

**Meeting Minutes  
February 07, 2023**

**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, February 7, 2023.

**ATTENDANCE**

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

**Absent:** County Manager Dena R. Diorio

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**-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:

**23-0044** Commissioner Leake

**23-0067** Commissioner Leake

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**23-0070** Commissioner Leake

**23-0072** Commissioner Leake

**23-0080** Commissioner Leake

**23-0089** Commissioner Leake

### **STAFF BRIEFINGS - None**

#### **23-0003      CLOSED SESSION**

Motion was made by Commissioner Jerrell, seconded by Commissioner Griffin, and unanimously carried (9-0), to go into Closed Session for the following purpose(s): Land Acquisition, and Consult with Attorney.

*The Board went into Closed Session at 5:13 p.m. and came back into Open Session 6:05 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 Altman, followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.*

#### **23-0003      CLOSED SESSION**

Motion was made by Commissioner Leake, seconded by Commissioner Griffin, and carried unanimously to authorize the County Manager to negotiate and execute all documents necessary for the acquisition of tax parcel 007-271-10, (+/- 27.44 acres) from the heirs of Thelma Hager Armstrong for a purchase price of \$4,100,000.

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell, and carried unanimously to accept the offer of sale of a real estate from Mary Roem and Bobby Nguyen, owners of tax parcel 167-221-57 located at 6429 Mountain Rock Road, Charlotte, NC and

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authorize the County Manager to negotiate and execute all documents necessary for the acquisition for a purchase price of \$340,000.

Motion was made by Commissioner Leake seconded by Vice Chair Powell and carried unanimously to, accept the offer of sale of real estate from Thien Nguyen and Thu Thi Vu. Owners of tax parcel 167-221-22 located at 6525 Mountain Rock Road, Charlotte, and authorize the county manager to negotiate and execute all documents necessary for the acquisition for a purchase price of \$310,000.

**AWARDS/RECOGNITION - NONE**

**PUBLIC ART MOMENT - NONE**

**23-0086-                      PUBLIC APPEARANCE**

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

**1. Rutwa Patil- Group:** Claire Chen, Ethan Zhang, Ravish Seth, Meher Seth, and Brendan Zhang.  
Topic- Metrolina Regional Scholar Academy- food desert project.

**2. Robert Lewis- Group:** Winston Sharpe  
Topic- ARPA funding- C.W Williams Community Health Center Inc.

**3. James Wankel                      Topic-** ARPA funding- financial improprieties investigation of CW Williams Community Health Center Inc.

**4. Gail Wells- Group:** Nicholas Contreras, Jessica Moreno, Linda Dianne Johnson, April Evelyn Lewis, Lathan Welker  
Topic- Corporate landlords.

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**APPOINTMENTS**

**22-7945          APPOINTMENTS- ALCOHOLIC BEVERAGE CONTROL BOARD**

Nominations were needed for the Alcoholic Beverage Control Board to fill two (2), three-year terms expiring June 30, 2026.

The following were nominated:

Marcus Kimbrough	Commissioner Cotham
Lloyd Scher	Commissioner Cotham
Sandra Stinson	Commissioner Griffin
Beverly Thorpe	Vice Chair Powell

Chair Dunlap said Commissioner Griffin would chair the interview committee for the Alcoholic Beverage Control Board, and Commissioners Altman, Jerrell, and Cotham would also be included as interview committee members.

**22-7978          APPOINTMENTS- HUMAN RESOURCES ADVISORY COMMITTEE**

Nominations/Appointments were needed on the Human Resources Advisory Committee to fill three (3) unexpired terms expiring June 30, 2023.

*Note: Carol Ashby, Carole Isom-Barnes, and Cezanne Cody resigned.*

Motion was made by Commissioner Rodriguez-McDowell, seconded by Commissioner Jerrell, and unanimously carried (9-0), to appoint Olivia Atwood, Tom Bowers, and Sharon Matthews, to the Human Resources Advisory Committee, for three (3) unexpired terms expiring June 30, 2023.

**23-0059          APPOINTMENTS- CITIZENS TRANSIT ADVISORY GROUP**

Nominations/Appointments were needed for the Citizens Transit Advisory Group for two (2) two-year terms expiring June 30, 2025.

Motion was made by Commissioner Leake, seconded by Commissioner Meier, and unanimously carried (9-0), voting yes, to nominate and appoint Jalonda N. Dunlap, and Martin L. Wheeler, to the Citizens Transit Advisory Group, for two (2) two-year terms expiring June 30, 2025.

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Chair Dunlap said he was made aware that a chair needed to be appointed to the Alcoholic Beverage Control Board. There was discussion among the Board as to whom to appoint.

Motion was made by Commissioner Altman, seconded by Commissioner Meier, and failed (4-5), with Commissioners Powell, Altman, Meier, and Rodriguez-McDowell voting yes, and Commissioner Jerrell, Griffin, Cotham, Dunlap, and Leake, voting no, to defer the matter of voting for a Chair of the Alcoholic Beverage Control Board until a future date.

Motion was made by Chair Griffin seconded by Commissioner Leake, and carried (7-2), with Commissioners Jerrell, Cotham, Griffin, Dunlap, Altman, Leake, and Meier, voting yes, and Commissioners Powell, and Rodriguez-McDowell, voting no, to appoint Monifa Drayton as the Chair of the Alcoholic Beverage Control Board.

### **23-0073      APPOINTMENTS- TRANSIT SERVICES ADVISORY COMMITTEE**

An appointment was needed on the Transit Services Advisory Committee to fill one (1) three-year term expiring January 31, 2026. Robert Moran was the only applicant and was eligible for appointment.

Motion was made by Commissioner Leake, seconded by Commissioner Rodriguez-McDowell, to nominate and appoint Robert Moran.

Commissioner Altman said bus riders from the west side were needed for representation on this Board and asked that the Board consider tabling this appointment to see if they could get representation from District 2.

Motion was made by Commissioner Altman, seconded by Commissioner Jerrell, and unanimously carried (9-0), voting yes, to postpone the appointment to the Transit Services Advisory Committee, for a one (1) three-year term expiring January 31, 2026, until the first meeting in March.

### **23-0082      REVISED: APPOINTMENTS - INDUSTRIAL FACILITIES & POLLUTION CONTROL FINANCING AUTHORITY**

Reappointments are needed on the Industrial Facilities and Pollution Control Financing Authority for six (6) six-year terms. Paige Burgess, Robert Griffin, David Jones, Rob Kidwell, Luther T.

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Moore, Rick Sanderson, and Charles Stewart have served on the Authority before and are willing to continue.

*Background: Reappointments needed on the above said board. In 1976, pursuant to NCGS § 159C-4, the Mecklenburg Board of Commissioners established "The Mecklenburg County Industrial Facilities and Pollution Control Financing Authority" ("the Authority") to act as a conduit bond issuer for industrial development bonds to finance new and expanding businesses in the County. The Authority consisted of seven members appointed by the Board of County Commissioners who would serve six-year terms. The Authority was authorized under the Act to issue revenue bonds for the purposes authorized by the Act. In 2007 the Act was amended to broaden the scope of the Authority's powers to include the issuance of bonds for the benefit of various nonprofit entities and purposes, referred to in the Act as "special purpose projects." In 2010, the Authority issued its Special Purpose Project Revenue Bond (Thompson Child & Family Focus Project), Series 2010A in the amount of \$2,440,000 and its Special Purpose Project Revenue Bond (Thompson Child & Family Focus Project), Series 2010B in the amount of \$9,120,000 (collectively, the "2010 Bonds") pursuant to a bond purchase and loan agreement that was executed on October 1, 2010 between the AUTHORITY, BRANCH BANKING AND TRUST COMPANY ("BB&T," now Truist), the "Purchaser" and THOMPSON CHILD & FAMILY FOCUS, a North Carolina nonprofit corporation (the "Borrower"). The proceeds of the 2010 Bonds were loaned to the Borrower to refund and retire the outstanding principal amount of the bonds previously issued by the North Carolina Capital Facilities Finance Agency in 2000 to finance various capital projects of the Borrower. The 2010 Bonds bear interest at a floating rate based on the London Interbank Offered Rate (One Month LIBOR), which is a benchmark interest rate for many adjustable-rate mortgages, business loans, and financial instruments traded on global financial markets. One Month LIBOR is expected to be phased out in June, 2023; therefore, the Purchaser and the Borrower need to amend the applicable documents in order to change the applicable benchmark interest rate for the 2010 Bonds from a LIBOR based rate to one based on the Secured Overnight Funds Rate (SOFR). Since the SOFR based rate is expected to be the same equivalent rate as the LIBOR based rate, the Local Government Commission (LGC) does not require approval for the change (although they will note it on their information agenda once completed). Since the referenced interest rate is in the bond documents, it requires an amended document signed by the Authority. The last appointments to the Authority were made December 17, 2013, and thus the terms expired in 2019, therefore there are no active members of the Authority. Therefore, it is necessary for the BOCC to appoint or reappoint members to the Authority to approve and execute the necessary documents to change the benchmark interest rate and take any other appropriate action as necessary. As with all bonds issued by the Authority, all costs are paid by the Borrower. Neither the Authority nor the County is responsible for the repayment of the bonds, but having the Authority as the issuer makes them tax exempt, which lowers the cost of the debt. No further action with respect to the 2010 Bonds is required by the BOCC.*

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Motion was made by Commissioner Powell, seconded by Commissioner Griffin, and unanimously carried (9-0) to reappoint Paige Burgess, Robert Griffin, David Jones, Rob Kidwell, Luther T. Moore, Rick Sanderson, and Charles Stewart to the Industrial Facilities and Pollution Control Financing Authority, for six (6) six-year terms.

