commissioner Leake
24-0312 Commissioner Leake
24-0319 Commissioner Leake
24-0322 Commissioner Leake

STAFF BRIEFINGS - NONE

24-0333 CLOSED SESSION

Motion was made by Commissioner Griffin, seconded by Commissioner Leake, and unanimously carried, to go into Closed Session for the following purpose(s): Land Acquisition and Consult with Attorney.

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The Board went into Closed Session at 5:11 p.m. and came back into Open Session at 5:43 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 Leake, the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

Motion was made by Commissioner Leake, seconded by Commissioner Meier, and unanimously carried, to authorize the County Manager to negotiate and execute all documents necessary for the acquisition of tax parcel 087-041-15 (+/- 4.19 acres) from Sparcraft America, Inc., for a purchase price of \$5,575,000.00 for Solid Waste purposes.

AWARDS/RECOGNITION – NONE

PUBLIC ART MOMENT – N/A

24-0332 PUBLIC APPEARANCE

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

1. Denesha Degraffenreid Topic: Mental Health and Substance Use

APPOINTMENTS

24-0281 APPOINTMENTS – CENTRAL PIEDMONT COMMUNITY COLLEGE BOARD OF TRUSTEES

Appointment was needed for the Central Piedmont Community College Board of Trustees

Motion was made by Commissioner Meier, seconded by Commissioner Griffin, and unanimously carried to reappoint Jimmy Dunn on the Central Piedmont Community College Board of Trustees for one (1) four-year term expiring June 30, 2028. Jimmy Dunn was eligible for reappointment.

24-0282 APPOINTMENTS – LIBRARY BOARD OF TRUSTEES

Appointment was needed for the Library Board of Trustees.

Motion was made by Commissioner Meier, seconded by Commissioner Altman, and unanimously carried to reappoint Amy Hawn Nelson and Kimmery Martin on the Library Board of Trustees for two (2) four-year terms expiring June 30, 2028. Amy Hawn Nelson and Kimmery Martin are eligible for reappointment.

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24-0313 APPOINTMENTS – STORM WATER ADVISORY COMMITTEE

Reappointment was needed on the Storm Water Advisory Committee, Industry slot, for one (1) three-year term expiring June 30, 2027. Randy Smith was eligible for reappointment.

Motion was made by Commissioner Rodriguez-McDowell, seconded by Commissioner Griffin, and unanimously carried to reappoint Randy Smith on the Storm Water Advisory Committee, Industry slot, for one (1) three-year term expiring June 30, 2027. Randy Smith was eligible for reappointment.

Nomination/Appointment was needed on the Storm Water Advisory Committee to fill one (1) three-year term expiring June 30, 2027, effective July 1, 2024, Residential Neighborhood slot.

Nominations were as follows:

Williams Ball - Nominated by Commissioner Leake

David Privette – Nominated by Commissioner Rodriguez-McDowell

24-0337 APPOINTMENTS – WASTE MANAGEMENT ADVISORY BOARD

Appointments were needed on the Waste Management Advisory Board to fill four (4) terms. Terms will be distributed in the order the application was received.

On May 21, 2024, the Board nominated the following applicants: Henry Allison, Deborah Butler, Matthew Cook, Christopher Kelly, Suzette McHugh, and Jennifer Peltz.

According to the Waste Management Advisory Board Bylaw: Appointments shall be made by the BOCC for terms of three years each, with each individual serving a maximum of two full terms or until the BOCC terminates the Board, whichever is first. Reappointments to new terms or to fill vacancies shall be approved by the BOCC as indicated in Article III, Section 1. If no new persons are known, or there are no new applicants after a term has been unfilled after a period of 30 days, the Director of Solid Waste may recommend an individual who has previously served on the WMAB to fill the vacancy. Such appointment shall be for a period of 12 months.

The Board voted as follows:

Henry Allison – Commissioners Altman, Griffin, Jerrell, Meier, Powell, and Rodriguez-McDowell

Deborah Butler - Commissioners Cotham, Griffin, Jerrell, Meier, Powell, and Rodriguez-McDowell

Christopher Kelly - Commissioners Cotham, Dunlap, and Meier

Suzette McHugh - Commissioners Altman, Cotham, Griffin, Jerrell, Meier, Powell, and Rodriguez-McDowell

Jennifer Peltz - Commissioners Altman, Griffin, Jerrell, Meier, Powell, and Rodriguez-McDowell

Henry Allison, Deborah Butler, Suzette McHugh, and Jennifer Peltz were appointed.

PUBLIC HEARINGS – NONE

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

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24-0266 LAND USE AND ENVIRONMENTAL SERVICES AGENCY FEE ORDINANCE CHANGES

Motion was made by Commissioner Rodriguez-McDowell, seconded by Commissioner Powell, and unanimously carried to adopt a Resolution Revising the Land Use and Environmental Services Agency (LUESA) Fee Ordinance.

Background: By Interlocal Agreements, LUESA - Storm Water Services division provides Land Development services on behalf of the towns. The services may vary from Town to Town. Generally, the services are comprised of performing plan review, permitting and inspection services for land development activities, such as, erosion control, storm water, transportation, zoning, etc. The Land Development Services Interlocal Cooperation Agreements state that the County may charge fees to offset the costs incurred in providing the services on behalf of the Towns. On July 1, 2019, the Town of Huntersville started providing most of these services themselves.

In FY19, Storm Water Services developed a time/expense tracking system, 100% cost recovery hourly rate model and Land Development fee model to better align the revenue generated from fees with the services provided. The output from the system and FY25 models indicated that the fees being charged do not cover the expenses incurred by Storm Water Services.

The Towns and LUESA - Storm Water Services recommend revisions to the LUESA Fee Ordinance to achieve the following goals:

- *County recover 100% of its costs and minimize subsidies, and*
- *Set fees to attain Land Development Reserves to fund pre-paid services*

The proposed FY25 budget is based on the proposed fees as contained in the attached LUESA Fee Ordinance.

Public Hearings: The Board of County Commissioners held a Public Hearing on May 23, 2024, in accordance with the Storm Water Management Interlocal Agreement and State law for considering such increases. The public hearing provided interested parties an opportunity to comment to the Board of County Commissioners on the proposed changes.

An informal Budget Committee consisting of the five Town Managers and the Storm Water Services Division Director exists. They have endorsed the above goals and proposed fee increases. The Charlotte-Mecklenburg Storm Water Advisory Committee also supported the above goals and the proposed increases associated with Floodplain Development Permit Fees.

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**MECKLENBURG COUNTY
BOARD OF COUNTY COMMISSIONERS**

RESOLUTION AUTHORIZING REVISIONS TO THE LUESA FEE ORDINANCE

WHEREAS, in 2002, Mecklenburg County Board of Commissioners and the Towns in Mecklenburg County approved Land Development Services Interlocal Cooperation Agreements which sets forth roles and responsibilities for County and Towns associated with the provision of Land Development, North Carolina Building Code and other related services; and

WHEREAS, on March 22, 2024, the Charlotte-Mecklenburg Storm Water Advisory Committee endorsed the proposed FY25 budget, including the proposed fee adjustments; and

WHEREAS, on April 24, 2024, an informal Budget Committee consisting of Town Managers and the Storm Water Services Division Director wrote a letter to the County Manager endorsing the proposed FY25 budget, including the proposed fee adjustments; and

WHEREAS, on May 23, 2024, the Mecklenburg County Board of Commissioners held a public hearing on the County Manager's FY25 proposed budget which included the proposed fee adjustments; and

WHEREAS, Paragraph 4 of the Land Development Services Interlocal Cooperation Agreements gives the County the right to charge fees to cover the costs incurred by the County; and

WHEREAS, July 1, 2024 is the intended effective date of the proposed fee adjustments; now, therefore, be it

RESOLVED by the Board of Commissioners of Mecklenburg County that on June 4, 2024 the Board approves revisions to the LUESA Fee Ordinance in substantially the form attached to this resolution and that this resolution shall be spread upon the minutes.

Approved as to form:

County Attorney

Clerk to the Board

Resolution recorded in full in Ordinance Book 52, Document #108.

24-0269 RESOLUTION ADOPTING THE AMENDMENT OF THE COUNTY'S MAJOR SYSTEM COMPONENT OF THE STORM WATER FEE

Motion was made by Commissioner Rodriguez-McDowell, seconded by Commissioner Meier, and unanimously carried to adopt the Resolution Authorizing Amending the Major System Component of the County's Storm Water Fees.

Background: In 1994, the County implemented a Storm Water fee to fund the administration of storm water management programs to improve water quality, reduce flood losses and repair/maintain the storm drainage system.

By interlocal agreements among Mecklenburg County, the City of Charlotte, and the Towns, the storm water fee has three components. The purpose of this Board Action is to adopt changes to the County's Major System component of the Storm Water fee. The City of Charlotte and the Town

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of Matthews are considering altering their components of the fee that is charged within their jurisdictions. Those requests will be addressed separately in the budget process.

Major System Component (Countywide): The major system of the storm water system is defined as large creeks and rivers (examples: Little Sugar Creek, McDowell Creek, West Branch Rocky River, Catawba River, etc.) that drain more than 1 square mile and is the responsibility of the County throughout the County. The additional revenue will be used to expand County Storm Water’s Capital Improvement Program (CIP) consistent with the Environmental Leadership Action Plan (ELAP).

The fees for the Major System Component are as follows:

Tier I: \$1.12 to 1.21, per month

Tier II: \$1.71 to 1.84, per month

Tier III: \$2.60 to 2.81, per month

Tier IV: \$4.84 to 5.23, per month

Commercial: \$29.93 to 32.32, per acre of impervious acre

**MECKLENBURG COUNTY
BOARD OF COUNTY COMMISSIONERS**

**RESOLUTION AUTHORIZING AMENDING THE MAJOR SYSTEM COMPONENT OF THE COUNTY’S
STORM WATER FEES**

WHEREAS, on May 17, 1993, the Mecklenburg County Board of Commissioners adopted the “Mecklenburg County Storm Water Management Plan” which sets forth guiding principles and a financial plan for the operation of the comprehensive storm water management program in Mecklenburg County, which plan requires use of a rate structure based on impervious area and a base charge for fixed and administrative costs sufficient to cover such costs; and

WHEREAS, on November 1, 1993, Mecklenburg County, the City of Charlotte and the Towns entered into “AGREEMENT FOR OPERATION OF A SINGLE STORM WATER SYSTEM IN MECKLENBURG COUNTY” (hereinafter “Agreement”) to operate and maintain the storm water drainage system within the incorporated limits of the City and surrounding Towns; and

WHEREAS, a public hearing was held by the County on May 23, 2024 on amending the major system component of the storm water service charges to be levied on properties Countywide; and

WHEREAS, Section 5(iii) of the Agreement requires that the Board of Commissioners alter the major system cost component of the service charge to be levied Countywide; now, therefore, be it

RESOLVED by the Board of Commissioners of Mecklenburg County that effective July 1, 2024 the major system component of the storm water service charge to be levied on properties Countywide as follows:

Major System Component are as follows (Countywide):
 Tier I: \$1.12 to 1.21, per month
 Tier II: \$1.71 to 1.84, per month
 Tier III: \$2.60 to 2.81, per month
 Tier IV: \$4.84 to 5.23, per month
 Commercial: \$29.93 to 32.32, per acre of impervious acre

Approved as to form:

County Attorney

CERTIFICATION

I, Kristine Smith, Clerk to the Board of Commissioners of Mecklenburg County, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a resolution adopted by the Board of Commissioners, in regular session convened on the 4th day of June 2024.

WITNESS my hand and the common seal of the County of Mecklenburg, North Carolina, this the 4th day of June 2024.

 Kristine Smith, Clerk to the Board

Resolution recorded in full in Ordinance Book 52, Document #109.

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**24-0294 RESOLUTION ADOPTING THE AMENDMENT OF THE CITY OF CHARLOTTE'S
MINOR SYSTEM COMPONENT OF THE STORM WATER FEE**

Motion was made by Commissioner Rodriguez-McDowell, seconded by Commissioner Altman, and unanimously carried to adopt the Resolution authorizing amending minor system fees for the City of Charlotte.

Background: In 1994, the County implemented a Storm Water fee to fund the administration of storm water management programs to improve water quality, reduce flood losses and repair and or maintain the storm drainage system.

Minor System Component for municipal jurisdictions: By Interlocal Agreement, the minor system of the storm water system is defined as ditches, swales, pipes, etc. that drain less than 1 square mile and is the responsibility of the City inside the City limits and each Town inside the town limits. The revenue generated from the minor system component of the storm water fee charged within each municipal jurisdiction is returned to that jurisdiction to fund their storm water management programs.

To address the substantial increase in unfunded projects and citizen's requests, projects in the right-or way and aging infrastructure, the City of Charlotte is proposing a change to the minor system component of the Storm Water fee.

The changes that have been approved are as follows:

City of Charlotte (under consideration):

Tier I: \$6.56 to 6.88, per month

Tier II: \$9.68 to 10.15, per month

Tier III: \$14.30 to 15.00, per month

Tier IV: \$23.65 to 24.81, per month

Commercial: \$170.71 to \$179.07, per acre of impervious acre

Public Hearing: As part of their budgeting process, the City has already held a Public Hearing for interested parties to comment on changes to their minor system rates. The Board of County Commissioners held a Public Hearing on May 23, 2024, in accordance with the Storm Water Management Interlocal Agreement and State law for considering such increases. The public hearing provided interested parties an opportunity to comment to the Board of County Commissioners on the proposed changes.

On March 21, 2024, the Charlotte-Mecklenburg Storm Water Advisory Committee (SWAC) voted on the City's FY25 Operating and Capital budgets, which included a request for a fee increase, and forwarded its recommendations to the City Manager and City Council.

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**MECKLENBURG COUNTY
BOARD OF COUNTY COMMISSIONERS**

RESOLUTION AUTHORIZING AMENDING MINOR SYSTEM FEES FOR THE CITY OF CHARLOTTE

WHEREAS, on May 17, 1993, the Mecklenburg County Board of Commissioners adopted the “Mecklenburg County Storm Water Management Plan” which sets forth guiding principles and a financial plan for the operation of the comprehensive storm water management program in Mecklenburg County, which plan requires use of a rate structure based on impervious area and a base charge for fixed and administrative costs sufficient to cover such costs; and

WHEREAS, on November 1, 1993, Mecklenburg County, the City of Charlotte and the Towns entered into “AGREEMENT FOR OPERATION OF A SINGLE STORM WATER SYSTEM IN MECKLENBURG COUNTY” (hereinafter “Agreement”) to deal with the operation and maintenance of the storm water drainage system within the incorporated limits of the City and surrounding Towns; and

WHEREAS, a public hearing was held by City of Charlotte (May 13, 2024), on amending the minor system component of the storm water service charges to be levied on properties within the City of Charlotte; and

WHEREAS, Mecklenburg County received notification from the City Manager to amend the minor system cost component of the storm water service charge to be levied on properties within the City of Charlotte; and

WHEREAS, Section 5(iii) of the Agreement requires that the Board of Commissioners alter the minor system cost component of the service charge to be levied within the City to such amounts as determined by the City Council; now, therefore, be it

RESOLVED by the Board of Commissioners of Mecklenburg County that effective July 1, 2024 the minor system component of the storm water service charge to be levied on properties within the City of Charlotte, are as follows:

The City of Charlotte

- \$ 6.88 per month for detached single family properties with 1,999 square feet or less of impervious area (Tier I)
- \$ 10.15 per month for detached single family properties with 2,000 but less than 2,999 square feet of impervious area (Tier II)
- \$ 15.00 per month for detached single family properties with 3,000 but less than 4,999 square feet of impervious area (Tier III)
- \$ 24.81 per month for detached single family properties with 5,000 or more square feet of impervious area (Tier IV)
- \$ 179.07 per month for each acre of impervious surfaces for all other properties, and a prorata share of each portion thereof.