### **PUBLIC HEARINGS – 6:30 PM**

#### **23-0081 BUSINESS LOCATION AND EXPANSION - ALBEMARLE CORPORATION**

Motion was made by Commissioner Meier seconded by Commissioner Rodriguez-McDowell, and unanimously carried (9-0), to open the public hearing to receive comments on a proposed Business Investment Program grant to the Albemarle Corporation.

Shahid Rana, Sr. Program Manager, Office of Economic Development gave the presentation.

No Speakers were present.

*Background: Albemarle Corporation (NYSE: ALB), is headquartered in Charlotte, NC. With a history that extends back to 1887, Albemarle is a leading global producer of Lithium, Bromine, and Catalyst solutions. As of 2020, Albemarle was the largest provider of lithium for electric vehicle batteries.*

*Albemarle employs approximately 5,600 individuals and serves customers in approximately 100 countries.*

*This project is for an advanced materials research, process development, and product innovation facility intended to develop and bring next generation products to market in the lithium and battery space.*

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

- *A taxable investment of up to \$200 million to be completed in the next seven years*
- *Creation of 205 new jobs with an average wage of \$87,381 (which is equal to 100% of the average SOC codes for each job position for the Charlotte-Gastonia-Rock Hill M.S.A.).*
- *There is competition for this project from Rock Hill, SC.*

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

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

*The Board of County Commissioners indicated their intent to approve this grant in a closed session on November 15, 2022.*

*The City of Charlotte has committed to a Business Investment Program grant for the terms of- 12 years, 90% for a not to exceed the amount of \$7,239,818.*



**Public Hearing**

**Business Investment Program Grant**



Albemarle Corporation



**Public Hearing**

**Business Investment Program Grant**

Albemarle Corporation



**About the Company**

- Albemarle Corporation (NYSE: ALB), is headquartered in Charlotte, NC.
- With a history that extends back to 1887, Albemarle is a leading global producer of Lithium, Bromine and Catalyst solutions.
- As of 2020, Albemarle was the largest provider of lithium for electric vehicle batteries.
- Albemarle employs approximately 5,600 people and serves customers in approximately 100 countries.
- This project is for an advanced materials research, process development and product innovation facility intended to develop and bring the next generation of products to market in the lithium and battery space.
  - The new facility will not require any Prevention of Significant Deterioration (PSD) permitting through the EPA for chemical emissions.



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**Public Hearing**

**Business Investment Program Grant**

Albemarle Corporation



**Project Details**

- **\$200m in new taxable investment**
  - \$185m in real estate
  - \$15m personal
- **205 New Employees**
  - (\$87,381 Average Wage)
- **Existing Industry**
  - 432 HQ Employees

**Other Details**

- 6800 Soletron Drive, Charlotte, NC.
- Research and Technology Park
- University City Area
- Competitive Location: Rock Hill, SC.



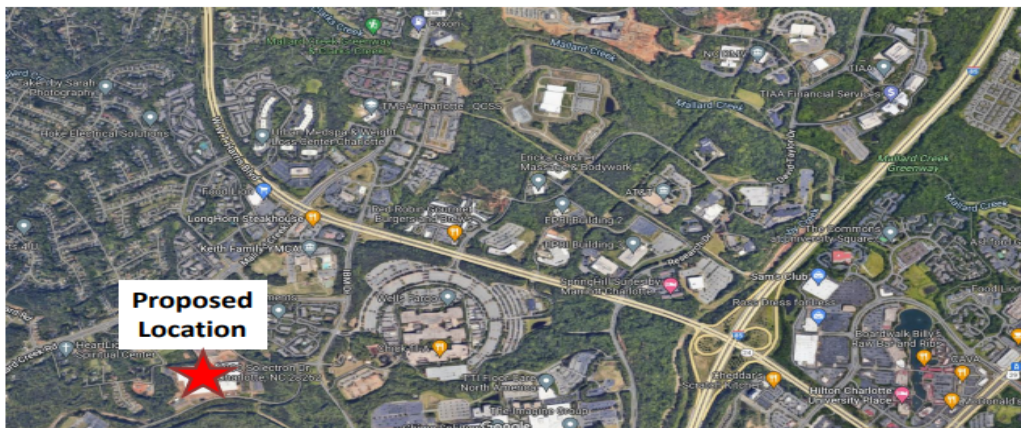
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**Public Hearing**

**Business Investment Program Grant**

Albemarle Corporation



**Proposed Location: 6800 Soletron Drive, Charlotte, NC 28262**



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**Public Hearing**

Business Investment Grant Program

Albemarle Corporation



**Community Engagement and Corporate Culture**

- **Full benefits and training opportunities**
  - 99% of all employees completed Ethics and Compliance training
- **Focuses on DEI Initiatives**
  - 3 out of 9 Board members identify as Black or Hispanic
  - Roughly 24% of employees identify as Non-white (Increase from 21% in previous year)
- **Global sustainability advocacy**
- **Local community initiatives (Albemarle Foundation)**
  - In 2021, committed \$100,000 to SHARE Charlotte's SHINE program to help Black-led and Black-benefiting non-profit organizations
  - In 2018, Albemarle Foundation announced a \$10 million education initiative in Charlotte, North Carolina. The Foundation's gift was matched by another \$10 million grant from Bank of America
  - Literacy and Youth Programs YMCA Charlotte – (Albemarle Foundation)




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**Public Hearing**

Business Investment Program Grant


Albemarle Corporation



**Partner Incentives**

Partner	Terms	Amount
<b>County*</b>	<b>7yr/50%</b>	<b>\$4,201,706</b>
City of Charlotte	12yr/90%	\$7,239,818
State JDIG	-	\$1,359,750
State Sales Tax Exemption M&E	-	\$1,012,500
State Job Training	Up to \$2,000 Per	\$410,000
<b>Total</b>		<b>Est. -\$14,223,774</b>

\*Large Impact Grant (5yr-50%) + 2yr (Business Expansion)= 7yr-50%



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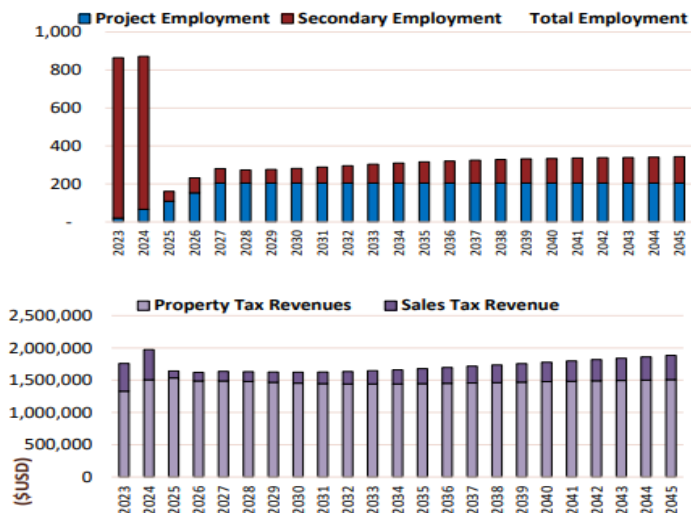
Public Hearing

Business Investment Program Grant

Albemarle Corporation

Project Impacts

- The project is expected to induce an additional **72 jobs** by the end of the seven-year term.
- The project is expected to induce an additional **\$160,991** in sales tax revenue by the end of Year 7.



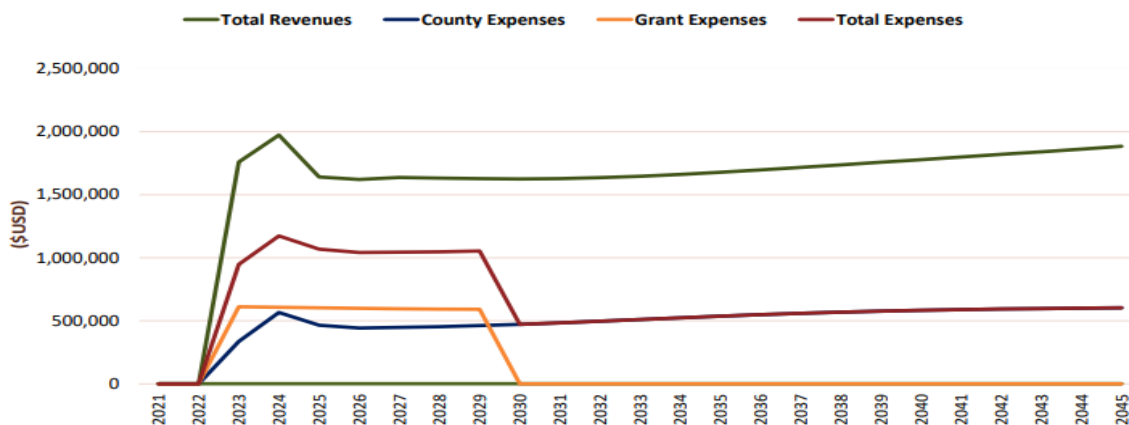
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Public Hearing

Business Investment Program Grant

The Albemarle Corporation is expected to net the County **\$573,681** in revenue in the final year of the grant term for a cumulative net of **\$4,513,580** over seven years.