Approved as to form:

County Attorney

CERTIFICATION

I, Kristine Smith, Interim Clerk to the Board of Commissioners of Mecklenburg County, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a resolution adopted by the Board of Commissioners, in regular session convened on the 4th day of June 2024.

WITNESS my hand and the common seal of the County of Mecklenburg, North Carolina, this the 4th day of June 2024.

Kristine Smith, Interim Clerk to the Board

Resolution recorded in full in Ordinance Book 52, Document #110.

24-0302 REVISIONS TO THE MECKLENBURG COUNTY AIR POLLUTION CONTROL ORDINANCE (MCAPCO)

Motion was made by Commissioner Leake, seconded by Commissioner Meier, and unanimously carried to approve revisions to the Mecklenburg County Air Pollution Control Ordinance.

Background: MCAPCO provides for the administration and enforcement of an air pollution control program for the protection of the environment and protection of the public health and applies throughout Mecklenburg County, North Carolina, including but not limited to all cities, towns, hamlets, and villages whether incorporated or unincorporated.

Revisions have been proposed by Mecklenburg County Air Quality involving adjustments to permitting and compliance monitoring fees found in MCAPCO Regulation 1.5231 - “Air Quality

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Fees.” Notice of the proposed fee revisions was made directly to affected facilities. On April 16, 2024, a public review and comment period was opened by the Board and a public hearing was held on May 23, 2024. This request is for adoption of the revised fee regulation.

**MECKLENBURG COUNTY
AIR POLLUTION CONTROL ORDINANCE**



Adoption Date
June 4, 2024

**MECKLENBURG COUNTY AIR QUALITY
2145 SUTTLE AVENUE
CHARLOTTE, NORTH CAROLINA 28208-5237**

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REVISIONS TO THE
MECKLENBURG COUNTY AIR POLLUTION CONTROL ORDINANCE

Providing for the administration and enforcement of an Air Pollution Control Program in Mecklenburg County.

Be it ordained by the Mecklenburg County Board of Commissioners acting pursuant to authority delegated to it under North Carolina General Statutes Section 143-215.112, and pursuant to authority granted to it by North Carolina General Statutes Section 130A-39 and 153A-77 that the Mecklenburg County Air Pollution Control Ordinance (hereinafter "MCAPCO") providing for the administration and enforcement of an air pollution control program for the protection of the environment and protection of the public health is hereby amended.

This Ordinance, as amended, shall apply throughout Mecklenburg County, North Carolina, including but not limited to all cities, towns, hamlets and villages, whether incorporated or unincorporated.



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SECTION 1: Adoption of County Provisions, Regulations and Procedures
of the Air Pollution Control Ordinance

The following regulation as set forth in the Appendix is hereby adopted, thus becoming a part of MCAPCO as fully as if set out verbatim herein, and any of said regulation previously adopted is replaced thereby:

1.5231 "Air Quality Fees"

A copy of the amended portions of the above regulation is in the attached Appendix. The Appendix shows changes with dashed lines through words which have been deleted and with lines under words which have been added.



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SECTION 2: Codification

In order to further the administration of and compliance with this Ordinance, the Director is hereby authorized and directed to reorganize and codify this Ordinance, as amended, in a logical form and sequence in a single document. In so doing, the Director, at their discretion, shall have the authority:

- a. to set out in full any provisions of the State Air Quality Rules adopted and incorporated herein by reference (including to appropriately "localize" terms in such State Rules to make them applicable at the County level); and/or
- b. to merely cite any applicable State Air Quality Rules by reference, provided the general topic covered by any State Rule so cited by reference is reasonably identified by a heading in the codified version of this Ordinance and a complete copy of such State Air Quality Rules is attached to and made a part of such codified version.

As part of such re-codification, the Director shall make such revisions as are necessary to correct typographical and syntactical errors contained in the Articles amended hereby. Provided, in reorganizing and codifying this Ordinance, as amended, pursuant to this section, the Director shall not have the authority to make any substantive changes to this Ordinance, as amended. In the event of any ambiguity in the codified Ordinance or any conflict between the provisions of this Ordinance, as amended, and the provisions of any such codification, the provisions of this amendment as herein enacted shall control.

A copy of the MCAPCO, incorporating the portions amended hereby, as codified, will be kept on file in the Office of the Clerk of the Superior Court of Mecklenburg County, the Office of Mecklenburg County Air Quality, and the Office of the Clerk to the Mecklenburg County Board of Commissioners.

SECTION 3: Effective Date

This amendment and all Regulations referenced herein shall be effective June 4, 2024, except as otherwise provided therein.

Adopted the 4th day of June, 2024, by the Mecklenburg County Board of Commissioners.

Approved as to form

Tyrone Wade, County Attorney

Kristine M. Smith, Clerk to the Board

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Ordinance recorded in full Ordinance Book 52, Document 111.

24-0315 MECKLENBURG COUNTY SOLID WASTE FEE ORDINANCE FOR FY2025

Motion was made by Commissioner Rodriguez-McDowell, seconded by Commissioner Altman, and unanimously carried to approve revisions to the Mecklenburg County Solid Waste Fee Ordinance.

Background: Annually, LUESA Solid Waste proposes to change the Mecklenburg County Solid Waste Fee Ordinance by revising certain technical fees in the Solid Waste Program area to respond to inflation and contract service fees charged to Mecklenburg County. These are the changes that were previously shown to the BOCC at the Public Policy Meeting on April 22, 2024. The solid waste fee changes include, but are not limited to:

1. Increases the disposal fee for use of the Speedway Landfill by \$1.05 per ton, increasing from \$38.95 per ton to \$40.00 per ton.
2. Increase to the Construction/Demolition Debris disposal price from \$57.00 per ton to \$60.00 per ton.

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3. Increase the cost of Yard Waste Disposal from \$36.00 per ton to \$38.00 per ton.
4. Increase the cost of Waste Tire Disposal by \$0.50 per tire.
5. Increase the cost of Out-of-County Recyclables from \$116 per ton to \$124 per ton.
6. Increase the cost of Out-of-County Residential Entry Stickers from \$90 each to \$100 each annually.
7. Increase the cost of TV disposal/recycling from \$30 each to \$35 each.
8. Increase the Transfer of Solid Waste fee (Transfer Stations) cost from \$12 per ton to \$16 per ton.
9. Fees contained this Ordinance will be effective July 1, 2024.

The Waste Management Advisory Board (WMAB) unanimously recommended that the BOCC approve these technical changes to the Solid Waste Fee Ordinance at its February 20, 2024, meeting.

Please note that the Mecklenburg County Solid Waste Residential Availability Fee is also being increased from \$44.50 per residential property to \$49.50 per residential property and that action will be part of the overall County Adopted Budget Process.

Upon adoption, these revised solid waste fees will become effective on July 1, 2024.

FY25 – Fee Changes shown in RED.

For June 4, 2024 BOCC Meeting

MECKLENBURG COUNTY SOLID WASTE FEE ORDINANCE

WHEREAS, the Board of Commissioners of Mecklenburg County adopted an ordinance entitled "Mecklenburg County Solid Waste Fee Ordinance" effective July 1, 1989; and

WHEREAS, the Board of Commissioners of Mecklenburg County now desires to amend and restate said Ordinance; now, therefore,

BE IT ORDAINED by the Board of Commissioners of Mecklenburg County, North Carolina, that:

1. The "Mecklenburg County Solid Waste Fee Ordinance" is hereby amended and restated to read as follows:

Section 1. Definitions

"Approved Yard Waste Product Hauling Partners": Shall mean firms or individuals approved by the Director to haul yard waste or other products for delivery purposes.

"Bulky Waste": non-putrescible municipal solid waste that is generally too large to be accepted by the regular waste collection. Bulky waste items may include discarded furniture (couches, recliners, tables, mattresses, dressers), and other similar items delivered to Mecklenburg County Facilities.

"Business Recycling Partners": Shall mean those businesses located in Mecklenburg County who host recycling dumpsters and receive collection of Recyclable Material in partnership with the County. Eligibility qualifications shall include that these businesses have successfully demonstrated to the County that they are exempt from the Mecklenburg County Ordinance to Require the Source Separation of Designated Materials from the Municipal Solid Waste Stream for the Purpose of Participation in a Recycling Program established by the County and payment of any established fees.

"Construction and Demolition Waste" (C&D): shall mean Solid Waste resulting primarily from construction, remodeling, repair, or demolition operations from buildings, pavements, or other structures; inert debris.

"Convenience Center": Shall mean any County Facility designated by the Director that is open to the public where Yard Waste, Solid Waste and/or Recyclable Materials are collected either at no charge or for fees posted herein.

"County": Mecklenburg County, North Carolina; a political subdivision of the State of North Carolina.

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“County Facility”, “Mecklenburg County Facility”: Any Solid Waste disposal facility owned, operated, licensed by or under contractual agreements with the County, including, but not limited to the Speedway Landfill.

“Director”: The Director of the Mecklenburg County Solid Waste Division of LUESA, or designee. In Sections herein that require specific approval, such requests shall be made in writing to the Director.

“Hazardous Waste”: shall mean (a) waste which is defined, characterized or designated as hazardous by the United States Environmental Protection Agency or appropriate State agency by or pursuant to federal or State law, (b) waste which is regulated as hazardous waste under federal or State law, or (c) waste which any County Facility, in its reasonable discretion, determines has the potential for causing safety, health or environmental damage, including but not limited to infectious waste.

“Household Hazardous Waste”: Waste generated by individuals on the premise of a temporary or a permanent residence and composed primarily of materials found in waste generated by residents in their homes that may be considered as hazardous if placed into a landfill or otherwise co-mingled with other Waste. Items such as fertilizer, weed killers, fluorescent light bulbs, acids, and other similar products shall fall into this category of products.

“Household Waste”: Residential Solid Waste generated from non-commercial residential activities excludes any and all hazardous waste materials.

“Household Waste Convenience Centers”: See “Convenience Center” above.

“Kitchen Trash”: Shall be that component of Municipal Solid Waste associated with residential waste generation, generally delivered in plastic trash bags and shall be consistent with the material definition of Municipal Solid Waste (MSW) found herein, but limited to residential sources.

“Municipal Partners”: Shall mean Mecklenburg County municipalities having Interlocal Agreements with Mecklenburg County for Solid Waste Management.

“Municipal Solid Waste (MSW)”: means any solid waste resulting from the operation of residential, commercial, industrial, governmental, or institutional establishments that would normally be collected, processed, and disposed of through a public or private solid waste management service. Municipal solid waste does not include hazardous waste, sludge, industrial waste managed in a solid waste management facility owned and operated by the generator of the industrial waste for management of that waste, or solid waste from mining or agricultural operations.

“Non-County Residents”: Persons who reside outside of Mecklenburg County.

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“Non-County Resident Availability Fee”: An annual fee established per vehicle for residences located outside of Mecklenburg County, payable on a July 1-June 30th basis, that will enable the Non-County Resident to dispose of Solid Waste at a County Facility for the discounted rate, as set forth in this Ordinance, at County Household Waste Convenience Centers. Payment of this fee shall remain valid for one Fiscal Year Period. It may not be transferred, and it shall not entitle the owner to any other privileges other than those provided in this Fee Ordinance.

“Non-Residential Waste”: Waste other than household waste, acceptable under the provisions of the North Carolina Solid Waste Management Rules, 10 NCAC 10G. Non-Residential Wastes include such wastes as demolition or construction material, shingles, pallets, commercial and industrial wastes, split tires, rubble, and special handling wastes.

“Recyclable Material”: shall mean those materials, which are separated or removed from Solid Waste or MSW for purposes of use or reuse, which are acceptable to the Director.

“Residential Discount”: A reduction in fee for disposal of Solid Waste in specified categories for those persons using a County Facility that are residents located in Mecklenburg County (and therefore have been charged the County’s Residential Solid Waste Fee), and those Non-County Residents who have paid the annual Non-County Resident Availability Fee. Such discounts shall not be available to any person delivering any materials in a commercial vehicle, a vehicle licensed to any business, LLC, or corporate entity or any person paying with a credit card registered to a business, LLC, or corporation.

“Residential Solid Waste Availability Fee”: The availability fee created by the County’s Residential Solid Waste Fee Ordinance, the amount of which is set in the County’s annual Budget Ordinance, which fee is levied annually on all residences located in the County.

“Residential Solid Waste”: shall mean Solid Waste generated at dwelling units (including single family structures, multi-family structures, mobile homes, and all other structures used as residential dwellings). Solid Waste from hotels, motels, inns, tourist camps and all other places that are required to collect a room occupancy tax under the Mecklenburg County Ordinance imposing a room occupancy tax is not Residential Waste.

“Special Waste”: shall mean any Solid Waste or Recycled Material, or related products delivered to or generated at any County Facilities, that requires special or exceptional handling from an operational or equipment standpoint. It includes all Solid Waste, the disposal of which is defined as special waste by the State of North Carolina Department of Environmental Quality, Division of Solid Waste

“Solid Waste” or **“Waste”**: Waste that is defined, either by Regulation or Statute, by the State of North Carolina as Solid Waste.

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“**White Goods**”: Discarded appliances, which include but are not limited to inoperative and discarded refrigerators, ranges, water heaters, freezers and other similar domestic and commercial large appliances.

“**Yard Waste**”: Materials such as brush, grass clippings, limbs, leaves, and untreated and unpainted wooden pallets, which are defined as Yard Waste by the State of North Carolina.

Section 2. Requirement to Pay Fees

Except as otherwise provided herein, it shall be unlawful for any vehicle carrying Municipal Solid Waste, Yard Waste or any materials, to enter and to use any County Facility except upon the payment of the fees as set forth in this Ordinance.

The Non-County Resident Availability Fee is established at **\$100** per vehicle and shall require the person using this category to display the appropriate decal or sticker on the vehicle’s windshield. Such stickers shall not be swapped between vehicles. Each sticker is for one vehicle only. If a sticker becomes lost or stolen, written proof shall be provided to the Director who may issue a replacement at no charge. Beginning January 1 of any calendar year the Non-County Resident Availability Fee shall be set at half of the annual rate.

Any customer using a Convenience Center who does not cease use and exit the Convenience Center at the time of closing for the day may be charged an additional fee of \$50 for each 15-minute period after closing of the Center, and under no circumstances shall that person remain on-site unloading for more than one hour after closing.

Section 3. Speedway Landfill Fee Schedule

Solid Waste that is (i) controlled by contract by Mecklenburg County through interlocal agreements, waste collection agreements, or is Residential Waste generated in the Mecklenburg County Designated Geographic Area, (ii) of a nature that can readily be handled at the Speedway Landfill in accordance with standard operating procedures and practices, and (iii) **does not include:** (a) Hazardous Waste, (b) Construction and Demolition Waste, (c) Special Waste, (d) Yard Waste, (e) Recyclable Material actually removed from the waste stream, or (f) Household Hazardous Waste collected through household hazardous waste programs. Therefore, acceptable Solid Waste will be accepted at the Speedway Landfill upon payment of the following fees:

- (a) When the scales/weighing systems are in operation, fees shall be computed as follows for vehicles transporting Solid Waste from Mecklenburg County:

<u>Vehicle Type</u>	<u>Charge</u>
All eligible entities	\$40.00 per ton

- (b) When the scales/weighing systems are NOT in operation, fees shall be computed on a cubic yard basis determined by the average density of the materials. 1,000 pounds per

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cubic yard shall be used for Municipal Solid Waste, unless otherwise demonstrated in writing to the Director.

(c) Commercial companies operating under contract for a Municipal Partner are eligible for the disposal fees herein and shall notify the Director who they are operating for.

(d) Commercial companies operating in Mecklenburg County’s Unincorporated areas are also eligible for the disposal fees listed in the Sections herein but must be registered with Mecklenburg County and in good standing with all applicable standards of this Ordinance specifically including recycling all curbside recycling commodities specified by Mecklenburg County. Such companies operating in Unincorporated areas of Mecklenburg County shall submit upon written request of the Director;

- A listing of customers served including street name and address;
- A statement of services offered to customers, including rates of service;
- A statement of what recycling items are accepted by the collection company.
- Information on how to contact the Collection company.