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Based on a 7-year, 50% BIP Grant - \$4,201,706

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**Public Hearing**

Business Investment Program Grant

Albemarle Corporation



**BOCC Action**

- Adopt a resolution approving a **7-year, 50%** Business Investment Program Grant to the **Albemarle Corporation** in the amount not to exceed **\$4,201,706** and for the County Manager to negotiate and execute a contract.



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A wide banner image showing a collage of Mecklenburg County landmarks, including a historic house, modern skyscrapers, and a bridge, all in a blue-tinted style.The official seal of Mecklenburg County, North Carolina, centered on a dark blue background.

Business Investment Program Grant

**Public Hearing**

Mecklenburg Board of County Commissioners  
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**MECKLENBURG COUNTY BOARD OF COMMISSIONERS  
RESOLUTION  
APPROVING BUSINESS INVESTMENT PROGRAM GRANT  
FOR THE ALBEMARLE CORPORATION**

**WHEREAS**, Albemarle Corporation is seeking to expand its operations in North Carolina, a new facility for advanced materials research, process development, and product innovation facility intended to develop and bring next-generation products to market in the lithium and battery space, including customer-shared co-development offerings; and

**WHEREAS**, the company evaluated sites in Rock Hill, SC; and

**WHEREAS**, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the County of Mecklenburg, the Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on November 15th, 2022, and as authorized by the Board, the County communicated this information to the company; and

**WHEREAS**, taking into consideration the Board's stated intent to make an economic development grant, the company subsequently decided to expand operations in Mecklenburg County. The project will include a capital investment of approximately \$200 million and will create 205 new jobs within five years at an average annual salary of approximately \$87,381. The Business Investment Program grant is a 50% grant over 7 years, with a not to exceed the amount of \$4,201,706. The grant will be subject to the County's standard contract provisions, including compliance requirements for the company related to job creation targets and claw back provisions; and

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

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

ADOPTED the \_\_\_\_ day of \_\_\_\_\_, 2023

Approved as to Form:

\_\_\_\_\_  
Clerk to the Board

\_\_\_\_\_  
County Attorney

***Resolution recorded in full in Ordinance Book 51, Document # 80.***

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Comments

***Commissioner Jerrell left the dais at 7:05 p.m. and returned at 7:11 p.m.***

Commissioner Griffin said he did not want to violate any code of ethics or have a conflict of interest, but he wanted to know if he could set a tour of the Albemarle facility. *Chair Dunlap said he thought the facility would be happy to have him visit.*

Commissioner Rodriguez-McDowell said the Economic Development Committee was all in favor of the proposed project, and the committee was excited and appreciative of what they learned about the corporation, particularly emphasizing the percentage over the SOC (Standard Occupational Code) average mentioned on slide 6.

Commissioner Leake asked where the training for the facility workers would take place. *Mr. Rana said the training of employees would take place at CPCC (Central Piedmont Community College) and the allocated \$410,000 would cover training expenses.*

Commissioner Leake further inquired about the areas covered in the training. *Mr. Rana explained that specifics would be determined later based on the actual job positions.*

Commissioner Cotham thanked Mr. Rana for his presentation. She said it was important for the public to know that the company being supported was a local company. She wanted the community to see that support was not only always given to outside companies, but local companies as well.

Commissioner Jerrell said the organization being supported embodied the values the Board stood for. He said it was important for the community to know that the Board was not just co-signing deals, they were aligning themselves with companies that had very similar systems that the community residents had.

Commissioner Meier said an investment being made in an organization like the one presented was a return on investment the residents would be able to measure.

Motion was made by Commissioner Rodriguez-McDowell, seconded by Commissioner Meier, and carried (8-1) with Commissioners Altman, Cotham, Dunlap, Griffin, Jerrell, Leake, Meier, and Rodriguez-McDowell, voting yes, and Commissioner Powell voting no, to close the public hearing and adopt a Resolution approving a Business Investment Program grant to the Albemarle Corporation for a not to exceed amount of \$4,201,706 and authorize the County Manager to negotiate and execute the contract.

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**ADVISORY COMMITTEE REPORTS - NONE**

**MANAGER'S REPORT - NONE**

**DEPARTMENTAL DIRECTORS' MONTHLY REPORTS - NONE**

**STAFF REPORTS & REQUESTS**

**23-0084 MECKLENBURG COUNTY BOARD OF COMMISSIONERS' 2023 LEGISLATIVE AGENDA**

The Board received information to discuss and adopt the Board's 2023 Legislative Agenda.

Starla Tanner, Intergovernmental Affairs Manager, gave the presentation.

*Background: The Proposed 2022 Legislative Agenda will be considered by the Intergovernmental Relations Committee on February 2, 2023, and subsequently presented to the full board for consideration and approval. The Legislative Agendas will also be shared with the Mecklenburg County Legislative and Congressional Delegations.*

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**Board of County Commissioners Meeting**

Proposed 2023 Legislative Agenda  
Starla Tanner, Intergovernmental Affairs Manager

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Presentation  
Overview

Congressional Delegation Members

Highlights: Congressional Issues

State Delegation Members

Highlights: State Issues

2023 Proposed Legislative Agenda



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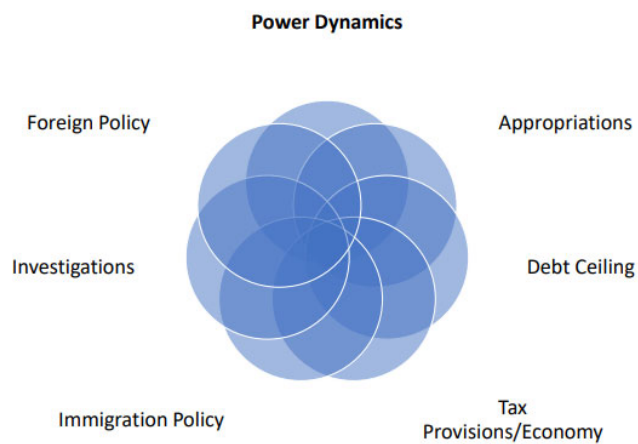
## Congressional Delegation



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## 118<sup>th</sup> Congress



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## State House Legislative Delegation



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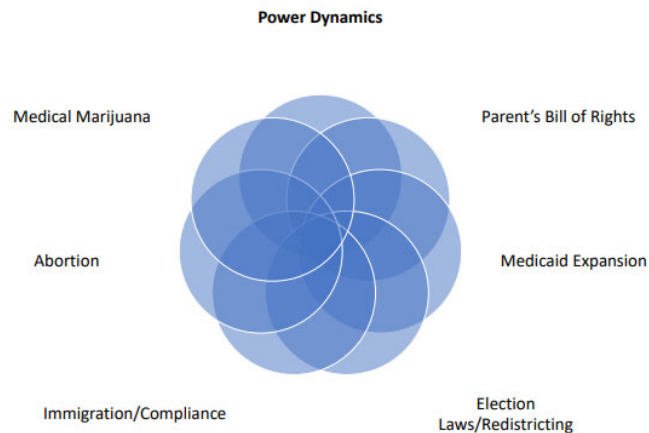
## State Senate Legislative Delegation



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## 2023 Legislative Long Session



## Guiding Legislative Principles

- 1) Support legislation that grants counties greater flexibility.
- 2) Support legislation that provides funding to counties.
- 3) Oppose legislation that removes authority from counties.
- 4) Oppose legislation that creates unfunded mandates directly or indirectly shifts costs to counties.
- 5) Support Equity and Inclusion Efforts.





## 2023 Legislative Agenda Planning



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### 2023 Legislative Agenda

Education

Health and Human Services

Community

Environment



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## Education

- Support funding for education that is not based on the economic development tier system and that recognizes the needs of rural and urban counties.
- Support fully funding the Leandro case court-ordered comprehensive remedial plan without supplanting or reducing existing funding measures.
- Support raising the income eligibility thresholds and reimbursement rates for the NC Pre-K program to align with changes in wages, labor force demands and cost of living.

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## Health and Human Services

- Support expansion of Medicaid and operational flexibility for public assistance programs.
- Support funding and policies that address housing security such as access to affordable housing, examining the impact of investor-owned properties and increasing the Homestead Act threshold to support older adults aging in place.
- Support immigration policies that address needs of immigrant families as well as strengthen our economy and workforce.
- Support funding and policies addressing increased access to care including, primary and behavioral care, early childhood development and federal qualified health centers (FQHCs).
- Advocate for policies and additional resources that assist initiatives related to reducing community violence and increasing public safety.





## Community

- Support funding and policies addressing residential “orphan” roads in unincorporated areas.
- Support policies and funding that advance digital inclusion and access to technology.
- Support funding and policies that promote attracting and retaining a talented workforce and increase workforce development opportunities.
- Support increased Judicial Branch funding to expand local jurisdiction staffing capacity to align with caseload ratios as recommended by national court practice standards.



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## Environment

- Support local control over stormwater mitigation and repeal of state laws restricting guidelines on redevelopment projects.
- Support funding and policies tackling needs addressed in the Mecklenburg Environmental Action Plan such as,
  - pollution reduction
  - resource conservation
  - solid waste
  - climate preparedness
  - equal protection and enforcement of environmental laws
  - regulations including using a racial equity lens when implementing actions and during environmental decision-making.
- Support expanding the regulatory definition of transportation to include an active multi-modal transportation network such as shared use paths, greenways, trails, protected bike and pedestrian lanes, sidewalks, and public transit.