(e) Any Commercial company that fails to comply with items in Section 3 (d) herein, may be denied access to Mecklenburg County disposal or processing centers and use of negotiated disposal or processing fees at any facility including the Speedway Landfill.

Section 4. Tire Fee Schedule

(a) Tires – Tires that are not eligible for NC State reimbursement shall be accepted and charged on the following basis:

Description	Requirements	Fee
Automotive and Light Truck Tires NOT on rims at Full-Service Acceptance Locations.	<u>Tires must be from Mecklenburg County.</u> Tires must be smaller than 20” bead diameter. Max 15 tires unless prior approval granted.	Up to 5 tires accepted at no charge. Each tire over 5; \$2.50 per tire.
Automotive and Light Truck Tires ON Rims at Full-Service Acceptance Locations	<u>Tires must be from Mecklenburg County.</u> Tires must be smaller than 20” bead diameter. Max 15 tires unless prior approval granted.	\$3.50 each

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Automotive and Light Truck Tires NOT on rims at Full-Service Acceptance Locations	Tires from outside of Mecklenburg County or Non-Residential. Tires must be smaller than 20" bead diameter. Max 15 tires unless prior approval granted.	\$4.50 each
Automotive and Light Truck Tires ON rims at Full-Service Acceptance Locations	Tires from outside of Mecklenburg County or Non-Residential. Tires must be smaller than 20" bead diameter. Max 15 tires unless prior approval granted.	\$5.50 each
Truck Tires and other small off road tires delivered to Full- Service Locations NOT on rims. This DOES NOT include larger tractor tires or earthmoving equipment tires.	Any Area: 20" to 26" bead diameter. Larger tires may not be accepted unless prior approval is given, and customer pays the full price of such disposal as established by the County's Tire Processing Company. Max 15 tires unless prior approval granted.	\$7.00 each
Automotive and Truck Tires NOT on Rims. Accepted only at the Metal and Tire Facility.	Delivered under the NC State Tire Program and have accompanying Certificate Required by the State and meet eligibility requirements. Tires must be from Mecklenburg County.	No Charge
Solid Tires from construction/commercial or agricultural machinery or other sources.	Not Accepted	Not Accepted
Dirty Tire Fee	Tires that are coated in mud/dirt or other contaminants may be assessed a separate fee	\$10/ton add fee

- (b) There will be a \$ 5.50 per tire charge for tires commingled in Solid Waste delivered to the Foxhole (Rt. 521) Landfill. The Tire Charge Fee shall be waived if the person who delivers the tire agrees to promptly remove those tires (which they delivered) from the disposal area.

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- (c) Scrap tires will be accepted only at scrap tire collection areas, as designated by the Director.
- (d) Daily Limits or Per Load Limits may be set on the number of tires received at the Tire and Metals Facility by the Director, so that the facility may balance tires in vs. tires out.

Section 5. Yard Waste Fee Schedule

Yard Waste will be accepted at the County Convenience Center's upon payment of a fee. The following fees shall be charged depending upon the origin of the material and the amount of material delivered:

- (a.) In some material categories, there may be limits on the quantity or types of materials eligible for the Residential Discount. The Residential Discount shall not apply to any contractors or commercial entities that use any County Facility, nor any material delivered in a commercial vehicle, payment with a commercial credit card, or vehicle providing services for hire.
- (b.) All facilities that have scales shall weigh incoming vehicles that are larger than a standard pick-up truck. Flat fees may be used for expedience of processing customers; however, any customer may request a weigh-in; weigh-out for exact calculations; minimum fees shall apply.

(c.) **Yard Waste Fee Schedule (Table Below).**

Yard Fee Waste Schedule

<u>Vehicle Type</u>	<u>Charge</u>	<u>Charge with Residential Discount Applied Includes Out of County Stickers</u>
(1) Automobiles, vans w/ side windows all seats in, sedans and station wagons & SUV/Crossovers & pickup trucks. Vehicles with less than Five - 32 Gallon Plastic Bags; 6 – Kraft Paper Bags	\$8.00	No Charge

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<p>(2)</p> <ul style="list-style-type: none"> • Vans (No Side Windows) • Pickup Trucks (without built-up sides) & loads up to 2' high of brush & limbs. • Trailers equal to or less than 10' in length with a load less than 2' high. • No logs over 8" in diameter this category. • Loaded Pickup with loaded Trailer Equals 2 units. 	<p>\$16.00/per unit</p>	<p>\$8.00/per unit</p>
<p>(3)</p> <ul style="list-style-type: none"> • Pickup Trucks with load greater than 2' high. • Trailers greater than 10' in length or with a load greater than 2' high. • Logs over 8" in diameter • No logs greater than 24" in diameter at Convenience Centers. Max limit 48" at 521 Landfill and Compost Central. 	<p>\$5.45 per cubic yard measured when scales not functional.</p> <ul style="list-style-type: none"> • Loads may be weighed in and out to determine fee. 	<p>\$3.50 per cubic yard measured when scales not functional.</p> <ul style="list-style-type: none"> • Loads may be weighed in and out to determine fee.
<p>(4) Standard Yard Waste Exceeding capacities herein - all vehicle types weighed.</p>	<p>\$38.00/ton or \$16.00 load minimum</p>	<p>\$38.00/ton or \$8.00 load minimum</p>
<p>(5) Vehicles hauling ONLY pre-chipped wood materials-NO LOGS</p>	<p>\$18.00/ton \$18 minimum fee</p>	<p>N/A</p>
<p>(6) Vehicles with less than Five - 32 Gallon Plastic Bags; 6 – Kraft Paper Bags</p>	<p>\$8.00 Loads weighing 400 pounds or less.</p>	<p>No Charge Loads weighing 400 pounds or less.</p>
<p>(7) Bagged Yard Waste (*Fee may be adjusted by the Director for any increased processing or de-bagging costs that occur).</p>	<p>\$45.00/ton</p>	<p>\$45.00/ton</p>

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(8) Vehicles using the scales to determine a weight and then not using the facility for disposal shall pay a \$10 charge.	////////////////////////////////////
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Section 6. White Goods Fee Schedule

1. Residential White Goods generated within Mecklenburg County will be accepted for processing from **residential sources** at designated County Convenience Center's at no charge.
2. White Goods from Non-Residential entities that contain Freon shall be charged \$10 per unit for Freon removal.
3. Residential White Goods from outside of Mecklenburg County shall be charged a processing fee of \$10 per unit, unless the residential customer has paid the appropriate Non-County Resident Availability Fee and the vehicle displays the corresponding sticker.
4. County may reject any loads if greater than system capacity to process such loads.

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Section 7. Solid Waste and Non-County Resident Availability Fees

1. Solid Waste from residences located outside of Mecklenburg County may be accepted at Mecklenburg County Waste Convenience Centers upon payment of the Non-County Resident Availability Fee provided that the disposal of such Waste in County Facilities is not inconsistent with provisions contained in any solid waste management plan adopted by the local government within whose jurisdiction the Waste was generated, that the materials are acceptable to the County and the Director deems that satisfactory capacity is available.

2. After receipt of a Non-County Resident Availability Fee, the County shall issue the Non-County Resident one (1) pass (sticker or decal) to be affixed to a single vehicle, registered to the Non-County Resident, which must be displayed upon entry to any Mecklenburg County Convenience Center to be eligible for a Residential Discount. Non-County Residents that have paid the annual fee shall be eligible for other discounted fees provided for herein, and County facility availability equal to Mecklenburg County residents. Non-County Residential Decals shall not be affixed on any commercial vehicle, and Mecklenburg County shall not honor use for any such decal that has been applied to a commercial, business, or for hire entity.

3. Non-County Resident Availability fees are also required if Non-County Residents utilize Recycling or Household Hazardous Waste Services (HHW) at Mecklenburg County facilities. In lieu of paying the annual Non-County Resident Availability Fee, a single-use payment according to the schedules herein, may be levied upon any Non-County Resident. Such payment would be applicable for each separate load of Waste, Recyclables or HHW. No business or commercial or institutional wastes will be accepted under this Section for Waste. Any Non-Residential vehicle shall be deemed to be hauling non-household waste and subject to the other provisions of this Ordinance.

4. Non-County Residents using Mecklenburg County Convenience Centers shall pay all fees described herein.

- a. Non-County Residents must purchase and use a Non-County Resident Availability Decal for delivery of Recycling Materials, unless otherwise designated by the Director.
- b. When/if Non-County Residential decals are lost, the customer may notify the Director in writing (email is allowed) stating the circumstance and request a replacement decal. Only one incident per year, per customer will be allowed. Director may deny replacement requests unless appropriate fees are paid.

Section 8. Convenience Center Bulky Waste, MSW Bags & Construction and Demolition Waste Fee Schedule

Bulky Waste, MSW & Construction and Demolition Waste will be accepted at the County's Full-Service Convenience Centers upon payment of the following fees:

- (a.) In some material categories, there may be limits on the quantity or types of

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materials eligible for the Residential Discount. The Residential Discount shall not apply to any Non-Residential customer, Institution, Houses of Worship, Contractors or Commercial Entities that use any County Facility, nor any material delivered in a Non-Residential vehicle, or vehicle with commercial ownership or commercial advertising; payment with a commercial credit card; or vehicle providing services for hire.

- (b.) All facilities that have scales shall weigh incoming vehicles that are larger than a standard pick-up truck, including trailers over 10 feet in service capacity. Flat fees may be used for expedience of processing customers; however, any customer may request a weigh-in; weigh-out for exact calculations, however minimum fees shall apply.

Bulky, MSW, Recycling & C&D Materials - Fee Schedule

<u>Vehicle Type & Material Description</u>	<u>Standard Charge</u>	<u>Mecklenburg County Residential Discount Charge</u>
(1) a.) Automobiles, vans w/ side windows all seats in, sedans and station wagons, & SUV/Crossovers. One Bulky or C&D Item such as a toilet or One Mattress/bx Spring Less than 5-32 gal Trash Bags	<u>Non-residential/Non-Meck County</u> Residential: No Out-of-County Sticker Recycling or HHW fee per visit. \$10.00/unit *excludes TV's	No Charge
b) Any Vehicles with the following: Couch, or sofa, or Lay-Z Boy type chair, or 2 mattress/box springs combo, or equivalent sized materials, equivalent size based on more than (2) 96 gal trash cans (except where other prices are noted herein).	<u>Non-residential/Non-Meck County</u> 2 to 5 Bulky Items \$ 18.00/unit 2 to 5 C&D Items \$ 18.00/unit Loads weighing less than 400 pounds this category.	No Charge , unless; More than one visit/day = \$15.00 subsequent visits. More than one couch, chair, mattress/box spring bulky = \$15.00/load (Flat Fee) *Flat Fee Limit = pickup truck or 10 ft. trailer. Larger loads weighed. Only Applicable to Mecklenburg County residents or patrons who have paid the Annual Non-County Fee.

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<p>(2)</p> <ul style="list-style-type: none"> Vans No Side Windows or seats removed/down. Any commercial van that may have ladder racks or commercial use. Pickup Trucks (without built-up sides) & loads less than 2' high, Single Axle Trailers 8' or less in length with a load <u>equal to or less than 2' high.</u> All units this category less than 3 yd³ each. <p>Loaded Pickup or Vehicle with a Loaded Trailer Equals 2 units</p>	<p><u>Bulky Waste:</u> \$30.00/per unit</p> <p><u>Construction Demolition Debris:</u> \$45.00/per unit</p> <ul style="list-style-type: none"> Loads may be weighed in and out to determine fee. 	<p><u>Bulky Waste:</u> \$15.00/per unit</p> <p><u>Construction Demolition Debris:</u> \$25.00/per unit</p> <ul style="list-style-type: none"> Loads may be weighed in and out to determine fee.
<p>(3)</p> <ul style="list-style-type: none"> Pickup Trucks (with built-up sides) and load greater than 2' high. Trailers greater than 8' in length, and any trailer with more than one axle, and/or with a load greater than 2' high. No double-axle trailers 	<ul style="list-style-type: none"> Loads may be weighed in and out to determine fee. <p>Maximum delivery this category is 14 yd³</p>	<ul style="list-style-type: none"> Loads should be weighed in and out to determine fee. <p>Maximum delivery this category is 14 yd³</p>
<p>(4) All vehicle types weighed</p>	<p>\$60.00/ton or \$35.00 load minimum</p>	<p>\$60.00/ton or Bulk Waste \$18.00 load min. C&D Materials \$25.00 min.</p>
<p>(5) Not Used</p>		

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(5) Vehicles with Household Trash/Kitchen Trash 1-5 32-gal bags 6-15 32-gal bags 16-20 32 gal bags Greater than 20 bags \$40.00/ton	\$12 \$15 \$18	No Charge* \$12 \$15 *Limit One (1) visit per day. Excess charged at Fee shown above.
(6) Vehicles using the scales to determine a weight and then not using the facility for disposal shall pay a \$10 charge.		

No vehicle with a payload quantity of greater than 3 cubic yards will be accepted at the Convenience Centers for flat-fee, unless Supervisor approval is given. Loads larger than 3 cubic yards should be weighed in/out. Maximum capacity of loads is set at 14 cubic yards for Convenience Centers, unless Supervisor approval is given. If vehicle/trailer combination will not fit onto the scale, they must use a Convenience Center that will accommodate the load length. U-Haul type trucks used in moving may be exempted from the size criteria but shall be weighed in and out.

Vehicles loaded with loads greater than these capacity limitations shall either utilize the Foxhole (Rt. 521) Landfill and be weighed or be pre-approved to use the Convenience Center by the Director and charged the approved rate at the Convenience Center. Pre-approval shall be in the form of a written request to the Director, and the vehicle must display an Entry Decal, as described in Section 18 herein.

Section 9. Construction and Demolition Waste & Transfer Fee Schedule

Construction and Demolition Waste (C&D) and other permitted Solid Waste will be accepted at the County Facilities upon payment of the following fees:

- (a) When the scales/weighing systems are in operation, fees for Construction and Demolition Waste shall be computed as follows:

	<u>Vehicle Type</u>	<u>Charge</u>
(1)	All commercial vehicles	\$60.00 per ton/or \$35.00 per load minimum
(2)	Smaller vehicle types	Shall use the schedule established in Section 8 above or be weighed
(3)	Vehicles using the scales to determine a weight and then not using the facility for disposal shall pay a \$10 charge.	

- (b) When the scales/weighing systems are NOT in operation, fees shall be computed on a cubic yard basis determined by the average density of the materials. 845 pounds per cubic yard shall be used for Construction and

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- Demolition Waste, unless otherwise demonstrated in writing to the Director.
- (c) All persons using the Foxhole Landfill who exit their vehicle on the landfill working-face area shall wear high visibility shirts or vests. The landfill will have vests available for those that do not have such items and the price for each shall be \$7. An added fee of \$125/load may be added for non-compliance.

“**Clean Concrete**” will be accepted at the County’s landfill on US 521 upon payment of the following fees:

<u>Vehicle Type</u>	<u>Charge</u>
(1) All vehicles	\$9.50 per ton

“**Clean loads of Shingles**” will be accepted at the County’s landfill on US 521 when processing capacity allows and upon payment of the following fees:

<u>Vehicle Type</u>	<u>Charge</u>
(1) All vehicles	\$35.00 per ton

“**Clean loads of Drywall & Clean loads of Dimensional Lumber**” will be accepted at the County’s Full-Service Centers when processing capacity allows and upon payment of the following fees:

<u>Vehicle Type</u>	<u>Charge</u>
(1) All vehicles	\$35.00 per ton

“**Loads of Mattresses and Box Springs**” will be accepted at the County’s landfill on US 521 when processing capacity allows and upon payment of the following fees:

<u>Vehicle Type</u>	<u>Charge</u>
(1) All vehicles	\$110.00 per ton

“**Material Transfer Fee**” will be applied to materials that are deposited at any County Transfer Station that require hauling to another location for processing/disposal. This fee shall be additive to other fees specified herein.