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## Legislative Engagement Strategy

Maintain proactive, responsive, and strategic engagement with delegation members, regulatory agencies and stakeholders.

- Annual Delegation Breakfast
- National Assn. of County Officials Legislative Conference
- NC Assoc. of County Commissioners County Assembly Day
- Regulatory/Agency Meetings
- Board and Commissions Membership
- District Events



## Legislative Agenda Timeline

Date	Event
Jan. 19	Initial IGR Legislative Agenda Planning Discussion
Jan. 25	State Legislature Reconvened
Feb. 2	IGR Committee Considered and Approved Recommended Legislative Agenda
Feb. 7	BOCC Meeting Legislative Agenda Consideration
Feb. 11-14	NACo Legislative Conference
TBD	Legislative Delegation Meeting
TBD	NC Association of County Commissioners Assembly Day



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Thank you



### Guiding Legislative Principles

Support Greater Flexibility for Counties  
Support Equity and Inclusion Efforts  
Oppose Removal of Authority from Counties

Support Funding to Counties  
Oppose Unfunded Mandates or Cost Shifts

### 2023 Legislative Agenda

#### Education

Support funding for education that is not based on the economic development tier system and that recognizes the needs of rural and urban counties.

Support fully funding the Leandro case court-ordered comprehensive remedial plan without supplanting or reducing existing funding measures.

Support raising the income eligibility thresholds and reimbursement rates for the NC Pre-K program to align with changes in wages, labor force demands and cost of living.

#### Health and Human Services

Support expansion of Medicaid and operational flexibility for public assistance programs.

Support funding and policies that address housing security such as access to affordable housing, examining the impact of investor-owned properties, and increasing the Homestead Act threshold to support older adults aging in place.

Support immigration policies that address needs of immigrant families as well as strengthen our economy and workforce.

Support funding and policies addressing increased access to care including, primary and behavioral health, early childhood development, and federal qualified health centers (FQHCs).

Advocate for policies and additional resources that assist initiatives related to reducing community violence and increasing public safety.

2/2/2023 IGR Committee Recommendations

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### Community

Support funding and policies addressing residential “orphan” roads in unincorporated areas.

Support policies and funding that advance digital inclusion and access to technology.

Support funding and policies that promote attracting and retaining a talented workforce and increase workforce development opportunities.

Support increase in funding to the Judicial Branch that will allow local jurisdictions to expand staffing capacity to align with caseload ratios as recommended by national court practice standards.

### Environment

Support local control over stormwater mitigation and repeal of state laws restricting guidelines on redevelopment projects.

Support funding and policies tackling needs addressed in the Mecklenburg Environmental Action Plan such as, pollution reduction, resource conservation, solid waste, climate preparedness, equal protection and enforcement of environmental laws and regulations including using a racial equity lens when implementing actions and during environmental decision-making.

Support a regulatory definition of transportation that includes an active multi-modal transportation network such as shared use paths, greenways, trails, protected bike and pedestrian lanes, sidewalks, and public transit.

2/2/2023 IGR Committee Recommendations

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Comments

Commissioner Jerrell thanked the IGR committee members for robust conversations and meetings around the planning of the agenda. He said the feedback via Zoom, in person, and through community engagement was useful in helping to develop the agenda. He said the work could not have been done without staff that assisted in the planning of the agenda as well.

Commissioner Altman thanked the IGR committee for all their work on the Agenda, and to Mrs. Tanner for the incredible amount of work done from her end. She said she wanted to have future considerations be made for expanded innovation waivers and the funding of managed lanes for roads.

Vice Chair Powell asked if the alignment document could be further explained, emphasizing the importance of including solid waste management in the environment category. *Mrs. Tanner said they were creating a document that showed where there were shared priorities between entities like the County, City, and CMS and their agendas. She said this was being developed so they would all collaborate and advocate together, to strategize and build coalitions beyond just Mecklenburg County to further expand their reach. She said the document would be available in the next few weeks after those other organizations completed their agendas.*

Commissioner Leake thanked Mrs. Tanner for all her work in the preparation of the agenda process. She said she was concerned about the gas taxes the community residents paid over the years. She continued to discuss the allies that were in Washington, DC, and Raleigh, NC advocating for the agenda items and how their work was imperative to the success of the agenda.

Commissioner Cotham asked out of the items on the list, what would be the top five priorities. *Mrs. Tanner said she would keep the Board updated on the potential for items on the agenda. She said the priorities change throughout the session depending on the leadership and what their priorities were.*

Chair Dunlap said he had two concerns, the number of priorities that were listed in the agenda, and the language used in the agenda for funding education. *Mrs. Tanner explained how the language could be adopted to be better aligned with what the County Commissioners Association had in their documents as it related to Education funding.*

Chair Dunlap asked the IGR Committee members if they were amenable to adopting the State Association's definition when it came to the language around funding education. *Commissioner Jerrell said the framework was presented to this Board for comment and suggestions so that they were presenting something that reflects what the Board would like and what would get something done.*

## **Meeting Minutes**

### **February 07, 2023**

Chair Dunlap explained that the committee realized that Mecklenburg County was penalized in budget seasons previously because they used a tier system to determine the funding allocation. so it didn't want to use that. He said we're asking them to use a different method than the tier system, and the language used by the NCACC spoke to the same issue and was more palatable.

Commissioner Leake, Chair Dunlap, and Mrs. Tanner discussed the language used in the agenda when it came to the tier system and funding allocations.

Commissioner Rodriguez-McDowell said the current language used in the agenda as it related to education funding was more direct and shorter. She said all the items they had listed in the PDF document were an opportunity to speak to the community about items that meant a lot to the Board. She said all items should be submitted.

Chair Dunlap said he had found from both sides of the aisle people will listen if the wording was appropriated correctly. He said you had to get buy-in.

Motion was made by Chair Dunlap, seconded by Commissioner Altman, to substitute the language NCACC uses as opposed to the language in the first item.

Commissioner Jerrell asked if the current language on the first item mirrored the CMS language. *Mrs. Tanner said it did align with their priority, but how it was formatted might be different, but it did reference the economic tier system in their legislative agenda.*

Vice Chair Powell said she believed in optimism. She said she had a deep respect for everyone's comments. She said she agreed that the language regarding education funding should be changed.

Commissioner Griffin said it was a dynamic process, and the Board had to be able to move with what was currently happening. He said they had to be focused and flexible to get their needs met.

Chair Dunlap said once the agenda was adopted, Ms. Tanner would reduce it to writing. The delegation would decide if they wanted to push one, or all, or none of those priorities. He said without their support, it didn't get on the floor in Raleigh.

Motion was made by Chair Dunlap, seconded by Commissioner Altman, and failed (4-5), with Commissioners Cotham, Powell, Dunlap, and Altman voting yes, and Commissioners Jerrell, Griffin, Leake, Meier, and Rodriguez McDowell, voting no, to substitute the language NCACC uses as opposed to the language in the first item.

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Motion was made by Commissioner Altman, seconded by Commissioner Meier, and unanimously carried (9-0), voting yes, to adopt the 2023 Legislative Agenda as presented.

**COUNTY COMMISSIONERS REPORTS & REQUESTS**

**23-0048      BOARD EMPLOYEE RELATIONS (PROTOCOL)**

The Board received information to approve revised Board-Employee Relations (Policy and Protocol) for the investigation of complaints made by County employees, Board members (elected or appointed), or vendors regarding alleged harassment, threats, intimidation, etc.

Tyrone C. Wade, County Attorney, gave the presentation.

*Background: The Board adopted a Board - Employee Relations policy on October 4, 2011, revised on January 18, 2023, which established a protocol for the investigation of complaints made by County employees, board members (elected or appointed), or vendors regarding allegations of harassment, threats, intimidation, etc., by a member of the Board of County Commissioners or a member of any board or commission appointed by the Board of County Commissioners and for sanctions the Board of County Commissioners may impose in response to substantiated allegations of harassment. It is necessary to revise the current policy and protocol, to more accurately define terms and address issues brought before the Board.*

## Board-Employee Relations (Policy & Protocol)

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### ANTI-HARASSMENT POLICY AND COMPLAINT PROCEDURE

#### PREAMBLE

Mecklenburg County is committed to providing a work environment that is free of all forms of conduct that can be considered harassing, threatening, coercive, bullying, intimidating, or oppressive and to create and maintain a work and business environment in which all people, including staff, employees, vendors, and board members (elected or appointed), are treated with dignity, decency, and respect.

Managing investigations and sanctions regarding any complaint of harassment, intimidation, bullying, or threats, etc., by a member of the Board of County Commissioners or a member of a board or commission appointed by the Board of County Commissioners is of utmost priority.

Objective: To establish a policy and protocol for the investigation of complaints made by County employees, board members (elected or appointed), or vendors regarding alleged harassment, threats, intimidation, etc., by a member of the Board of County Commissioners or a member of any board or commission appointed by the Board of County Commissioners and for sanctions the Board of County Commissioners may impose in response to substantiated allegations of harassment.

#### Policy:

1. The Board of County Commissioners will not tolerate or condone harassment of County employees, vendors, or other board members, by members of the BOCC or members of boards or commissions appointed by the Board of County Commissioners, including but not limited to harassment based on race, religion, color, sex, national origin, sexual orientation, age, disability, or political affiliation.
2. The Board of County Commissioners will make every effort to address and prevent harassment, threats, discrimination, or unlawful retaliation in the workplace. The Board of County Commissioners believes that such efforts are necessary for productive working relationships within the organization.
3. Members of the Board of County Commissioners and members of boards or commissions appointed by the Board of County Commissioners should conduct themselves in a manner that assists Mecklenburg County in complying with Title VII of the Civil Rights Act of 1964 (as amended), the Age Discrimination in Employment Act, the Americans with Disabilities Act, and any other applicable nondiscrimination law.
4. Any substantiated allegation of harassment of a County employee, vendor or other board member will be subject to appropriate sanction(s) as set forth in this policy and protocol.