<u>Vehicle Type</u>	<u>Charge</u>
(1) All vehicles	\$16.00 per ton

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Section 10. Fees for Sale of Yard Waste Products

Yard Waste products may be purchased at the County's Yard Waste management facilities upon payment of the following fees, when the following types of products are available:

<u>Product</u>	<u>Charge</u>
• Brush Mulch (1-29 cubic yards)	\$9.34/yd ³
• Brush Mulch (30-99 cubic yards)	\$7.46/yd ³
• Brush Mulch (100+ cubic yards)	\$6.00/yd ³
• Leaf Waste Mulch (1- 99 cubic yards)	\$4.00/yd ³
• Leaf Waste Mulch (100+ cubic yards)	\$3.00/yd ³
• Fill Dirt (1-29 cubic yards)	\$10.00/yd ³
• Fill Dirt (30-99 cubic yards)	\$8.00/yd ³
• Fill Dirt (100+ cubic yards)	\$6.00/yd ³
• Screened Nugget Mulch	\$13.50/yd ³
• Nugget Waste Mulch	\$9.34/yd ³
• Select Hardwood Mulch (1-29 cubic yards)	\$13.99/yd ³
• Select Hardwood Mulch (30-99 cubic yards)	\$12.13/yd ³
• Select Hardwood Mulch (100+ cubic yards)	\$9.34/yd ³
• Pallet Mulch (1-29 cubic yards)	\$10.00/yd ³
• Pallet Mulch (30-99 cubic yards)	\$8.00/yd ³
• Pallet Mulch (100+ cubic yards)	\$6.00/yd ³
• Dyed or Colored Mulch (<15 cubic yards)	\$26.00/yd ³
• Dyed or Colored Mulch (16-95 cubic yards)	\$23.00/yd ³
• Dyed or Colored Mulch (>96 cubic yards)	\$18.00/yd ³
• Compost (1-29 cubic yards)	\$18.65/yd ³
• Compost (30-99 cubic yards)	\$18.00/yd ³
• Compost (100-499 cubic yards)	\$16.50/yd ³
• Compost (500-1000 cubic yards)	\$14.00/yd ³
• Compost (1001-2500 cubic yards)	\$12.50/yd ³
• Compost (2501-4999 cubic yards)	\$10.50/yd ³
• Compost (5000 - 8000) cubic yards)	\$see below
• Compost amounts greater than 5K Yards are eligible for a Contract and a negotiated fee	Negotiated Fee
• Unscreened Compost (1-29 cubic yards)	\$10.50/yd ³
• Unscreened Compost (30+) cubic yards)	\$ 9.50/yd ³
• Top Soil – Compost Mixed with Dirt	\$28.00/ yd ³
• Dump truck Delivery Charge (within 25 miles)	\$115.00/load

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- Dump truck Delivery Charge (>25 miles < 40 miles) \$125.00/load
- Tractor Trailer Charge (within 25 miles) \$175.00/load
- Tractor Trailer Charge (>25 miles < 40 miles) \$280.00/load
- Tractor Trailer Delivery Charge (> 40 miles <120 miles) \$350.00/load

- Bag Compost 1.0 cu.ft. (1 to 50 bags) \$3. 65/bag
- Bag Compost 1.0 cu.ft. (>50 bags) \$3.40/bag

- Bag Landscape Mix \$5.50/bag
- Bag Potting Mix \$5.00/bag
- Bag Potting Mix w/fertilizer \$5.50/bag
- Bag Annual Perennial Mix \$3.75/bag
- Bag Perma Soil \$5.50/bag
- Bag Mulch (1.5 cu. ft.) \$2.50/bag
- Screened Drywall \$5.00/ton

- (a) Municipal Partners of Mecklenburg County and Approved Yard Waste Product Hauling Partners shall be charged fees in the 100 yd³ price category for products offered for sale unless approved by the Director.
- (b) During times of upset conditions of excess yard waste products, the Director may declare an Overstock Situation and allow free or reduced rate distribution of products in this Section herein.
- (c) County employees may receive 1 cu.yd. of any of the bulk materials of Brush/Select Mulch, Compost or Unscreened Compost at no cost once per month after showing a valid County ID. Bagged materials and dyed mulch not included.

Section 11. Televisions, Monitors and Electronic Waste

- (a.) Televisions and Cathode Ray Tube (CRT) monitors shall be accepted from Mecklenburg County residents and Municipal Partner vehicles at Mecklenburg County Household Waste Convenience Centers at no charge, provided that, County residents shall be limited to no more than two (2) televisions or CRT monitors per visit per day.
- (d) Non-County Residents, and any Non-Residential Customers shall pay a \$35 fee for each television or CRT.

Section 12. Processing Recycled Material

The Director may allow Non-Mecklenburg County jurisdictions and commercial entities from applicable service coverage areas to use any County Material Recovery Facility (MRF) in order to process Recycled Materials that meet the acceptance criteria of the MRF. The rate established for material acceptance, processing and marketing of said materials shall be \$124 per ton. Vendors that deliver unacceptable materials to the MRF may be levied an additional fee of \$250 for each delivery of such unacceptable materials. Vendors that violate acceptance criteria more than three times in a one-year period will have to submit a written correction plan that demonstrates their ability to deliver the correct materials. The Director may suspend deliveries by any entity to the MRF based

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on the entity's inability to meet delivery/acceptance requirements. The Director may suspend deliveries by any entity to the MRF if capacity or processing issues arise that render the MRF unable to process materials.

Materials that are pre-sorted or separated are eligible for a reduced rate that will range between \$50 per ton and \$124 per ton and based upon material type and purity as determined in writing by the Director.

Section 13. Special Handling

- (a.) At County Facilities, the Director may increase or decrease the fees for Special Wastes, or any Wastes that require special handling, including the products listed in Section 2 through 12 herein, based on operational conditions, market changes or any other conditions deemed appropriate in lieu of those set forth in this Ordinance as necessary to remove materials from inventory or to adequately compensate the County for any special handling, processing, removal or disposal.
- (b.) Business Recycling Partners participating in an approved program by the County shall pay an annual fee of **\$900 (\$75/monthly prorated)** for weekly collection to participate in such program. Program participation may be limited due to staff/equipment availability. This fee may be pro-rated by months of service. Participants in this program must abide by a separate service agreement.
 - 1. Businesses that choose to use County operated Recycling Centers for recycling purposes shall annually purchase a sticker that allows use of such Centers pursuant to the Center's availability. The Annual Recycling Use Fee shall be \$125, and prorated to half of this amount at January 1.
 - 2. Any entity that collects curbside recycling in containers (up to 96 gal. in size) from any non-residential source shall pay an annual fee of **\$49.50** for each container to the County for the processing of the recyclables if those recyclables are processed by County systems. Collection entity shall notify the Director of location of such containers and place a fee-paid sticker issued by the County on the top of the can.

Section 14. Uncovered/Unsecured Loads

All of the fees in this Ordinance may be increased by 50% for any and all vehicles that enter County Facilities with an uncovered or unsecured load.

Section 15. Failure to Weigh Out

Any vehicle that fails to weigh out when required (vehicle tare weight) will have a charge ticket issued based upon 50% of the inbound weight (vehicle gross weight). The vehicle has until the Facility closing time on the date of entry to weigh out.

Section 16. Credit Application

The Director, or designee, is authorized to accept, review, and approve applications for credit by users of County Facilities, and to provide for periodic billing to frequent users. This

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shall also include the authority to establish the time periods within which periodic billing must be paid and the authority to apply a 1-1/2% monthly penalty delinquency charge. The Director may waive delinquency charges upon a written request and valid reasoning, generally not more than once annually for any specific organization. Fees for use of the Speedway Landfill shall be billed and collected by the operator of that Landfill unless otherwise provided in the contract between the County and the operator of the Speedway Landfill.

The Director may accept approved surety mechanisms, such as bonds, or pre-payment to ensure payment for use of County Disposal Facilities.

Section 17. Decals

If an owner or agent of the owner seeks to have a vehicle use County Facilities and does not intend to pay at the time of use, then the vehicle must have an annual or temporary decal issued by the County. A unique, pre-numbered decal will be the method by which the County recognizes customers to be billed for the use of a County owned or operated solid waste facility.

The Director is authorized to charge a \$40.00 fee for each annual decal needed for invoicing each vehicle and a \$10.00 weekly fee for temporary decals. Vehicles owned and registered to municipal entities with signed agreements with Mecklenburg County shall be exempt from annual decal fees. Temporary decals will be issued only as a temporary replacement for existing annual decals for the following reasons: 1) Existing "current" vehicle is under repair or 2) Current decaled vehicle has been disposed of and has not been permanently replaced. Temporary decals/authorization can only be used for a max of 8 weeks. The annual decal must be affixed to the driver's side of the vehicle. The temporary decal must be displayed by the driver to the Fee Collection staff at the solid waste facility. Decals must be kept legible and clean. The County will replace faded or worn decals at no cost. All entities using the Mecklenburg County Tire and Metal Facility shall have an annual decal for each vehicle using the facility and pay the applicable fee prior to using or disposing of tires.

- (a) Non-County Residents who pay a Non-Resident Availability Fee will be issued one entry decal to be used with one vehicle. Such entry decal shall be good for one Fiscal Year period and may be pro-rated for half-cost only after January 1 of each Fiscal Year.
- (b) Mecklenburg County staff may issue other decals or stickers to readily identify vehicles or trailer sizes. These decals or stickers will be issued at no charge but must be displayed on vehicles to use County Facilities after issuance.
- (c) Non-residential entities using County Facilities for waste disposal purposes must register with the Solid Waste Management Program prior to use, and may be issued tags, stickers, or decals that are unique to the equipment or vehicles that are being used to dispose of waste materials. After issuance, the decals, tags, or stickers shall be displayed on vehicles using County Facilities.

Section 18. Authority to Refuse Use of Mecklenburg County Solid Waste Disposal Facilities

Mecklenburg County personnel, and their agents, shall have the authority to deny service to any person or entity the use of County Solid Waste Facilities in the following circumstances:

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- (a) The vehicle does not have the decal identified in this Ordinance;
- (b) The operator of the vehicle refuses to pay the fee required by the fee schedule identified in this Ordinance; or,
- (c) Any person failing or refusing to pay the fees described herein for County Facilities within the times prescribed by the County in the periodic (monthly) billing, may be denied further use of the Facilities for any purpose until such time as all outstanding charges are paid; or,
- (d) The Waste requires special handling and because of operational considerations the County Facility is unable to handle such material at the time the hauler presents it for disposal/processing; or,
- (e) The load or any part of the load was generated outside the described geographic area covered by the County Facility's solid waste permit; or,
- (f) The Solid Waste is not acceptable under the provisions of any solid waste disposal regulations, not inconsistent herewith, adopted by the County Manager and Director; or,
- (g) The Waste is not acceptable to the owner and/or operator of a facility licensed by, or under contractual agreement with, Mecklenburg County; or,
- (h) Any person who fails to follow the rules and regulations of the County Facility and/or causes a safety issue that endangers the well-being of employees or other customers; or,
- (i) Any person who threatens a County employee, utters racially charged phrases or causes any situation whereby the Police or Security are called to the scene to resolve; or,
- (j) Reinstatement requests to use County Facilities shall be made in writing to the Director, Mecklenburg County Solid Waste Management, 2145 Suttle Avenue, Charlotte, NC 28208. If the Director denies further entry, any further appeal will be made in writing to the Waste Management Advisory Board to the same address above.

Section 19. Violation of Ordinance

- (a) It shall be unlawful for any person to dispose of any materials in any County Facility covered by the provisions of this Ordinance which the County Facility is prohibited from accepting or disposing of by any applicable federal, State or local law, statute, regulation or ordinance.
- (b) It shall be unlawful for any person to dispose of any materials in any County Facility covered by the provisions of this Ordinance without paying the fee required by this Ordinance.

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(c) It shall be unlawful for any person to misrepresent the origin or place of collection of any Waste presented for disposal or processing. Misrepresentation will be grounds to bar use of the facility unless appropriate fees are paid. Misrepresentation shall have an additional fee of \$250 additive to any disposal fees.

(d) It shall be unlawful for any person or commercial entity to collect Municipal Solid Waste in Mecklenburg County without registering with Mecklenburg County Solid Waste, paying appropriate registration fees and having their collection vehicles inspected. Any entity operating in Mecklenburg County's Unincorporated Areas shall notify the Director of the areas and streets where they are collecting Residential Waste in Mecklenburg County and receive a Certificate to Operate from Mecklenburg County Solid Waste for each vehicle.

Section 20. Solid Waste Capacity

1. The Director shall evaluate the system capacity for solid waste disposal and processing needs for Mecklenburg County on an on-going basis. The Director shall initiate and manage necessary contracts and staffing to ensure that sufficient capacity exists for Solid Waste disposal and processing needs.

Section 21. Enforcement

1. In addition to the County's authority to deny any use of County Facility as provided for in Section 17 above, the County may, at its discretion, take any one or more of the following courses of action to remedy any violation of this Ordinance.

(a) Charge the violator criminally with violation of this Ordinance. Violation of the ordinance is a misdemeanor, and the violator shall, upon conviction, be punished by a fine not to exceed five hundred dollars (\$500.00), or shall be imprisoned for not more than thirty (30) days, for each offense; or

(b) The County may apply to the appropriate court for an injunction and order of abatement in order to require that any violator comply with the provisions of this Ordinance; or

(c) The County shall have the power to collect delinquent accounts by any remedy provided by law for collection and enforcing private debts as provided for in North Carolina General Statute 153A-277(b).

(d) Any person willfully disposing of unacceptable materials at any Solid Waste Facility may be charged an additional service fee for the cost of the County or its agents removing or properly disposing of such items or products equal to the cost of such service.

2. It is hereby declared to be the intention of the Board of Commissioners that the sections, paragraphs, sentences, clauses and phrases for this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any remaining phrases,

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clauses, sentences, paragraphs, or section of this Ordinance, since the same would have been enacted by the Board of Commissioners without the incorporation in this Ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

3. This amended and restated Ordinance shall be effective July 1, 2024.

Adopted this _____ day of June 2024.

By the Mecklenburg County Board of County Commissioners.



George Dunlap, Chairman

Effective July 1, 2024

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Ordinance recorded in full in Ordinance Book 52, Document #118.

24-0336 FISCAL YEAR 2024-2025 BUDGET ORDINANCE ADOPTION

The Board received information to adopt the Fiscal Year 2024-2025 Mecklenburg County Budget Ordinance.

Background: Approval of the Budget Ordinance will adopt a balanced operating budget of expenditures and revenues for the period of July 1, 2024, through June 30, 2025, as required by the Local Government Budget and Fiscal Control Act. The Budget Ordinance results in a total budget of \$2,503,836,533.

Motion was made by Commissioner Leake, seconded by Commissioner Meier to adopt the Fiscal Year 2024-2025 Mecklenburg County Budget Ordinance.

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Motion was made by Commissioner Jerrell, seconded by Commissioner Griffin, and unanimously carried to divide the question on the budget ordinance to exclude the following non-profits to be voted on separately.

CHARLOTTE CENTER CITY PARTNERS
ARTS AND SCIENCE COUNCIL
CHARLOTTE REGIONAL BUSINESS ALLIANCE
NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS
LEGAL AID OF CHARLOTTE ADVISORY COUNCIL
SMART START OF MECKLENBURG COUNTY (DBA MECKLENBURG PARTNERSHIP FOR CHILDREN)
STAR-MED'S KATIE BLESSING CENTER
THE RELATIVES

Motion was made by Commissioner Altman, seconded by Commissioner Griffin, and unanimously carried to approve Fiscal Year 2024-2025 Mecklenburg County Budget Ordinance as divided.