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### Definition of Harassment:

Harassment other than sexual, is any verbal or physical conduct, including threats, bullying, discriminatory, or coercive behavior that denigrates or shows hostility or aversion toward an individual because of, among other things, race, color, religion, gender, national origin, age, disability, sexual orientation or political affiliation, which has the purpose or effect of creating an intimidating, hostile, or offensive work environment or interferes with an individual's work performance or otherwise adversely affects an individual's employment opportunities.

Sexual harassment includes unwelcomed sexual advances, requests, for sexual favors, or other verbal, visual or physical conduct of a sexual nature including jokes or comments that might be considered offensive.

Harassing conduct includes, but is not limited to: epithets, slurs, negative stereotyping, or threatening, intimidating, coercive or hostile acts that relate to race, color, religion, gender, national origin, age, disability, sexual orientation or political affiliation, or other prohibited conduct. Inappropriate written or graphic material, whether sexual in nature or not, which denigrates or indicates hostility or aversion toward an individual or group is prohibited from display on County premises, or circulation in the workplace.

### Protocol:

#### 1. Complaints

- a. Any Mecklenburg County employee, vendor, or board member, who believes that he or she has been the target of harassment, as defined, by a member of the Board of County Commissioners or a member of a board or commission appointed by the Board of County Commissioners should inform their supervisor, their department director, the County Manager, the County Attorney/Chief Compliance Officer, Deputy Compliance Officer, or the Human Resources Department, as appropriate. If the person receiving the information is not the County Manager, the person receiving the information shall promptly notify the County Manager, the Human Resources Department, or Board Chair, as appropriate.
- b. Upon being informed of the complaint, the County Manager, or the Human Resources Director as the designee of the County Manager, shall ask the employee, vendor, or board member whether he or she wants the complaint to be treated as a (a) informal or (b) formal complaint. Notwithstanding an employee's request that a complaint be treated as an informal complaint, the County Manager may decide to process the employee complaint as a formal complaint if the allegations are sufficiently egregious to warrant.
- c. INFORMAL: Upon being notified of a complaint, the County Manager shall notify the Chairperson of the Board of County Commissioners or, if the complaint is against the Chairperson, then the Vice Chair. If the complaint is an informal complaint, the County

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Manager and the Chairperson (or Vice Chair) may meet with the individual whose alleged conduct is the subject of the complaint to inform the person of the complaint and to discuss any appropriate or corrective action to be taken by the person because of his or her conduct. If appropriate, the results of this meeting may be reported to the complainant.

- d. FORMAL: A formal complaint (and an informal complaint that the County Manager decided to handle as a formal complaint) shall be investigated pursuant to Section 2 (Investigations).

#### 2. Investigations

- a. Upon receipt of a formal complaint (or an informal complaint being handled as a formal complaint,) the County Manager, after consulting with the County Attorney, Deputy County Attorney/Chief Compliance Officer, or designee, and Human Resources Director, will decide upon the process for investigating the complaint.
- b. In determining the most appropriate process for investigating the complaint, the County Manager shall take into consideration:
  - i. The nature of the complaint and the harassment alleged to have occurred;
  - ii. The County's potential liability;
  - iii. The need to protect the identity and confidentiality of the complainant;
  - iv. The right of the person against whom the complaint was made to have notice of the complaint and to be treated fairly throughout the process;
  - v. The extent to which County employees, including the County Manager, Deputy County Attorney/Chief Compliance Officer, and the Human Resources Director, and the County Attorney should be involved in the conduct of the investigation, or whether outside assistance should be considered;
  - vi. Whether the complaint cites a single or multiple occurrences of alleged policy violations and, if multiple, whether the previous complaints were made by, or against, the same person; and
  - vii. If not already involved, when and how to inform the BOCC Chairperson (or Vice Chair), the complainant, the person against whom the complaint was made or others as appropriate about the investigation process, including the estimated time to complete the process, and the findings of the investigation once it has been completed.

#### 3. Sanctions

- a. Following an investigation that substantiates any allegation of harassment, as defined, against a member of the Board of County Commissioners, the Board of County Commissioners may sanction the member of the Board who was the subject of the

## Meeting Minutes February 07, 2023

- investigation. Potential sanctions include the adoption of a Resolution of Censure and any other lawful sanction within the authority of the Board of County Commissioners.
- b. Following an investigation that substantiates allegations of harassment, as defined, against a member of a board or commission appointed by the Board of County Commissioners, the Board of County Commissioners may sanction the member who was the subject of the investigation. Potential sanctions include the adoption of a Resolution of Censure, removal of the member from the board or commission to which they were appointed, and any other lawful sanction within the authority of the Board of County Commissioners.

Following an investigation that substantiates allegations of harassment, as defined, against any employee of the County, the County may sanction the employee in accordance with any human resource policy in existence at the time of the offense.

**ADOPTED:** October 4, 2011, Revised February 7, 2023

**LAST REVISED:** N/A

**STAFF CONTACT:** Deputy County Manager/Chief of Staff, Derrick Ramos, 980-314-2881  
County Attorney Tyrone Wade, Chief Compliance Officer, 980-314-2908

***Policy recorded in full in Ordinance Book 51, Document # 81.***

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Comments

Commissioner Leake expresses concern about the interpretation of terms like "harassment" "threats," and "intimidation" emphasizing that the terms may mean different things to different people.

Commissioner Leake and Chair Dunlap had a discussion regarding the policy being revised, who would carry out the decision on the particular person to be investigated, and how a final decision may be carried out.

Motion was made by Commissioner Altman, seconded by Commissioner Rodriguez-McDowell, and carried (8-1) with Commissioners Altman, Cotham, Dunlap, Griffin, Jerrell, Meier, Powell, and Rodriguez-McDowell voting yes, and Commissioner Leake voting no, to approve a revised Board - Employee Relations (Policy and Protocol) for the investigation of complaints made by County employees, Board members (elected or appointed), or vendors regarding alleged harassment, threats, intimidation, etc.

**23-0051        REMOTE PARTICIPATION POLICY**

The Board received information to adopt a policy regarding Remote Participation in official meetings.

Tyrone C. Wade, County Attorney, gave the presentation.

*Background: The Board acknowledges that attendance at board meetings is essential for its members to perform their official duties. The Board strongly encourages its members to be physically present for all board meetings. The Board recognizes, however, that extenuating circumstances may occasionally prevent a member from being physically present at a meeting. It further recognizes that advances in technology, such as audio and video conferencing, have made it possible for members to communicate and deliberate simultaneously with each other from remote locations. Therefore, to promote full participation of board members while ensuring access and transparency for the public as required by the Open Meetings Law, G.S. 143-318.9 et seq., the board authorizes remote participation in board meetings subject to the following procedures and requirements. Remote participation is not to be used solely for a member's convenience. The intent of this policy is to establish the Board's practice for remote participation by board members when there is no state of emergency existing (local or statewide). When a state of emergency exists, this policy is superseded by the provisions of N.C.G.S. 166A-19.24 or other board policies, as the case may be.*

**POLICY OF THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS  
AUTHORIZING REMOTE PARTICIPATION IN MEETINGS  
WHEN NO STATE OF EMERGENCY EXIST**

During the pandemic the North Carolina Emergency Management Act, N.C.G.S. 166A-19.24, as amended, authorized board members to participate remotely in official meetings, but only during a statewide state of emergency and provided that board members who were participating remotely may be counted toward the establishment of a quorum and may vote as long as their connection to the meeting was in effect during the meeting. Although the Open Meetings Law recognized electronic meetings as official meetings before the state of emergency went into effect, there was no clear statutory authority for board members to participate in official meetings remotely for quorum or voting purposes. The voting and quorum statutes make reference to members having to be “present” or “physically present,” which suggests remote participation was not authorized prior to the amendment of the Emergency Management Act. Further, the fact that the state of emergency law specifically authorized board members to participate remotely, count toward a quorum, and vote only during a statewide state of emergency suggests no such authority existed prior to the amendment. Taking all of this into consideration, it remains unclear after the state of emergency law is lifted, what authority an individual board member will have to participate remotely in official meetings without a Board policy offering guidance.

The Board acknowledges that attendance at board meetings is essential for its members to perform their official duties. The Board strongly encourages its members to be physically present for all board meetings. The Board recognizes, however, that extenuating circumstances may occasionally prevent a member from being physically present at a meeting. It further recognizes that advances in technology, such as audio and video conferencing have made it possible for members to communicate and deliberate simultaneously with each other from remote locations. Therefore, to promote full participation of board members while ensuring access and transparency for the public as required by the Open Meetings Law, G.S. 143-318.9 *et seq.*, the board authorizes remote participation in official board meetings subject to the following procedures and requirements. Remote participation is not to be used solely for a member’s convenience.

The intent of this policy is to establish the Board’s practice for remote participation by board members when there is no state of emergency existing (local or statewide). When a state of emergency exists, this policy is superseded by the provisions of N.C.G.S. 166A-19.24 or other board policies, as the case may be. The Board reserves the right to suspend, amend, or rescind this policy at any time by majority vote of the Board.

When there is a request to participate remotely, the requesting Commissioner should submit the request to the Chair, Vice-Chair, Manager, or Clerk as soon as the member is aware of the need, but to the extent possible, preferably within forty-eight (48) hours, but not less than twelve (12) hours before the official meeting so that proper arrangements might be put in place.

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The Clerk should be made aware as soon as possible. At the beginning of the meeting, the Chair or Vice-Chair will announce that a named Commissioner will be participating remotely. Minutes from the meeting shall reflect which Commissioner(s) participated remotely. The remote participation rules shall be followed.

Remote participation: Participation by a board member by electronic means in any properly noticed meeting.

- Participation shall be by telephone or video conference as determined by the Clerk. Any method chosen must allow for the participating Commissioner to:
  - ✓ Hear what is said by other Commissioners,
  - ✓ Hear what is said by individuals addressing the Board, and
  - ✓ Be heard by other members of the Board when speaking.
- It is the responsibility of the participating Commissioner to obtain and maintain technology (proficiency with use of said technology) to meet the above requirements;
- Members participating remotely will NOT be counted in the determination of a quorum, but WILL be eligible to participate in debate and vote as long as the remote connection is maintained throughout the debate. Their vote must be by voice;
- Members participating remotely will NOT be eligible to participate in closed session discussion;
- Members participating remotely will identify themselves during introductions and indicate they are participating remotely;
- Members participating remotely shall notify the Chair if leaving the meeting before the meeting is officially adjourned, or when rejoining the meeting after a period of absence;
- Members continually connected throughout the discussion, but failing to vote when called upon will be deemed voting in favor of the item on the floor;
- The official board minutes will reflect the member's remote participation.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2023

***Policy recorded in full in Ordinance Book 51, Document # 82.***

**Meeting Minutes**  
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Comments

Chair George Dunlap emphasizes that the policy is intended to allow legitimate remote participation and allowed a Commissioner to do so without the Board having to vote every time. He said that the policy ensures fairness and clarifies that it should not be exploited as a means to avoid attending meetings.

Motion was made by Commissioner Altman, seconded by Commissioner Rodriguez-McDowell, to adopt a policy regarding Remote Participation in official meetings.

Commissioner Leake raises concerns about potential conflicts with existing state policies for county commissioners' meetings. *Attorney Wade assured her that the proposed policy was in conformity with the state, as it aligned with the statute allowing remote participation in non-emergency situations.*

Commissioner Leake shares a personal experience of attending a meeting despite physical difficulties, emphasizing her commitment to her duties as a commissioner. She expresses concerns about potential discrimination or exclusion based on physical limitations. Despite her concerns, the policy is approved with a vote of eight in favor and one opposed. The meeting concludes after the vote.

Commissioner Leake asked if the policy being approved was crossed over what the state policy said regarding County Commissioners. *County Attorney Wade said no, the policy as it was written was in conformance with the State.*

Motion was carried (8-1), with Commissioners Altman, Cotham, Dunlap, Griffin, Jerrell, Meier, Powell, and Rodriguez-McDowell, voting yes, and Commissioner Leake, voting no, to adopt a policy regarding Remote Participation in official meetings.

**23-0098     CHARLOTTE AREA FUND, INC. COMMUNITY SERVICES BLOCK GRANT APPLICATION**

The Board received information to acknowledge receipt of the Charlotte Area Fund, Inc. Community Services Block Grant Application and provide comments, if any.

*Background: The Charlotte Area Fund (CAF) is a private, non-profit corporation and the designated community action agency serving Mecklenburg County. This anti-poverty agency has been serving the county's low-income citizens since 1963 through a variety of services and programs that promote economic mobility and self-sufficiency. CAF is governed by a tripartite*

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*eighteen (18) member Board of Directors representing public officials, the private sector, and low-income community members. Current services funded by the Community Services Block Grant includes high-demand workforce development/ placement, educational support,*

*computer training, financial education, senior assistance, crisis intervention, case management, and leveraging resources to address strategic shared community outcomes. CAF receives grant funding from a combination of Federal and State resources for agency activities.*

*Each year, CAF provides the County an opportunity to comment on the proposed work program for the coming year. The work program is developed by the agency's Board, committees, and staff after receiving suggestions from the public and other agencies. The grant requires no local match. The application requires a notarized document from the Clerk to the Board of County Commissioners regarding the submission of CAF's application to the Board.*

*The Board's representatives on the CAF are Commissioners Leake and Cotham, both of whom have selected citizens to serve on their behalf, which is permissible under the CAF By-laws. Reginald Godette and Mario Black are the Board's representatives. The application was received on January 30, 2023. To date, no comments have been received. The Board is invited to make comments; however, none are required. If there are no comments, that will be communicated by the Clerk to the Board to CAF as required. The County does not provide any funding to CAF.*

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P. O. Box 34188  
Charlotte, NC 28234-4188  
[www.charlotteareafund.org](http://www.charlotteareafund.org)

**Mecklenburg's Community Action Agency**

704-372-3010  
Fax 704-344-1655

January 30, 2023

Mr. George Dunlap, Chairperson  
Mecklenburg County Board of Commissioners  
Charlotte-Mecklenburg Government Center  
Post Office Box 31787  
Charlotte, NC 28231

RE: **Charlotte Area Fund, Inc. FY 2023-2024 Community Services Block Grant Application**

Dear Commissioner Dunlap:

The Charlotte Area Fund (CAF) is a private, non-profit corporation and the designated community action agency serving Mecklenburg County. This anti-poverty agency has been serving the county's low income citizens since 1963 through a variety of services and programs that promote economic mobility and self-sufficiency. CAF is governed by a tripartite eighteen (18) member Board of Directors representing public officials, the private sector and low-income community members. Current services funded by the Community Services Block Grant includes high-demand workforce development/ placement, educational support, computer training, financial education, senior assistance, crisis intervention, case management and leveraging resources to address strategic shared community outcomes. CAF receives grant funding from a combination of Federal and State resources for agency activities.

Each year, CAF provides the County an opportunity to comment on the proposed work program for the coming year. The work program is developed by the agency's Board, committees and staff after receiving suggestions from the public and other agencies. The grant requires no local match. The application requires a notarized document from the Clerk to the Board of County Commissioners regarding the submission of CAF's application to the Board. Therefore, we are requesting completion of the enclosed document and a copy of the meeting minutes, which references discussion of CAF's application or a letter regarding the Board of Commissioners response to our proposal. We are requesting that this information be submitted to us by February 10, 2023 so that it may be included in CAF's application package that will be forwarded to the Office of Economic Opportunity.

The COVID 19 pandemic has had an unprecedented impact on the ability of social sector agency to deliver quality services to low income customers and maintain a safe and healthy work environment. The CAF narrative highlights agency activities and challenges. The attached proposed plan is partially based on CAF 2021-22 needs assessments from low-income individuals, various area human service providers, interviews, meetings, and the general public. CAF will conduct a public hearing on February 24, 2023 to provide citizens a chance to comment on the proposed work program and offer suggestions of their own. The Office of Economic Opportunity, which is the state office responsible for the administration of the Community Services

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Mr. George Dunlap  
January 30, 2023  
Page Two

Block Grants, has informed CAF that the planning allocation for completion of the FY2023-2024 application is \$1,767,159. In accordance with the Workforce Investment Act, the Charlotte Area Fund as the recipient of the Community Services Block Grant is required to be a partner of the local "One-Stop System." As a result, we maintain strategic partnerships with a wide range of community agencies, including Charlotte Works, Department of Social Services, other workforce development organizations and churches to ensure that coordination and utilization of available resources allow us to serve the low-income residents of Mecklenburg County through the operation of our programs.

We certainly appreciate the Board of County Commissioners' time and review of CAF's work program and look forward to receipt of the response. If I can be of further assistance to aid you in the review of our programs, please do not hesitate to contact me at (704) 661-9933 or any of the County Commissioners' appointees to the CAF Board of Directors at your earliest convenience. A list of CAF Board Members is enclosed.

Sincerely,

***Nicholas V. Wharton***

Nicholas V. Wharton  
CEO/President

Attachments

Cc: CAF Board Chair Abbie Butler  
CAF Board Member Reginald Godette  
CAF Board Member Felicia Richardson

***Grant Application recorded in full in Ordinance Book 51, Document# 83.***

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Comments

Commissioner Rodriguez-McDowell said she would have liked to see information related to how they were measuring the Charlotte Area Fund past investments and their impact. Rodriguez-McDowell brought attention to survey responses, particularly regarding services like transportation, where respondents expressed both need and lack of need. She questioned if the Charlotte Area Fund engaged with grassroots organizations, emphasizing the significance of establishing trust between service providers and beneficiaries. She said the survey indicated that parks and neighborhood centers ranked as the third most needed, following crime prevention and police patrols. She read that toxic stress amongst low-income school children was a huge factor post COVID, advocating the need for funding emotional support. She read that parental socioeconomic status residential segregation were the strongest predictors of low achievement. She said she would like the Board to think more about creative solutions to address residential segregation.

Chair Dunlap said the Charlotte Area Fund would appreciate the feedback Commissioner Rodriguez-McDowell mentioned.

Motion was made by Commissioner Jerrell, seconded by Commissioner Rodriguez-McDowell, and unanimously carried (9-0), voting yes, to approve the application to be submitted for support from the Charlotte Area Fund, Inc.