Chair Dunlap entertained a motion to authorize the County Manager to negotiate and fund a contract with The Relatives consistent with the adopted Budget Ordinance.

Vice-Chair Jerrell asked to be recused from voting due to his affiliation with The Relatives.

Motion was made by Commissioner Rodriguez-McDowell, seconded by Commissioner Meier, and unanimously carried (8-0) to recuse Vice Chair Jerrell from voting on the contract with The Relatives.

Motion was made by Commissioner Meier, seconded by Commissioner Griffin, and unanimously carried (8-0) to negotiate and fund a contract with The Relatives consistent with the adopted budget ordinance.

Chair Dunlap entertained a motion to authorize the County Manager to negotiate and fund a contract with Smart Start of Mecklenburg County (DBA Mecklenburg Partnership for Children), and Star-Med's Katie Blessing Center consistent with the adopted Budget Ordinance.

Commissioner Meier asked to be recused from voting due to her affiliation with Smart Start of Mecklenburg County (DBA Mecklenburg Partnership for Children), and Star-Med's Katie Blessing Center.

Motion was made by Commissioner Altman, seconded by Commissioner Rodriguez-McDowell, and unanimously carried (8-0) to recuse Commissioner Meier from voting on the contract with Mecklenburg County (DBA Mecklenburg Partnership for Children), and Star-Med's Katie Blessing Center.

Motion was made by Commissioner Rodriguez-McDowell, seconded by Commissioner Altman, and unanimously carried (8-0) to negotiate and fund a contract with Mecklenburg County (DBA Mecklenburg Partnership for Children), and Star-Med's Katie Blessing Center

Chair Dunlap entertained a motion to authorize the County Manager to negotiate and fund a contract with Legal Aid of Charlotte Advisory Council consistent with the adopted Budget Ordinance.

Commissioner Griffin asked to be recused from voting due to his affiliation with Legal Aid of Charlotte Advisory Council.

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Motion was made by Commissioner Meier, seconded by Commissioner Rodriguez-McDowell, and unanimously carried (8-0) to recuse Commissioner Griffin from voting on the contract with Legal Aid of Charlotte Advisory Council.

Motion was made by Commissioner Rodriguez-McDowell, seconded by Commissioner Meier, and unanimously carried (8-0) to negotiate and fund a contract with Legal Aid of Charlotte Advisory Council.

Vice Chair Jerrell entertained a motion to authorize the County Manager to negotiate and fund a contract with Charlotte Center City Partners, Arts and Science Council, Charlotte Regional Business Alliance, and North Carolina Association of County Commissioners consistent with the adopted Budget Ordinance.

Chair Dunlap asked to be recused from voting due to his affiliation with Charlotte Center City Partners, Arts and Science Council, Charlotte Regional Business Alliance, and North Carolina Association of County Commissioners.

Motion was made by Commissioner Altman, seconded by Commissioner Meier, and unanimously carried (8-0) to recuse Chair Dunlap from voting on the contract with Charlotte Center City Partners, Arts and Science Council, Charlotte Regional Business Alliance, and North Carolina Association of County Commissioners.

Motion was made by Commissioner Rodriguez-McDowell, seconded by Commissioner Meier, and unanimously carried (8-0) to negotiate and fund a contract with Charlotte Center City Partners, Arts and Science Council, Charlotte Regional Business Alliance, and North Carolina Association of County Commissioners consistent with the adopted Budget Ordinance.

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**MECKLENBURG COUNTY, NORTH CAROLINA
BUDGET ORDINANCE FISCAL YEAR 2024-2025**

The following ordinance was offered by _____ who moved its adoption:

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF
MECKLENBURG COUNTY, NORTH CAROLINA, THIS 4th DAY OF JUNE 2024:**

Section 1. That for the operation of Mecklenburg County's government and its subdivisions for the fiscal year beginning July 1, 2024 and ending June 30, 2025, the amounts in the following schedules are hereby appropriated:

General Fund	\$1,685,093,799
Debt Service Fund	\$545,190,205
Law Enforcement Service District Funds	
Charlotte LESD Law Enforcement Service District	\$16,512,917
Cornelius LESD Law Enforcement Service District	\$210,034
Davidson LESD Law Enforcement Service District	\$557,487
Huntersville LESD Law Enforcement Service District	\$2,876,361
Mint Hill LESD Law Enforcement Service District	\$1,058,565
Pineville LESD Law Enforcement Service District	\$822,927
Fire Protection Service District Funds	
Charlotte ETJ Fire Protection Service District	\$12,971,861
Cornelius ETJ Fire Protection Service District	\$34,940
Davidson ETJ Fire Protection Service District	\$337,348
Huntersville ETJ Fire Protection Service District	\$2,200,295
Mint Hill ETJ Fire Protection Service District	\$542,856
Code Enforcement Special Revenue Fund	\$51,557,909
Solid Waste Enterprise Fund	\$47,147,041
Scrap Tire Special Revenue Fund	\$2,808,620
White Goods Special Revenue Fund	\$620,000
Storm Water Enterprise Fund	\$30,953,386
Transit Sales Tax Special Revenue Fund	\$84,864,444
Fee Collection for State Special Revenue Fund	\$17,355,538
Representative Payee Funds Special Revenue Fund	\$120,000
TOTAL APPROPRIATIONS	<u>\$2,503,836,533</u>

Section 2. That it is estimated that the following revenues will be available during the fiscal year beginning July 1, 2024, and ending June 30, 2025, to meet the appropriations in Section 1, as set forth in the following schedules:

General Fund	
Current Tax Levy	\$1,081,754,596
Fund Balance – Unrestricted Appropriation	\$48,424,495
Revenues – Other Sources	\$554,914,708
Subtotal – General Fund	\$1,685,093,799

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Debt Service Fund	
Current Tax Levy	\$340,661,422
Fund Balance – Unrestricted Appropriation	\$81,834,130
Revenues – Other Sources	\$122,694,653
Subtotal – Debt Service Fund	\$545,190,205
Law Enforcement Service District Funds	
Charlotte LESD Law Enforcement Service District	\$16,512,917
Cornelius LESD Law Enforcement Service District	\$210,034
Davidson LESD Law Enforcement Service District	\$557,487
Huntersville LESD Law Enforcement Service District	\$2,876,361
Mint Hill LESD Law Enforcement Service District	\$1,058,565
Pineville LESD Law Enforcement Service District	\$822,927
Fire Protection Service District Funds	
Charlotte ETJ Fire Protection Service District	\$12,971,861
Cornelius ETJ Fire Protection Service District	\$34,940
Davidson ETJ Fire Protection Service District	\$337,348
Huntersville ETJ Fire Protection Service District	\$2,200,295
Mint Hill ETJ Fire Protection Service District	\$542,856
Code Enforcement Special Revenue Fund	
Permits & Fees	\$47,043,337
Fund Balance Appropriation	\$4,514,572
Subtotal – Code Enforcement Special Revenue Fund	\$51,557,909
Solid Waste Enterprise Fund	\$47,147,041
Scrap Tire Special Revenue Fund	\$2,808,620
White Goods Special Revenue Fund	\$620,000
Storm Water Enterprise Fund	\$30,953,386
Transit Sales Tax Special Revenue Fund	\$84,864,444
Fee Collection for State Special Revenue Fund	\$17,355,538
Representative Payee Funds Special Revenue Fund	\$120,000
TOTAL ESTIMATED REVENUES & APPROPRIATED FUND BALANCE	<u>\$2,503,836,533</u>

Section 3. That there is hereby levied for the fiscal year beginning July 1, 2024 and ending June 30, 2025, the following rate of property tax on each one hundred dollars (\$100) of assessed valuation of taxable property, as listed for taxes as of January 1, 2024, for the purpose of raising the revenue for current year's taxes as set forth in the foregoing estimates of revenues, and in order to finance the foregoing appropriations:

Tax Rate <u>48.31¢</u> Based on Estimated Assessed Valuation of <u>\$296,361,459,927</u>

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Section 4. There is also hereby levied for the fiscal year beginning July 1, 2024 and ending June 30, 2025, the following rate of property tax on each one hundred dollars (\$100) of assessed valuation of taxable property subject to taxation in the Law Enforcement Service Districts as listed for taxes as of January 1, 2024, in addition to that levied throughout the County, for the purpose of raising the revenue for the Law Enforcement Service Districts as set forth in the foregoing estimates of revenues, and in order to finance the foregoing appropriations:

Charlotte Law Enforcement Service District Tax Rate <u>11.70¢</u> Based on Estimated Assessed Valuation in the Charlotte ETJ Law Enforcement Service District of \$14,256,165,680
Cornelius Law Enforcement Service District Tax Rate <u>27.23¢</u> Based on Estimated Assessed Valuation in the Cornelius ETJ Law Enforcement Service District of \$77,912,399
Davidson Law Enforcement Service District Tax Rate <u>11.70¢</u> Based on Estimated Assessed Valuation in the Davidson ETJ Law Enforcement Service District of \$481,297,949
Huntersville Law Enforcement Service District Tax Rate <u>11.70¢</u> Based on Estimated Assessed Valuation in the Huntersville ETJ Law Enforcement Service District of \$2,483,260,478
Mint Hill Law Enforcement Service District Tax Rate <u>11.70¢</u> Based on Estimated Assessed Valuation in the Mint Hill ETJ Law Enforcement Service District of \$913,895,370
Pineville Law Enforcement Service District Tax Rate <u>11.85¢</u> Based on Estimated Assessed Valuation in the Pineville Law Enforcement Service District of \$701,468,232

Section 5. There is also hereby levied for the fiscal year beginning July 1, 2024 and ending June 30, 2025, the following rate of property tax on each one hundred dollars (\$100) of assessed valuation of taxable property subject to taxation in the Fire Protection Service Districts as listed for taxes as of January 1, 2024, in addition to that levied throughout the County, for the purpose of raising the revenue for the Fire Protection Service Districts as set forth in the foregoing estimates of revenues, and in order to finance the foregoing appropriations:

Charlotte ETJ Fire Protection Service District Tax Rate <u>8.76¢</u> Based on Estimated Assessed Valuation in the Charlotte ETJ Fire Protection Service District of \$14,957,633,911
Cornelius ETJ Fire Protection Service District Tax Rate <u>4.53¢</u> Based on Estimated Assessed Valuation in the Cornelius ETJ Fire Protection Service District of \$77,912,399
Davidson ETJ Fire Protection Service District Tax Rate <u>7.08¢</u> Based on Estimated Assessed Valuation in the Davidson ETJ Fire Protection Service District of \$481,297,949
Huntersville ETJ Fire Protection Service District Tax Rate <u>8.95¢</u> Based on Estimated Assessed Valuation in the Huntersville ETJ Fire Protection Service District of \$2,483,260,478
Mint Hill ETJ Fire Protection Service District Tax Rate <u>6.00¢</u> Based on Estimated Assessed Valuation in the Mint Hill ETJ Fire Protection Service District of \$913,895,370

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Section 6. The foregoing appropriations, schedules of expected revenues, and taxes levied, are based on the annual budget as hereby approved, a summary of which budget is attached as *Schedule No. 1*, and the terms of which budget are hereby specifically incorporated by reference.

Section 7. The total of all remaining amounts encumbered for outstanding purchase orders and contracts at June 30, 2024 shall be re-appropriated for expenditure in the current fiscal year.

Section 8. The Management and Budget Director, as approved by the County Manager, is hereby authorized to transfer the unencumbered balance, or any portion thereof, from one appropriation to another appropriation within the same fund. Expenditures will be controlled for financial reporting purposes at the agency level and for operational purposes within organization units at the appropriation unit for all category levels (4000, 5000, 6000, 7000, 8000 and 9000 series of accounts). The original capital outlay appropriation by organization unit may not be increased by transfer by more than \$100,000 of local funds without specific Board action. The Management and Budget Director may authorize, at the request of the affected department head or his/her designee, the substitution of one capital outlay item for another within the appropriation limits set forth above. The Management and Budget Director may authorize non-locally funded changes in capital outlay resulting from Federal, State, or other grant funding as requested by the affected department.

Section 9. The County Manager or her designee may award and execute contracts that are not required to be bid or which N.C.G.S. 143-131 allows to be let on informal bids so long as the budget or appropriate capital project ordinance or capital reserve fund contains sufficient appropriated but unencumbered funds for such purposes. On behalf of Mecklenburg County, the County Manager, or her designee, may enter into and execute change orders or amendments to construction contracts when the appropriate capital project or capital reserve fund contains sufficient appropriated but unencumbered funds allocated for such construction projects. On behalf of Mecklenburg County, the County Manager, or her designee, may execute contracts with outside agencies to properly document budgeted appropriations to such agencies where N.C.G.S. 153A-248(b), 259, 449 or any similar statutes require such contracts. On behalf of the Mecklenburg County Consolidated Human Services Agency (“Human Services Agency”), the County Manager or her designee, may award and execute contracts which are not required to be bid or which N.C.G.S. 143-131 allows to be let on informal bids so long as the budget contains sufficient appropriated but unencumbered funds for such purposes, and may execute contracts with outside agencies to properly document budgeted appropriations to such agencies where N.C.G.S. 122C-141, 142 or any similar statutes require such contracts. The County Manager or her designee may execute contracts on behalf of the Human Services Agency or the County, to render services, at not less than full cost, with the State, other political subdivisions of the State and outside agencies. The County Manager or her designee may execute contracts or other agreements with the State of North Carolina required by the State in connection with the receipt of revenues that are included in the estimate of revenues. The County Manager shall exercise her authority to designate individuals who are authorized to award and execute contracts only by a written memorandum of delegation filed with the Clerk to the Board, the County Attorney, and the Director of Finance, except that the County Manager may designate the Deputy County Managers without filing a written memorandum of delegation. Provided, however, equipment leases for fewer than 30 days, and purchase orders may be processed without the signature of the County Manager or her designee if processed in accordance with policies of the Finance Department. The County Manager may delete positions as part of a reorganization, but the Board must approve all new permanent positions.

Section 10. That there is hereby appropriated to the Solid Waste Enterprise Fund all Residential Solid Waste Fees, user fees, tipping fees, revenues from sale of recyclables and other revenues attributable to the program. A Residential Solid Waste Fee of \$49.50 per year is imposed under N.C.G.S. 153A-292 for the fiscal year beginning July 1, 2024 and ending June 30, 2025, on all mobile homes, single family and multi-family residences located in Mecklenburg County on January 1, 2024, as provided in the Residential Solid Waste Fee Ordinance. Such fees are to be added to the 2024 property tax bill, are payable in the same manner as property taxes, and, in the case of nonpayment, may be collected in any manner by which delinquent personal or real property taxes can be collected. The Residential Solid Waste Fee Ordinance provides additional details about this fee.

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Section 11. That there is hereby appropriated to the Scrap Tire Special Revenue Fund all other revenues attributable to the program.

Section 12. That there is hereby appropriated to the White Goods Special Revenue Fund all other revenues attributable to the program.

Section 13. That there is hereby appropriated to the Storm Water Enterprise Fund all user fees and other revenues attributable to the program.

Section 14. That there is hereby appropriated to the Code Enforcement Enterprise Fund all user fees and other revenues attributable to the program.

Section 15. The excess amount of all land development revenues over related expenditures resulting from such fees collected by Land Use and Environmental Services Agency as of June 30, 2025 are to be retained within fund balance and designated for Land Use and Environmental Services Land Development Administration operations for use at such time that revenues are not sufficient to provide funding for those expenditures, including those revenues collected over expenditures in fiscal year 2024.

Section 16. That there are hereby appropriated to the Law Enforcement Service District Funds (special revenue funds) revenues from the collection of the Law Enforcement Service Districts Ad Valorem tax at the rates stated in Section 4 to cover the cost for servicing all districts. Revenue may be used from multiple service districts to pay a single service agreement for the districts.