Vice Chair Powell said she wanted to make sure Commissioner Rodriguez-McDowell's feedback was given to the Charlotte Area Fund staff.

**CONSENT ITEMS**

**Motion was made by Commissioner Jerrell, seconded by Commissioner Leake, and unanimously carried (9-0), voting yes, to approve the following item(s):**

**23-0062      ALCOHOLIC BEVERAGE CONTROL (ABC) BOARD CEO SALARY APPROVAL**

Approve the salary for the Alcoholic Beverage Control Board CEO, Mr. Keva Walton, as requested and approved by the ABC Board, in the amount of \$217,901.00, effective July 1, 2022.

*Background: State Statute requires the approval by the Board of County Commissioners as the appointing authority for the Mecklenburg County ABC Board.*

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*Article 7. Local ABC Boards. § 18B-700. Appointment and organization of local ABC boards. Subsection: (g1) Compensation of General Managers of Local Boards. The salary authorized for the general manager, as defined in G.S. 18B-101, of a local board shall not exceed the salary authorized by the General Assembly for the clerk of superior court of the county in which the appointing authority was originally incorporated unless such compensation is otherwise approved by the appointing authority. The local board shall provide the appointing authority's written confirmation of such approval to the Commission. Any change in compensation approved by the appointing authority shall be reported to the Commission in writing within 30 days of the effective date of the change. The general manager of a local board may receive any other benefits to which all employees of the local board are entitled. The salary authorized for other employees of a local board may not exceed that of the general manager.*

**23-0066      GRANT APPLICATION - LUESA SOLID WASTE - US EPA RECYCLING**

Approve submission of grant application up to \$4,000,000 to the United States Environmental Protection Agency (US EPA) for Solid Waste Infrastructure Recycling (SWIFR) Grant Program for Political Subdivisions, Funding Opportunity Number EPA-I-OLEM-ORCR-23-03.

Approve submission of grant application up to \$2,000,000 to the United States Environmental Protection Agency (US EPA) for Consumer Recycling Education and Outreach (REO) Grant Program, Funding Opportunity Number EPA-I-OLEM-ORCR-23-02.

If awarded, adopt a grant project ordinance for each applicable grant.

If awarded, recognize, receive, and appropriate the awarded amount to LUESA Solid Waste Fund (G701) for each applicable grant for the duration of the award.

*Background: As part of LUESA's Strategic Plan, the Solid Waste Management Program has an objective to develop cost effective solutions for waste reduction, re-use, and recycling. Through discussions with the Board's Environmental Stewardship Committee and the Waste Management Advisory Board, Solid Waste is working to upgrade recycling infrastructure and increase waste reduction opportunities to residents, schools, and businesses.*

*Two separate grant opportunities have been identified from the United States Environmental Protection Agency (US EPA), where funding is being made available to political subdivisions of states and territories to fund recycling and waste management infrastructure and education programs.*

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*Mecklenburg County Solid Waste intends to apply for both funding opportunities and requests approval from the Board of County Commissioners to allow the Solid Waste Program to pursue the maximum funding available under each grant program, which would total \$6M.*

*The filing deadline with the US EPA is short, and both grant submissions are due February 15, 2023.*

*No matching funding is required for either grant. The US EPA has indicated awards will be issued in the Summer/Fall 2023.*

*Solid Waste Infrastructure Recycling (SWIFR) Grant Program for Political Subdivisions, Funding Opportunity Number EPA-I-OLEM-ORCR-23-03: Maximum grant request \$4M*

*Funding from this grant would be used to offset infrastructure costs associated with the Material Recycling Facility (MRF) Retrofit, the Interim MRF, and other eligible programs. Pursuing this funding will enhance local opportunities for recycling and waste reduction that are needed to reduce landfill waste and enhance recycling efforts.*

*The eligible activities include:*

- *Innovative solutions and/or programs that provide or increase access to prevention, reuse, and recycling in areas that currently do not have access; including development of and/or upgrades to drop-off and transfer stations (including but not limited to a hub-and-spoke model in rural communities), etc.*
- *The purchase of recycling equipment, including but not limited to sorting equipment, waste metering, trucks, processing facilities, etc.*
- *Upgrades to material recovery facilities (MRFs) such as optical sorters, artificial intelligence, etc.*
- *Development of and/or upgrades to composting facilities or anaerobic digesters to increase capacity for organics recycling.*
- *Development of and/or upgrades to curbside collection programs or drop-off stations for organics.*
- *Development of and/or upgrades to reuse infrastructure such as online reuse platforms, community repair spaces, technology, and equipment to improve materials management reuse options, food donation, and upcycling, staging areas for material reuse/donation, reuse warehouses, reuse centers, and electronic waste and computer recycling and refurbishing.*

*Consumer Recycling Education and Outreach (REO) Grant Program, Funding Opportunity Number EPA-I-OLEM-ORCR-23-02: Maximum grant request \$2M*

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*Funding from this grant would be used to enhance existing community outreach efforts, as well as introduce new outreach efforts to multi-family and other multi-unit buildings to raise awareness of recycling benefits and encourage recycling.*

*The eligible activities include:*

- *public service announcements;*
- *door-to-door education and outreach campaigns;*
- *social media and digital outreach;*
- *an advertising campaign on recycling awareness;*
- *the development and dissemination of a toolkit for a municipal and commercial*

*recycling program; information on the importance of quality in the recycling stream; information on the economic and environmental benefits of recycling; and information on what happens to materials after the materials are placed into a residential or community recycling program;*

- *businesses recycling outreach;*
- *bin, cart, and other receptacle labeling and signs;*
- *community recycling ambassador education programs or training of trainer programs; and/or*
- *other education and outreach activities to improve waste prevention, reuse, recycling, and reduce contamination, such as evaluations and evidence-based messaging and strategies associated with preventing or reducing waste and improving reuse, repair, refurbish and remanufacture of materials. Note that participant support costs, such as reasonable stipends to encourage participation in community meetings or trainings, are allowable.*

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**GRANT PROJECT ORDINANCE**

**WHEREAS,** Mecklenburg County is applying and/or has been awarded a grant from the United States Environmental Protection Agency. The grant has been made available to Mecklenburg County under the Consumer Recycling Education and Outreach Grant Program up to the amount of \$2,000,000.00; and

**WHEREAS,** the grant funds must be used to enhance existing community outreach efforts, as well as introduce new outreach efforts to multi-family and other multi-unit buildings to raise awareness of recycling benefits and encourage recycling; and

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

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

Section 1. The project described in the United States Environmental Protection Agency grant application is hereby authorized to be undertaken for the duration of the grant.

Section 2. The County Manager is authorized to execute the grant agreement and other documents that are required or appropriate for the County to receive the United States Environmental Protection Agency and to undertake the project. The County Manager is directed to take steps necessary to ensure compliance with all spending and reporting requirements United States Environmental Protection Agency.

Section 3. The following revenues are anticipated for Mecklenburg County in the G701 fund to complete this project:

**Grant \$2,000,000.00 (application/award amount)**

Section 4. The following expenses are appropriated for Mecklenburg County in the G701 fund to complete this project:

**Grant \$2,000,000.00 (application/award amount)**

Adopted this \_\_\_\_ day of January 2023

\_\_\_\_\_  
Clerk to the Board

***Ordinance recorded in full in Ordinance Book 51, Document # 84.***

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**GRANT PROJECT ORDINANCE**

**WHEREAS,** Mecklenburg County is applying and/or has been awarded a grant from the United States Environmental Protection Agency. The grant has been made available to Mecklenburg County under the Solid Waste Infrastructure Recycling Grant Program for Political Subdivisions up to the amount of \$4,000,000.00; and

**WHEREAS,** the grant funds must be used to offset infrastructure cost associated with the Material Recycling Facility Retrofit. Pursuing this funding will enhance local opportunities for recycling and waste reduction that are needed to reduce landfill waste and enhance recycling efforts; and

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

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

Section 1. The project described in the United States Environmental Protection Agency grant application is hereby authorized to be undertaken for the duration of the grant.

Section 2. The County Manager is authorized to execute the grant agreement and other documents that are required or appropriate for the County to receive the United States Environmental Protection Agency and to undertake the project. The County Manager is directed to take steps necessary to ensure compliance with all spending and reporting requirements United States Environmental Protection Agency.

Section 3. The following revenues are anticipated for Mecklenburg County in the G701 fund to complete this project:

**Grant \$4,000,000.00 (application/award amount)**

Section 4. The following expenses are appropriated for Mecklenburg County in the G701 fund to complete this project:

**Grant \$4,000,000.00 (application/award amount)**

Adopted this \_\_\_\_ day of January 2023

\_\_\_\_\_  
Clerk to the Board

***Ordinance recorded in full in Ordinance Book 51, Document # 85.***

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**23-0068      TAX REFUNDS**

Approve refunds in the amount of \$4,430.88 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor and approve refunds in the amount of \$26,035.58 as statutorily required to be paid as requested by the County Assessor.

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

*This Board action is necessary to approve tax refunds resulting from clerical errors, audits, and other amendments, including revaluation appeals. There is no accrued interest associated with the refund amount of \$26,035.58. Refunds total \$26,035.58.*

**23-0069      GRANT APPLICATION - NORTH CAROLINA LAND AND WATER FUND – RESTORATION PROGRAM**

Authorize the County Manager to apply for NC Land and Water Fund (NC LWF) Restoration Program grant funding of up to \$750,000 to be used for the restoration of Reedy Creek upstream of I-485.