Section 17. That there are hereby appropriated to the Fire Protection Service District Funds (special revenue funds) the revenues from the collection of the Fire Protection Service Districts Ad Valorem tax at the rates stated in Section 5 to cover the cost for servicing all districts.

Section 18. The Director of Finance is authorized to transfer as a loan from the General Fund to the Law Enforcement and Fire Protection Service District Funds, such funds necessary to provide cash for operation until such time as revenues received from all sources are sufficient to provide funding for expenditures. Any such loan is to be paid back to the General Fund when cash balances allow for repayment.

Section 19. A transfer of \$9,340,348 is authorized to the Technology Reserve Fund as a transfer from the Debt Service Fund. Funds appropriated can only be utilized for technology in the current fiscal year or subsequent fiscal years.

Section 20. A transfer of \$13,715,182 is authorized to the Capital Reserve Fund as a transfer from the Debt Service Fund. Funds appropriated can only be utilized for capital expenditures in the current fiscal year or subsequent fiscal years.

Section 21. A transfer of \$46,785,000 is authorized to the Capital Maintenance Fund, previously known as the Preventative Maintenance Fund, as a transfer from the Debt Service Fund. Funds appropriated can only be utilized for capital maintenance expenditures in the current or subsequent fiscal years.

Section 22. A transfer of \$4,105,600 is authorized to the Vehicle Reserve Fund as a transfer from the Debt Service Fund. Funds appropriated can only be utilized for purposes described in the Vehicle Replacement Reserve Fund Ordinance either in the current or subsequent fiscal years.

Section 23. A transfer of \$21,204,420 authorized to the Affordable Housing Fund as a transfer from the General Fund. Funds appropriated can only be utilized for expenditures related to housing security in Mecklenburg County.

Section 24. That \$500,000 of available funds within the Foreclosure Acquisition Program Capital Project Fund Ordinance are transferred to the Affordable Housing Fund for expenditure in the current or future fiscal years on housing security initiatives in Mecklenburg County. Following this transfer, the Foreclosure Acquisition Program Capital Project Fund Ordinance is hereby terminated.

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Section 25. There is hereby appropriated \$1,991,836 within the Child Support Reinvestment Special Revenue Fund to be used for child support services enhancements either in the current or subsequent fiscal years.

Section 26. The FY2025 Financial Plan for the Enterprise Risk Management Internal Service Fund for expenses related to risk mitigation, insurance premiums, claims payments, and other related expenses is hereby adopted. See *Schedule No. 2* for the FY2025 Financial Plan as required by N.C.G.S. 159-13.1.

Section 27. The FY2025 Financial Plan for the Employee Medical Benefits Internal Service Fund for expenses related to the county medical plan, dental plan, and other benefit plans for active and retired employees is hereby adopted. See *Schedule No. 2* for the FY2025 Financial Plan as required by N.C.G.S. 159-13.1.

Section 28. In accordance with N.C.G.S. 115D-58.2, the Director of Finance is directed to provide, based on the appropriations herein, funds to Central Piedmont Community College as needed (with at least one transfer of funds during each month for which funds are requested) to meet the expenditures reflected in the approved budget. All unexpended and unencumbered funds at the end of the fiscal year shall be returned to Mecklenburg County within thirty (30) days after the close of the fiscal year.

Section 29. The appropriations to the Charlotte-Mecklenburg Board of Education have been allocated by purpose, function and project as defined in the uniform budget format, as shown on *Schedule No. 3*. The Charlotte-Mecklenburg Board of Education must obtain the approval of the Board of County Commissioners for any amendment to the Board of Education's budget which would (a) increase or decrease appropriation for capital outlay approved by the Board of Commissioners for such projects as listed in N.C.G.S. 115C-426(f)(1) or (2), or (b) increase or decrease the amount of other County appropriations allocated to a purpose or function by more than ten (10%) percent.

Section 30. That there is hereby appropriated to the Debt Service Fund actual proceeds of revenues dedicated for debt service, specifically sales tax Articles 40 and 42 received and allocated for schools, lottery, ABC, investment revenue, property taxes, and other revenue. The total appropriation for this fund is \$545,190,205. Funds appropriated can only be utilized for debt service or pay-as-you-go capital funding in the current or subsequent fiscal years.

The Director of Finance is authorized to transfer, as a loan from the General Fund to the Debt Service Fund, necessary funds to provide cash for operation until such time as revenues received from all sources are sufficient to provide funding for expenditures. The loan is to be paid back to the General Fund when cash balances allow for repayment.

The Director of Finance is authorized to appropriate amounts needed to fund current fiscal year debt issues that have been approved by the Board of County Commissioners.

Section 31. That there is a contingency allocation of \$2,000,000 for the Katie Blessing Center for Youth Behavioral Health, however, before any portion of the \$2,000,000 contribution is expended, the Board must approve such appropriation following confirmation that the facility's capital campaign is complete, and that an agreement has been reached between the County and the Katie Blessing Foundation which guarantees sufficient beds will be reserved at the facility for children referred by Mecklenburg County effective through the life of the facility. That further there is a contingency allocation of \$1,500,000 to Boundary Street Advisors for the development of a new Spangler's Grocery store on Statesville Avenue in the City of Charlotte. That before any portion of the \$1,500,000 allocation is expended, the Board must receive and approve a proposed strategy for the project, to include the anticipated benefits to the community. See *Schedule 4* for a table of contingency allocations.

Section 32. That there is hereby appropriated to the Transit Sales Tax Special Revenue Fund, such actual proceeds as received to be transferred by the Director of Finance to the City of Charlotte to account for the proceeds of the one-half percent local government sales and use tax, in accordance with the provisions of the Transit Governance Interlocal Agreement.

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Section 33. That there is hereby appropriated to the Fee Collection for State Special Revenue Fund such actual proceeds as received to be transferred by the Director of Finance to the State of North Carolina.

Section 34. That there is hereby appropriated to the Representative Payee Funds Special Revenue Fund such actual proceeds as received to eligible payees.

Section 35. The fees submitted by the Public Health department, Land Use and Environmental Services department, and Park and Recreation department in support of their budget requests are approved.

Section 36. The compensation and allowances for the Board of County Commissioners shall be as provided in the annual budget, the details of which are shown attached in *Schedule No. 5*, and the terms of which are hereby specifically incorporated herein by reference.

Section 37. The motion to adopt the foregoing ordinance was seconded by Commissioner _____ and carried on the following vote:

AYES	NAYES
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Budget Summary By Fund
FY 2024 - 2025

Schedule 1

Fund	Appropriation	Fund Balance	Federal Aid	State Aid	Fee Revenue	Other Revenue	Sales Taxes	Prior Year Taxes	Current Year Taxes
General Fund	\$ 1,685,093,799	\$ 48,424,495	\$ 102,282,870	\$ 17,934,418	\$ 8,590,938	\$ 113,461,813	\$ 307,309,338	\$ 5,335,331	\$ 1,081,754,596
Debt Service Fund	545,190,205	81,834,130	2,091,565	9,500,000		19,965,884	91,137,204		340,061,422
Code Enforcement Fund	51,557,909	4,514,572			47,043,337	2,733,000			
Solid Waste Disposal Enterprise Fund	47,147,041			40,000	44,374,041	550,000			
Scrap Tire Fund	2,808,620			2,258,620					
White Goods Fund	620,000			620,000					
Storm Water Enterprise Fund	30,953,366				27,955,990	2,997,396	84,864,444		
Transit Sales Tax	84,864,444								
Fee Collection for State Fund	17,355,538				17,355,538	120,000			
Representative Payee Fund	120,000								
Charlotte ETJ - FPSD	12,971,861								12,971,861
Cornelius ETJ - FPSD	34,940								34,940
Davidson ETJ - FPSD	337,348								337,348
Huntersville ETJ - FPSD	2,200,295								2,200,295
Mint Hill ETJ - FPSD	542,856								542,856
Charlotte ETJ - LECD	16,512,917								16,512,917
Cornelius ETJ - LECD	210,034								210,034
Davidson ETJ - LECD	557,487								557,487
Huntersville ETJ - LECD	2,876,361								2,876,361
Mint Hill ETJ - LECD	1,058,565								1,058,565
Pineville ETJ - LECD	822,927								822,927
TOTALS	\$ 2,503,836,533	\$ 134,773,197	\$ 104,374,435	\$ 30,353,038	\$ 145,319,844	\$ 139,828,093	\$ 483,310,986	\$ 5,335,331	\$ 1,460,541,609

2024-2025 Tax Rate per \$100 of Assessed Value:

General & Debt Service Fund	
Yield of 1¢ Tax Rate	\$29,636,146
Gross	<u>122,635</u>
Less: 0.65% Allowance for Uncollectibles	<u>\$29,443,511</u>
NET	
2024-2025 Tax Rate	<u>48.31 ¢</u>
2024-2025 Est. Assessed Valuation	<u>\$296,361,459,927</u>

2024-2025 Tax Rate per \$100 of Assessed Value:

Charlotte ETJ Fire District	
Yield of 1¢ Tax Rate	\$1,495,763
Gross	<u>14,958</u>
Less: 1% Allowance for Uncollectibles	<u>\$1,480,806</u>
NET	
2024-2025 Tax Rate	<u>8.76 ¢</u>
2024-2025 Est. Assessed Valuation	<u>\$14,957,633,911</u>

2024-2025 Tax Rate per \$100 of Assessed Value:

Cornelius ETJ Fire District	
Yield of 1¢ Tax Rate	\$7,791
Gross	<u>28</u>
Less: 1% Allowance for Uncollectibles	<u>\$7,713</u>
NET	
2024-2025 Tax Rate	<u>4.53 ¢</u>
2024-2025 Est. Assessed Valuation	<u>\$77,912,399</u>

2024-2025 Tax Rate per \$100 of Assessed Value:

Davidson ETJ Fire District	
Yield of 1¢ Tax Rate	\$48,130
Gross	<u>481</u>
Less: 1% Allowance for Uncollectibles	<u>\$47,648</u>
NET	
2024-2025 Tax Rate	<u>7.08 ¢</u>
2024-2025 Est. Assessed Valuation	<u>\$481,297,949</u>

Budget Summary By Fund
FY 2024 - 2025

Schedule 1

<p>2024-2025 Tax Rate per \$100 of Assessed Value:</p> <p>Huntersville ETJ Fire District</p> <p>Yield of 1¢ Tax Rate</p> <p>Gross \$248,326</p> <p>Less: 1% Allowance for Uncollectibles -2,483</p> <p>NET \$245,843</p> <p>2024-2025 Tax Rate 8.95 ¢</p> <p>2024-2025 Est. Assessed Valuation \$2,483,260,478</p>	<p>2024-2025 Tax Rate per \$100 of Assessed Value:</p> <p>Mint Hill ETJ Fire District</p> <p>Yield of 1¢ Tax Rate</p> <p>Gross \$91,390</p> <p>Less: 1% Allowance for Uncollectibles -914</p> <p>NET \$90,476</p> <p>2024-2025 Tax Rate 6.00 ¢</p> <p>2024-2025 Est. Assessed Valuation \$913,895,370</p>
<p>2024-2025 Tax Rate per \$100 of Assessed Value:</p> <p>Charlotte ETJ Law Enforcement Service District</p> <p>Yield of 1¢ Tax Rate</p> <p>Gross \$1,425,617</p> <p>Less: 1% Allowance for Uncollectibles -14,256</p> <p>NET \$1,411,360</p> <p>2024-2025 Tax Rate 11.70 ¢</p> <p>2024-2025 Est. Assessed Valuation \$14,256,165,680</p>	<p>2024-2025 Tax Rate per \$100 of Assessed Value:</p> <p>Cornelius ETJ Law Enforcement Service District</p> <p>Yield of 1¢ Tax Rate</p> <p>Gross \$7,791</p> <p>Less: 1% Allowance for Uncollectibles -78</p> <p>NET \$7,713</p> <p>2024-2025 Tax Rate 27.23 ¢</p> <p>2024-2025 Est. Assessed Valuation \$77,912,399</p>
<p>2024-2025 Tax Rate per \$100 of Assessed Value:</p> <p>Davidson ETJ Law Enforcement Service District</p> <p>Yield of 1¢ Tax Rate</p> <p>Gross \$48,130</p> <p>Less: 1% Allowance for Uncollectibles -481</p> <p>NET \$47,648</p> <p>2024-2025 Tax Rate 11.70 ¢</p> <p>2024-2025 Est. Assessed Valuation \$481,297,949</p>	<p>2024-2025 Tax Rate per \$100 of Assessed Value:</p> <p>Huntersville ETJ Law Enforcement Service District</p> <p>Yield of 1¢ Tax Rate</p> <p>Gross \$248,326</p> <p>Less: 1% Allowance for Uncollectibles -2,483</p> <p>NET \$245,843</p> <p>2024-2025 Tax Rate 11.70 ¢</p> <p>2024-2025 Est. Assessed Valuation \$2,483,260,478</p>
<p>2024-2025 Tax Rate per \$100 of Assessed Value:</p> <p>Mint Hill ETJ Law Enforcement Service District</p> <p>Yield of 1¢ Tax Rate</p> <p>Gross \$91,390</p> <p>Less: 1% Allowance for Uncollectibles -914</p> <p>NET \$90,476</p> <p>2024-2025 Tax Rate 11.70 ¢</p> <p>2024-2025 Est. Assessed Valuation \$913,895,370</p>	<p>2024-2025 Tax Rate per \$100 of Assessed Value:</p> <p>Pineville ETJ Law Enforcement Service District</p> <p>Yield of 1¢ Tax Rate</p> <p>Gross \$70,147</p> <p>Less: 1% Allowance for Uncollectibles -701</p> <p>NET \$69,445</p> <p>2024-2025 Tax Rate 11.85 ¢</p> <p>2024-2025 Est. Assessed Valuation \$701,468,232</p>

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Schedule 2

Employee Benefits Internal Service Fund	
<i>FY2025 Financial Plan</i>	
	FY2025 Estimate
Revenues	105,759,023
Expenditures	105,759,023

Risk Management Internal Service Fund	
<i>FY2025 Financial Plan</i>	
	FY2025 Estimate
Revenues	10,728,336
Expenditures	10,728,336

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Schedule 3

**MECKLENBURG COUNTY, NORTH CAROLINA
CHARLOTTE-MECKLENBURG BOARD OF EDUCATION PROPOSED BUDGET
FISCAL YEAR 2024-2025**

		Total Appropriation	
5000	Instructional Services		
5100	Regular Instructional	\$	174,112,696
5200	Special Populations		27,535,468
5300	Alternative Programs		21,783,750
5400	School Leadership Services		36,718,072
5500	Co-Curricular		5,599,869
5800	School-Based Support		34,153,476
	Subtotal Instructional Services	\$	299,903,331
6000	System-Wide Support Services		
6100	Support and Development	\$	12,435,812
6200	Special Population Support and Development		2,667,686
6300	Alternative Programs Support and Development		1,968,860
6400	Technology Support		38,234,086
6500	Operational Support		134,283,725
6600	Financial and Human Resource Services		30,317,557
6700	Accountability		5,967,091
6800	System-wide Pupil Support		4,921,477
6900	Policy, Leadership and Public Relations		18,457,520
	Subtotal System-Wide Support Services	\$	249,253,814
8000	Non-Programmed Charges		
8100	Payments to Charter Schools	\$	94,158,704
	Subtotal Non-Programmed Charges	\$	94,158,704
	TOTAL OPERATING EXPENDITURES	\$	643,315,849
9000	Capital Outlay		
9100	Category I Projects	\$	32,960,000
	TOTAL CAPITAL OUTLAY	\$	32,960,000

Note: Amendments to this appropriation may be requested by the Board of Education to the Board of County Commissioners, per Section 29 of the Budget Ordinance. This appropriation includes only County funds, and excludes funding from the State of North Carolina, the Federal government, and other sources. Total Capital Outlay includes funding for capital maintenance that may be transferred by the County to a multiyear fund to be expended solely for CMS facility maintenance & repair.

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MECKLENBURG COUNTY, NORTH CAROLINA
CONTINGENCY
FISCAL YEAR 2024-2025

Schedule 4

DATE	Restricted Contingency Item	Amount
6/4/2024		
	Katie Blessing Foundation - Youth Behavioral Health	\$ 2,000,000
	Boundary Street Advisors - Spanglers Grocery Store	1,500,000
	Total	\$ 3,500,000

Katie Blessing Foundation: Funding held until the Board confirms that the facility's capital campaign is complete, and that an agreement has been reached between the County and the Katie Blessing Foundation which guarantees sufficient beds will be reserved at the facility for children referred by Mecklenburg County effective through the life of the facility.

Boundary Street Advisors: Funding held until the Board must receive and approve a proposed strategy for the project, to include the anticipated benefits to the community.

Schedule 5

Mecklenburg County, North Carolina
Board of County Commissioners
Compensation & Allowances
Fiscal Year 2024-2025

Salaries	
(1) Chairman at \$52,000 and (8) Commissioners at \$41,600 each	\$384,800
Auto Allowance	
(1) Chairman at \$5,642 and (8) Commissioners at \$5,188 each	\$47,146
Technology Allowance	
(9) Commissioners at \$5,689 each	\$51,201
Expense Allowance	
(9) Commissioners at \$10,644 each	\$95,796
Total Compensation and Allowances	\$578,943

Ordinance recorded in full in Ordinance Book 52, Document #112.

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DEPARTMENTAL DIRECTORS' MONTHLY REPORTS – NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

CONSENT ITEMS

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

24-0261 CAPITAL PROJECT ORDINANCES

A) Approve the FY2025 Authorization School Facilities Capital Project Ordinance in the amount of \$1,938,450,663.

(B) Approve the FY2025 Authorization Capital Project Ordinance in the amount of \$2,099,292,341.

(C) Approve the FY2025 Authorization Storm Water Capital Project Ordinance in the amount of \$197,025,607.

(D) Approve the FY2025 Authorization Solid Waste Capital Project Ordinance in the amount of \$112,946,546.

Background: Each year as part of the implementation of the County's Capital Improvement Plan (CIP), the Board is asked to approve and amend ordinances to provide funding for authorized projects. This includes funding for new projects starting in FY2025 per the existing CIP and amendments.

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**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2025 AUTHORIZATION
CAPITAL PROJECT ORDINANCE**

The following ordinance was offered by Commissioner Altman, who moved its adoption:

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 6th DAY OF JUNE 2023 AND AMENDED THIS THE 4th DAY OF JUNE 2024:

Section I.

That for the purpose of providing funds, together with any other available funds, for the following projects, and rescinding all prior ordinances concerning the same:

See attachment B

Including the acquisition and construction of new facilities, the improvement and expansion of existing facilities, project management, the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefore, \$2,099,292,341 is hereby appropriated.

Section II. That it is estimated that revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from Sale of Bonds, Pay-As-You-Go/Other County Funds:
2025-2029 fiscal years \$2,099,292,341

These will be the maximum amounts of cash available to pay project expenses per fiscal year unless the Director of Finance determines that an additional amount of cash can be made available during a fiscal year or years.

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as permanent financing, if any, is arranged, at which time repayment, if required, will be made; and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

The motion to adopt the foregoing ordinance was seconded by Commissioner Meier and adopted by the following vote:

Ayes:	<u>Commissioner Leigh Altman</u>	Notes:	<u>None</u>
	<u>Commissioner Patricia Cotham</u>		_____
	<u>Commissioner Arthur Griffin</u>		_____
	<u>Commissioner Elaine Powell</u>		_____
	<u>Commissioner Vilma D. Leake</u>		_____
	<u>Commissioner George Dunlap</u>	Approved As To Form:	
	<u>Commissioner Mark D. Jerrell</u>		_____
	<u>Commissioner Laura J. Meier</u>		_____
	<u>Commissioner Susan Rodriguez-McDowell</u>	Tyrone Wade, County Attorney	

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RFBA 24-0621 Attachment B

Dept	Project Name	Budget
AFM	BOE Renovations	4,613,000
AFM	Criminal Justice Services	1,994,986
AFM	Energy Upgrades	1,772,237
AFM	Finance	2,059,418
AFM	HMC/Woodard Relocation CP15	80,611,354
AFM	Medic Headquarters Relocation	51,918,515
AFM	Public Defender	6,175,462
AFM	Vital Records	1,435,934
AFM	AFM Administrative Costs	2,955,578
AFM	BMC2U Community Resource Center-Southwest	7,999,392
AFM	BMC2U Government District Phase II-CCOB	5,007,181
AFM	BMC2U Government District Phase II-CMGC	11,873,725
AFM	BMC2U Government District Phase II-Johnson Building	2,826,366
AFM	Community Resource Center-Northeast	68,831,317
AFM	Community Resource Center-West	331,694
AFM	Courthouse Courtroom Upfit	1,459,000
AFM	Government Security- County Facilities	9,141,717
AFM	Medical Examiners Office Clinical Expansion	1,945,971
AFM	Sheriff Office-Field Ops Relocation	1,686,169
AFM	Umbrella Center	10,000,000
AFM	Jail Central and North Moderization 19-23	8,707,750
AFM	Jail Central and North Moderization- Phase 1	116,215,776
AFM	East - Community Resource Center	151,292,426
AFM	Mecklenburg County Courthouse-HVAC Controls Replacement	14,108,565
AFM	Sheriff Office-Detention Centers -Phase II	66,277,049
AFM	Sheriff's Office HQ Relocation to Admin Services Building	46,867,365
AFM	Former Civil Courts Building Renovation	54,027,819
AFM	Mecklenburg County Courthouse Camera System Upgrade	7,259,187
AFM	7th & College Parking Structure	21,170,882
AFM	FY29 David Taylor Drive - Lease Upfit	866,543
AFM	FY29 Kuralt - Renovation	76,187,186
AFM	FY29 New Lease Upfit Kuralt Staff Temporary Relocation	3,409,539
AFM	FY29 VCW - Suite 1800 Upfit	918,991
AFM	FY29 7th & Tryon Redevelopment Project- Design and Site Work	16,516,730
AFM	On Site Solar	417,381
AFM	Deep Energy Retrofit	2,463,622
AFM	Vehicle Charging Stations	1,120,167
Total Asset and Facility Management		862,465,995
Dept	Project Name	Budget
CPC	Public Safety Training Center	50,203,658
CPC	Old ATC Renovation	26,494,058
CPC	Central High Renovations and Land	10,000,000
CPC	Harper Campus Line Worker Training Facility	5,082,243
CPC	Harper Campus Phase 4	41,250,000
CPC	Levine Campus Phase 3	31,100,000
CPC	Terrell Renovation and Expansion	31,290,874

Ordinance is recorded in Ordinance Book 52, Document 114

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RFBA 24-0621 Attachment B

CPC	Central Campus - Phase IV	82,912,884
CPC	Hendrick Automotive Renovation	63,122
Total Central Piedmont Community College		278,396,839
Dept	Project Name	Budget
LIB	North County Library Renovation	6,288,371
LIB	South County Library Renovation	11,145,000
LIB	Library Support Services Center	15,000,000
LIB	New Main Library	142,116,000
LIB	Pineville Library	1,800,000
LIB	Scaleybark Library	1,707,000
LIB	Spirit Square	55,384,000
LIB	University Library	40,030,000
LIB	ImaginOn Library Renovation	31,345,523
LIB	Sugar Creek Community Library (relocation/expansion)	21,078,052
LIB	West Boulevard Community Library (relocation/expansion)	22,487,770
Total Charlotte Mecklenbug Library		348,381,716
Dept	Project Name	Budget
PRK	Greenway Improvements	221,661
PRK	Historic Holly Bend House	835,000
PRK	Hucks Road Regional Park	3,942,200
PRK	Latta Nature Preserve	10,544,439
PRK	Little SC Hunt Farms to 1485	3,096,132
PRK	Little Sugar Creek	3,306,008
PRK	Marion Diehl Rec Center	1,933,390
PRK	McAlpine Creek Sardis to Prov	1,926,900
PRK	McDowell Creek GWY-Taybrook Drive to Baylis Drive	2,598,750
PRK	Mecklenburg County (Matthews) Sportsplex	33,163,142
PRK	Pine Valley Neighborhood Park	493,000
PRK	Stevens Creek Nature Preserve	7,676,764
PRK	Sugaw Creek Rec Center	5,165,232
PRK	Tobey 1 and 2 Wayfinding	39,000
PRK	Toby Creek Greenway Phase II	3,418,194
PRK	Walker Branch Greenway	1,237,063
PRK	Briar Creek Greenway	2,495,837
PRK	Briar Creek Little Hope Greenway	4,806,709
PRK	Caldwell Station Trib.	3,258,708
PRK	Col Francis Beatty Park	2,093,000
PRK	David Waymer Rec Center	2,649,790
PRK	Discovery Place	42,354,589
PRK	Druid Hills Neighborhood Park	990,000
PRK	Eastfield Regional Park	5,000,000
PRK	Eastway Park Regional Rec Center	41,725,795
PRK	Ezell Farms Community Park	3,714,000
PRK	Independence Park	5,989,453
PRK	Irvin Creek	3,541,835
PRK	Irvin Creek Greenway	5,027,022
PRK	Little Sugar Creek Greenway Polk Site	11,942,807

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RFBA 24-0261 Attachment C

Unit	Project Name	Budget
3185	Flood Mitigation- RetroFIT Projects	1,500,000
3186	Flood Mitigation- Voluntary Buyouts	59,489,867
3188	Stream Restoration- Design/Construction	74,172,088
3195	Flood Plain Mapping	2,910,593
3196	Flood Mitigation Rainy Day	500,000
3194	Stream Restoration- Water Quality Spot Repairs	2,900,000
3198	Stream Restoration- Stewart Creek	825,000
3199	Stream Restoration- West Branch Rocky Tributary	7,857,104
3200	Stream Restoration- Irwin Creek (City Landfill)	1,288,130
3201	Stream Restoration- Kings Branch	4,889,180
3202	Stream Restoration- Long Creek	7,100,615
3203	Stream Restoration- Plum Creek	4,208,676
3204	Stream Restoration- Anticipated design/construction	8,579,354
3205	Stream Restoration- Reedy Creek	5,892,000
3206	Stream Restoration- Mallard Creek	8,750,000
3207	Stream Restoration- Clark Creek	4,515,000
3208	Stream Restoration- McDowell Creek	1,648,000
		<u>197,025,607</u>

Ordinance recorded in Ordinance Book 52, Document 115

**Meeting Minutes
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**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2025 AUTHORIZATION SOLID WASTE
CAPITAL PROJECT ORDINANCE**

The following ordinance was offered by Commissioner Altman, who moved its adoption:

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 2nd DAY OF AUGUST 2023 AND AMENDED THIS THE 4th DAY OF JUNE 2024:

Section I. That for the purpose of providing funds, together with any other available funds, for the following projects:

See Attachment D

Including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, in order to provide additional facilities in said County, \$112,946,546 is hereby appropriated.

Section II. That it is estimated that the revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from Sale of Bonds, Grants, Operating Transfers, Enterprise Fund Fees and Charges, and Other County Funds:
2025-2029 Fiscal Years \$112,946,546

These will be the maximum amounts of cash available to pay project expenses per fiscal year unless the Director of Finance determines that an additional amount of cash can be made available during a fiscal year or years.

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as permanent financing, if any, is arranged at which time repayment, if required, will be made: and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

The motion to adopt the foregoing ordinance was seconded by Commissioner Meier and adopted by the following vote:

Ayes:	<u>Commissioner Leigh Altman</u>	Notes:	<u>None</u>
	<u>Commissioner Patricia Corham</u>		_____
	<u>Commissioner Arthur Griffin</u>		_____
	<u>Commissioner Elaine Powell</u>		_____
	<u>Commissioner Vilma D. Leake</u>		_____
	<u>Commissioner George Dunlap</u>	Approved As To Form:	
	<u>Commissioner Mark D. Jerrell</u>		_____
	<u>Commissioner Laura J. Meier</u>		_____
	<u>Commissioner Susan Rodriguez-McDowell</u>	Tyrone Wade, County Attorney	

FY25 64-24

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RFBA 24-0261 Attachment D

Unit	Project Name	Budget
MMRF	Main MRF	15,969,488
AVMP	AVM Parts Building	514,661
IMRF	Interim MRF	9,015,321
NMP2	North Meck Phase 2	8,500,000
NMP3	North Meck Phase 3	7,800,000
FDRO	Foxhole Offices	127,076
FDRM	Foxhole Maintenance Shop	1,800,000
FDRI	Foxhole Improvements	10,325,000
SSRC	Self Serve Recycling Centers	1,285,000
SCRC	Steele Creek Recycling Center	21,500,000
HGTS	Hickory Grove Transfer Station	19,130,000
MRLI	Monre Rd Land Improvements	2,575,000
CAEQ	Capital Equipment	7,980,000
LAYW	Land Acquisiton	5,800,000
PGCL	Pine Grove Circle	625,000
		112,946,546

Ordinance recorded in full Ordinance Book 52, Document #116

24-0304 TAX REFUNDS

Approve refunds in the amount of \$1,160.49 as statutorily required to be paid as requested by the County Assessor.

BACKGROUND/JUSTIFICATION:

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 \$8.82 to be added to refunds of \$153.29. There is no accrued interest to be added to the refunds of \$998.38. The total refunds with interest added is \$1,160.49.

24-0305 RESOLUTION TO TRANSFER OWNERSHIP OF CANINE OFFICER

Adopt a resolution titled " RESOLUTION AUTHORIZING THE SHERIFF OF MECKLENBURG COUNTY TO TRANSFER OWNERSHIP OF RETIRED MECKLENBURG COUNTY SHERIFF’S OFFICE CANINE OFFICER JOJO."

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 JoJo.

Due to their specialized training, the Canine Officer JoJo 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 JoJo 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 its handler, who is familiar with his law enforcement training.

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

WHEREAS, Canine Officer JoJo, 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 JoJo 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 JoJo 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 JoJo's law enforcement training; and

WHEREAS, Canine Officer JoJo 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 JoJo to his handler, MCSO Deputy James Sage, pursuant to the attached Memorandum of Understanding between MCSO and Deputy James Sage.

This resolution is adopted the 4th day of June 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 4th day of June, 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 #117.

**24-0310 CONSTRUCTION MANAGEMENT @ RISK CONTRACTING METHODOLOGY –
LATTA PLACE**

Authorize the use of the Construction Management @ Risk (CM@Risk) contracting methodology for Latta Place as the best construction contracting delivery method for the project.

Background: In 2001, the General Assembly Session Law 2001-496 enacted Senate Bill 914 (revisions to G.S. 143-128) to provide construction flexibility for public entities by allowing the use, without limitation, of separate prime contracting, single prime contracting, dual bidding, Construction Management at Risk (CM@Risk), and alternative contracting methods authorized by the State Building Commission.

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Effective October 1, 2014, the NC Legislature approved revisions to Section 143-128.1, requiring the comparison of the advantages and disadvantages of the CM@Risk method, and a decision by the governing body that the CM@Risk method "is in the best interest of the project" before it can be used by a public entity for a project.

"(e) Construction Management at Risk services may be used by the public entity only after the public entity has concluded that construction management at risk services is in the best interest of the project, and the public entity has compared the advantages and disadvantages of using the construction management at risk method for a given project in lieu of the delivery methods identified in G.S.143-128(a1) (1) through G.S. 143-128(a1) (3). The public entity may not delegate this determination."

The office of Asset and Facility Management has developed the attached matrix comparing the traditional Design-Bid-Build contracting method to the CM@ Risk method.

With the Construction Management at Risk (CM@Risk) project delivery method, the construction manager assists the County with scheduling, constructability, and budget control prior to construction and the CM@Risk is accountable for delivering the project on-schedule and within budget during construction.

The County has successfully utilized the CM@Risk contract methodology previously on multiple projects involving renovations and new construction, including, but not limited to, the Valerie C. Woodard Center renovation, the MEDIC Headquarters and Operations Relocation, the Eastway Regional Recreation Center, the Northern Regional Recreation Center, and the Ella B. Scarborough Community Resource Center. These projects were large, complex renovation projects that were time and budget sensitive.

Charlotte Mecklenburg Schools, Central Piedmont Community College and the City of Charlotte have also successfully utilized the CM@Risk methodology.

Project Description

Latta Place is an approximately 3-acre historic site situated within Latta Nature Preserve in Northern Mecklenburg County. The property includes a historic house and various support structures. Mecklenburg County has completed an extensive community engagement process, site history, survey, utility & code compliance investigation, and an Interpretive Master Plan. The project is inclusive of a larger 13-acre site, and it will include the following: a new outdoor shelter with restrooms, restoration efforts of the main historic home, restoration efforts on outbuildings to be retained, site improvements, interpretive components, and a renovated or new visitors center.

For the project the CM@Risk shall provide services for both the pre-construction and construction phases related to the existing building renovations and/or replacement, as well as any site and infrastructure improvements, and ancillary facilities.

In review of the attached Comparison Matrix, the following advantages make a CM@Risk Contract methodology the best delivery option for the Latta Place Project and in the best interest of the project. Details that pertain to the project are in parenthesis:

- a) Selection of contractor based on qualifications, experience, and team.
(Qualifications based on similar projects of scale or complexity)*
- b) Contractor provides design phase assistance in constructability, budgeting, and scheduling. (Assistance in pre-construction services for this project)*
- c) Continuous budget control possible. (Design phases need budget monitoring throughout the process).*

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- d) *Prequalification of subcontractors allows Owner and contractor to ensure quality and experience. (This helps mitigate cost overruns & delays and ensures a quality product).*
- e) *Subcontracts are competitively bid by pre-qualified contractors. (Lowest price by qualified contractors).*
- f) *Better coordination between design team and contractor. (This collaboration allows early pricing, scheduling, and expedited implementation).*
- g) *Changes in scope during design can be immediately priced by CM@Risk to determine budget impact. (Better budget data to inform potential design changes prior to construction).*
- h) *Should reduce change orders during construction since CM@Risk participated in the design phase. (Minimizes unexpected costs and/or delays).*
- i) *Typically used for large or complex projects, requiring a high level of construction management due to multiple phases, technical complexity, or multi-disciplinary coordination. (The project will be technically complex to manage, as well as require many different trades to construct.)*
- j) *Allows early ordering/purchasing of materials/equipment with long lead times (certain materials and equipment still have supply chain issues).*
- k) *CM@Risk historically have provided greater MWBE participation for County projects. (contractor's involvement in pre-construction allows more time for outreach to MWBE subcontractors).*

24-0314 MCALPINE LAND, LLC DONATION – MCALPINE CREEK GREENWAY

Accept donation of a portion of Tax Parcel 193-561-02 (+/- .787acres) for incorporation into McAlpine Creek Park for use as part of the McAlpine Creek Greenway.

Background: The subject property owner, McAlpine Land, LLC, has proposed to donate a portion of Tax Parcel 193-561-02 (+/- .787 acres) for required rezoning purposes. The land is next to McAlpine Creek Park and runs parallel to the McAlpine Creek Greenway, making this property highly desirable for Park and Recreation.

The Donation by McAlpine Land, LLC will allow the County to construct an expansion of the greenway in this area and provide access for the residents in the Krefeld Drive area. 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.

24-0321 NR MET EASEMENT AGREEMENT AND MIDTOWN PARK IMPROVEMENTS DONATION

Authorize the County Manager to enter into agreements granting a Temporary Construction Easement (TCE) (+/- .1139 acres), Temporary Aerial Construction Easement (TACE) (+/- .8578 acres), and Shared Access/No Build Easement (+/- .0603 acres) on Mecklenburg County Tax parcels 125-213-16 and 125-227-04 to NR MET Property Owner LP (NR MET).

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Authorize Manager to accept on behalf of the County the donated Shared Access/No Build Easement (+/- .024 acres) on Parcel 125-227-05 owned BY NR MET and

Accept a monetary donation in the amount of \$84,284.81 from NR MET for the Midtown Park Improvements as described in the Background section.

Background: As part of the planned new construction project by NR Met at the current Metropolitan Development, NR Met is required to obtain various easements for completion of the project. NR Met has requested a Temporary Aerial Construction Easement to allow for crane usage, (+/- .8578 acres) and a Temporary Construction Easement, (+/- .1139 acres) and a Shared Access/No Build Easement (+/- .0603 acres) on tax parcels 125-213-16 and 125-227-04.

NR Met will also donate to County +/- .0240 acres of Shared Access/No Build easements on parcels 125-213-16 and 125-227-04 to allow for access to the greenway. As part of the project, NR Met will also donate \$84,284.81 to Park and Recreation to meet the requirements of rezoning that call for a dog park and/or shared site elements at Midtown Park. This payment will fulfill the rezoning requirements.

This request has been reviewed by the Park and Recreation Department and it has been determined that the request will not negatively impact the park property. County will be compensated an appraised value of \$103,050.00 for the Temporary Construction easements and the Shared Access/No Build easements.

24-0340 MINUTES

Approve the following Meeting Minutes:

- October 3, 2023 Regular Meeting
- November 8, 2023 Regular Meeting
- April 9, 2024 Budget Public Policy Workshop

THIS CONCLUDED ITEMS APPROVED BY CONSENT

24-0334 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:

24-0260 PROPOSED CAPITAL PLAN FY2025-2029

Motion was made by Commissioner Leake, seconded by Commissioner Altman, and unanimously carried to Approve five-year Capital Improvement Plan for FY2025 through FY2029.

Background: Based on the projects submitted by the entities that receive capital funds from the County and the forecast of available funds, a five-year capital improvement plan is being presented to the Board for approval. At the start of each fiscal year, the Board of County

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Commissioners will be asked to approve a capital project ordinance that will authorize the specific projects for the year.

This item was pulled by Commissioner Leake for clarity and/or public awareness.

24-0295 BUDGET AMENDMENT – APPROPRIATION OF GENERAL FUND BALANCE TO IMPLEMENT PLAN REVIEW SYSTEM

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell, and unanimously carried to amend the FY2024 Adopted Budget Ordinance to appropriate \$300,000 from restricted General Fund Balance for transfer to the Code Enforcement Special Revenue Fund for Land Development’s share of the implementation of the plan review system.

Background: Land Use and Environmental Services Agency (LUESA) - Storm Water Services provides Land Development services on behalf of the six towns. These services include enforcement of the town’s zoning, subdivision, water quality, planning, floodplain, and other ordinances. Enforcing these ordinances involves performing plan review and issuing permits. LUESA - Code Enforcement also performs plan reviews and issues permits.

A few years ago, LUESA entered into a contract to replace the aging plan review system with a new system called Accela. Storm Water Services and Code Enforcement agreed to share in the costs for implementation. Storm Water Services agreed to pay up to \$400,000 towards the development of Accela using funds from the Land Development Reserves contained in the General Fund. The Land Development Budget Committee (an informal committee formed in 2010 made up of the six town managers and the County Director of Storm Water Services) also endorsed spending up to \$400,000 for implementation of Accela.

To date, Code Enforcement has paid for the implementation of Accela. Code Enforcement is requesting \$300,000 of funding for Accela implementation from Storm Water Services Land Development Reserves. This request will appropriate \$300,000 from the Land Development Reserves in the General Fund to Code Enforcement to pay for implementation of Accela.

This item was pulled by Commissioner Leake for clarity and/or public awareness.

24-0296 AMEND MINOR SYSTEM FEES FOR THE TOWN OF CORNELIUS

Motion was made by Commissioner Leake, seconded by Commissioner Altman, and unanimously carried to Schedule a public hearing for June 18, 2024, for the Minor System component of the Storm Water Fee for the Town of Cornelius.

Background: In 1994, the County implemented a Storm Water fee to fund the administration of storm water management programs to improve water quality, reduce flood losses and repair and or maintain the storm drainage system.

Minor System Component for municipal jurisdictions: By Interlocal Agreement, the minor system of the storm water system is defined as ditches, swales, pipes, etc. that drain less than 1 square mile and is the responsibility of the City inside the City limits and each Town inside the town limits. The revenue generated from the minor system component of the storm water fee charged within each municipal jurisdiction is returned to that jurisdiction to fund their storm water management programs.

As part of a Town-approved 4-year phased-in rate adjustment to cover the true expenditures of the implementing a storm water utility, the Town of Cornelius requests an increase to their minor system component of Storm Water fees.

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Mecklenburg County Storm Water Services requests a public hearing be set in accordance with the Storm Water Management Interlocal Agreement and State law for considering such increases.

This item was pulled by Commissioner Leake for clarity and/or public awareness.

24-0300 CONSOLIDATION OF CAPITAL RESERVE FUNDS

Motion was made by Commissioner Leake, seconded by Commissioner Griffin, and unanimously carried to close out capital reserve funds and consolidate amounts held for similar purposes by transferring amounts as indicated in the following table:

Fund	Name	Transfer Out	Transfer In
9003	700 E Stonewall O&M Fund	\$ 966,913.53	
9005	Sp Rev-County Facilities Fund	14,492,327.67	
9006	Freedom Mall Fund	808,439.14	
9007	Comm Dev Revolving Loan Fund	33,727.99	
9008	Park & Recreation Stewardship Fund	11,068.00	
9011	Preventive Maintenance Fund	624,093.22	
RSRV	10% Reserve Fund	674,994.00	
CNTY	County Funded Projects Fund	4,590,133.76	
9001	Capital Reserve Fund		659,999.90
9002	Public Golf Course Capital Reserve Fund		11,068.00
9009	Technology Reserve Fund		850,363.60
HLCR	Historic Landmark Revolving Fund		2,520,424.91
PAYG	Pay-As-You-Go Fund		18,159,840.90
		\$ 22,201,697.31	\$ 22,201,697.31

Background: This RFBA reflects accounting adjustments to reduce the number of capital reserve funds in an effort to consolidate amounts used for similar purposes. These adjustments will streamline accounting and financial reporting processes by consolidating amounts previously held in multiple funds in the County’s general ledger.

This item was pulled by Commissioner Leake for clarity and/or public awareness.

24-0303 BUDGET AMENDMENT – SHERIFF’S OFFICE SPECIAL REVENUE FUND (REVENUE AND EXPENSE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Altman, and unanimously carried to recognize and appropriate \$65,740.61 from seized assets to the Sheriff’s Office Special Revenue Fund (8521).

Background: Funds are generated from seized assets and will allow the Sheriff’s Office to enter into contracts and expend money in accordance with the Special Revenue Fund ordinance. The Sheriff’s Office received \$65,740.61 from three separate distributions for seized assets as part of the Equitable Sharing Program:

Case 20-658637: \$46,800.55

Case 23-703365: \$12,115.94

Case 23-703363: \$6,824.12

MECKLENBURG COUNTY
SHERIFF'S DEPARTMENT SPECIAL REVENUE FUND ORDINANCE

The following ordinance was offered by Commissioner James, who moved its adoption.

WHEREAS, as a result of changes to accounting guidelines, which no longer allow the use of an expendable trust fund, funds received for the Sheriff's Department Fund will be accounted for in a special revenue fund.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA:

Section I. That for the purpose of holding and accounting for funds collected through Jail commissary operations, funds distributed to the Sheriff's Department as a result of asset seizure by federal or state authorities, and funds that are the County's share resulting from the issuance of Concealed Carry Permits, as well as the remaining balances transferred from the Sheriff's Department Expendable Trust Fund, there is hereby created the Mecklenburg County Sheriff's Department Special Revenue Fund.

Section II. The County Director of Finance is authorized to receive and place into this special revenue fund any funds generated by the Jail commissary, funds distributed to the Mecklenburg County Sheriff's Department as the result of asset seizure by federal or state authorities, and funds that are the County's share resulting from the issuance of Concealed Carry Permits, as well as the remaining balances transferred from the Sheriff's Department Expendable Trust Fund.

Section III. The County Director of Finance is authorized and directed to invest and reinvest funds in the Special Revenue Fund, and to account for said funds to the Mecklenburg County Board of Commissioners in the annual financial report and at such other times as may be requested by the Board of Commissioners.

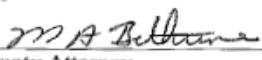
Section IV. The County Director of Finance shall hold such funds in the above described Special Revenue Fund until such time as expenditures are approved by the Mecklenburg County Sheriff or his designee, pursuant to applicable federal and state laws and regulations.

The motion to adopt the foregoing ordinance was made by Commissioner Clarke and adopted this the 21st day of May 2002 by the following vote:

Ayes: Commissioner Becky Carney
Commissioner Dumont Clarke
Commissioner Tom Cox
Commissioner H. Parks Helms
Commissioner Bill James
Commissioner Norman A. Mitchell, Sr.
Commissioner Jim Puckett
Commissioner Ruth Samuelson
Commissioner Darrel Williams

Noes:

Approved As To Form:


County Attorney

This item was pulled by Commissioner Leake for clarity and/or public awareness.

24-0312 CONSTRUCTION CONTRACT – PARK ROAD PARK PAVILION

Motion was made by Commissioner Leake, seconded by Commissioner Meier, and unanimously carried to award a construction contract to Miles-McClellan Construction Company, Inc. in the amount of \$2,034,000.00.

Background: This contract is for a New Indoor Pavilion at Park Road Park located at 6220 Park Road, Charlotte, NC 28211. The indoor pavilion will include meeting and event space, a warming kitchen, restrooms, and storage. Site work includes new sidewalks, trails, landscaping, and resurfacing of an existing parking area.

This item was pulled by Commissioner Leake for clarity and/or public awareness.

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24-0319 RESEARCH DRIVE DONATION – DOBY CREEK GREENWAY

Motion was made by Commissioner Leake, seconded by Commissioner Powell, and unanimously carried to accept donation of Tax Parcel 047-141-12 (+/- 2.830 acres) for incorporation into the future County-owned Doby Creek Greenway.

Background: The subject property owner, SREE UNCC Hotel Partners, LLC, has proposed to donate Tax Parcel 047-141-12 (+/- 2.830 acres) for required rezoning purposes. The land is next to a tributary to Doby Creek, off of Research Drive, and next to WT Harris Blvd., making this property highly desirable for Park and Recreation.

The Donation by SREE UNCC Hotel Partners, LLC will allow the County to construct the greenway in this area and provide access for both the Research Drive area and the surrounding neighborhoods. 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.

This item was pulled by Commissioner Leake for clarity and/or public awareness.

24-0322 REVALUATION RESERVE FUND APPROPRIATION

Motion was made by Commissioner Leake, seconded by Commissioner Altman, and unanimously carried to amend the FY24 Annual Budget Ordinance to appropriate \$173,346 of fund balance held in the Revaluation Reserve Fund for transfer and appropriation to the General Fund (0001) for revaluation expenses within the County Assessor's Office.

Background: Funds have been approved for the Revaluation Reserve Fund. This action provides for the expenditures by the Assessor for enhancements for the appeal module and new sector maps to capture images of 325 and 279 sectors of imagery-neighborhoods. This funding will also include legal expenses, subscriptions, publications, mailings, casual labor, and additional third-party resources utilized to ensure timely and accurate completion of the 2023 revaluation in accordance with NC.G.S. 105-286.

COMMISSIONER REPORTS

24-0335 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 Meier, seconded by Commissioner Rodriguez-McDowell, and unanimously carried, that there being no further business to come before the Board that the meeting be adjourned at 6:57 p.m.