If awarded, adopt a grant project ordinance for the North Carolina Land and Water Fund - Restoration Program Grant in the Storm Water Grant Fund (G705).

If awarded, recognize, receive, and appropriate in the Storm Water Grant Fund (G705) state funds up to the awarded amounts.

Authorize the County Manager to execute contract(s) with the NC Land and Water Fund.

*Background: The County's Storm Water Capital Improvement Program (CIP) began restoring Mecklenburg County creeks and their floodplains to improve water quality in 1997. To date, the program is funded pay-as-you-go. In 2022, Storm Water began implementing a 15-year CIP consistent with goals in the Environmental Leadership Action Plan (ELAP). By 2036, the goal is to have 69 additional miles of major creeks to be stable and partially supporting of diverse aquatic life. These natural infrastructure investments have many other benefits to greenway systems, increasing native plants/trees, open space, aesthetic improvements, and corridors for wildlife.*

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*Staff seeks to pursue a grant from the NC Land & Water Fund (NC LWF previously known as the Clean Water Management Trust Fund) for 4,700 feet of stream restoration in Reedy Creek upstream of I-485 in the amount of \$750,000. The grant application is due February 15, 2023. Since 1997, the NC LWF has provided more than \$20,500,000 in funding for projects in Mecklenburg County.*

*The project area has been identified by Park and Recreation as a potential site for a future greenway. Storm Water Services will coordinate with Park and Recreation to ensure the stream project is designed and constructed in support of the future greenway. Additionally, Storm Water Services has been coordinating property and easement acquisition in the project corridor with Asset and Facility Management.*

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**GRANT PROJECT ORDINANCE**

**WHEREAS,** Mecklenburg County is applying and/or has been awarded a grant from the North Carolina Land and Water Fund (NCLWF). The grant is through the NCLWF Restoration program up to the amount of \$750,000; and

**WHEREAS,** the grant funds must be used to construct a stream restoration project along Reedy Creek in Mecklenburg County; and

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

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

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

**NCLWF Restoration Grant: up to \$750,000**  
**Mecklenburg County Storm Water Cash Match: up to \$2,250,000**

- Section 4. The following expenses are appropriated for Mecklenburg County in the G705 fund to complete this project:

**NCLWF Risk Reduction Grant: up to \$750,000**  
**Mecklenburg County Storm Water Cash Match: up to \$2,250,000**

Adopted this \_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

***Ordinance recorded in full in Ordinance Book 51, Document # 87.***

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**23-0076          CONSTRUCTION CONTRACT - MCINTYRE CREEK GREENWAY**

Award a construction contract to Husky Construction Corporation in the amount of \$1,456,576.50.

*Background: Mecklenburg County Asset & Facility Management and Mecklenburg County Park & Recreation have been involved in the design of a project for McIntyre Creek Greenway which will add +/- 1.0 mile of new trail to the County's greenway system. This construction contract will include the new greenway trail, three (3) public access connections, including a trail connection within Hornets Nest Park, and two stream crossing structures. The anticipated construction period will be approximately 9 months.*

**23-0079          INTERIM MATERIALS RECYCLING FACILITY (MRF) EQUIPMENT CONTRACTOR SELECTION**

Authorize the County Manager to negotiate and execute a contract with Bulk Handling Solutions in the amount of \$7,059,536.86.

Acknowledge and Authorize funding from the existing \$12.5M loan (Approved on November 15, 2022) to be used for payments to Bulk Handling Systems in FY23.

*Background: At the November 15, 2022, BOCC meeting staff presented a revised Financial Model and implementation plan for projected Capital projects within the Solid waste Enterprise Fund. The updated Financial Model included the various capital projects that are planned for the solid waste system. There are three parts to the modifications for recyclable processing, the first contract was approved on November 15, 2022, and this is the second contract, which will be for the Interim MRF.*

*This Interim Processing System will be operational during the downtime associated with the Metrolina MRF retrofit project. The Interim Processing System will be repurposed, after completion of the Metrolina retrofit in approximately 18 months, to be utilized to recycle construction and demolition materials. The re-use of this system is revolutionary for the industry and will accelerate Mecklenburg County's ability to divert materials from landfills.*

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*Mecklenburg County issued a Request for Proposals (RFP) on August 15, 2022, for interested firms to submit proposals to manufacture, install, and startup a system to process the single stream recyclables normally received and processed at the Metrolina MRF processing facility.*

*Proposals were received from the following companies:*

- *Bulk Handling Systems;*
- *CP Manufacturing Inc.;*
- *eFactor3, LLC;*
- *General Kinematics Corporation;*
- *Machinex Technologies, Inc.; and*
- *Van Dyk Recycling Solutions*

*The County Evaluation Committee conducted an initial evaluation of the proposals and developed a short-list of three Service Providers to interview. The three Providers interviewed were:*

#### *POST-INTERIM*

<i>FIRMS</i>	<i>MRF USE</i>	<i>RANKING</i>
• <i>Bulk Handling Systems</i>	<i>C&amp;D Processing</i>	<i>1</i>
• <i>CP Manufacturing Inc</i>	<i>C&amp;D Processing</i>	<i>2</i>
• <i>eFactor3, LLC</i>	<i>Re-Purposed</i>	<i>3</i>

*Shortlisted firms used various technologies and proprietary solutions. Each had different price points for the solutions.*

*The evaluation committee selected Bulk Handling Systems (BHS), as its solution was the only system to provide both front-end and back-end recycling components for the interim processing system. BHS's solution also allows for maximum recovery, processing, and sale of recyclable materials by the County. BHS proposed equipment will be designed and manufactured to provide the County with a complete C&D processing system after operating as the Interim MRF. The C&D processing system is part of the long-term Solid Waste strategic plan and will provide value-added services to the County for years in the future. BHS offered a Best and Final Offer that incorporated some value engineering ideas to lower the cost from \$7.06M to \$6.6M. A 7% contingency was added to the accepted price which will place the contract at \$7,059,536.86.*

*This Action allows the County Manager or her designee to execute a contract with Bulk Handling Systems for this project.*

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**23-0085      EASEMENT DONATION - MCDOWELL CREEK GREENWAY**

Accept a permanent greenway easement (+/- 6.029 acres) and a temporary construction easement (+/- 6.095 acres) from the City of Charlotte on Tax Parcel 009-351-01 for construction and maintenance of a greenway trail as part of the McDowell Creek Greenway project.

*Background: As part of the FY19 - 23 Capital Improvement Plan (CIP), the County plans to extend McDowell Creek Greenway within the Town of Huntersville. The existing trail runs from Magnolia Estates Drive in the Town of Cornelius to Hwy. 73 (Sam Furr Road) in Huntersville. The project is a partnership with the North Carolina Department of Transportation (NCDOT) and will extend the trail by 1.5 miles in Huntersville from Sam Furr Road to Chilgrove Lane. To complete the trail, the City of Charlotte has agreed to donate a permanent greenway easement (+/- 6.029 acres) and a temporary construction easement (+/- 6.095 acres) to the County on its Lee Dukes Water Treatment Plant in Huntersville.*

*The greenway is proposed to connect several neighborhoods within the immediate area and is designed to be 12-ft wide and will include at least two bridges across McDowell Creek. Upon completion of this project and future extensions, McDowell Creek Greenway will total over 9 miles of trails. The project has a construction budget of \$5.3 million and construction is scheduled to begin this spring.*

**23-0106      ACQUISITION OF FLOODPRONE PROPERTIES UNDER HAZARD MITIGATION GRANT  
PROGRAM 4393-0092-R**

Adopt a Resolution entitled Resolution Adopting Eligibility and Applicability Criteria Of Supplemental Funds For Voluntary Property Acquisitions Under HMGP 4393-0092-R.

Authorize County Manager to negotiate and execute a State Acquisition and Relocation Fund (SARF) Memorandum of Understanding (SARFMOU) with State of North Carolina, Department of Public Safety.

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*Background: Storm Water Services (STW) has recently been working on voluntary floodplain buyouts along Sugar Creek within McDowell Farms neighborhood. The development was built outside/above of the floodplain in the 1980's. However, it has flooded several times since. In the early 2000's STW realized the floodplain maps were outdated and in 2004 new Flood Insurance Rate Maps showed a 5-ft increase in the Floodplain.*

*Consistent with the Flood Risk Assessment and Risk Reduction Plan (Plan), adopted by the Board on May 1, 2012, STW pursued grant funds for a voluntary buyout of numerous homes through FEMA's Hazard Mitigation Grant Program (HMGP) in February 2020. The grant was approved in 2022 and implementation has begun.*

*The grant provides purchase funding based on each property's Fair Market Value as of the date of disaster declaration for Hurricane Florence on September 14, 2018. Mecklenburg County has determined this compensation is generally not sufficient to be able to negotiate acquisitions, as it does not provide fair market or equitable amounts to purchase homes currently due to substantial increases in housing costs since 2018 and substantial recent increases in mortgage interest rates not seen in 20 years.*

*The requested actions provide eligibility and applicability of supplemental funds and allows the County to be reimbursed a portion of the supplemental funds through a Memorandum of Understanding for the State Acquisition and Relocation Fund (SARF).*

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### **MECKLENBURG BOARD OF COUNTY COMMISSIONERS RESOLUTION ADOPTING ELIGIBILITY & APPLICABILITY OF SUPPLEMENTAL FUNDS FOR VOLUNTARY PROPERTY ACQUISITIONS UNDER HMGP 4393-0092-R**

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

**WHEREAS**, using the methods set forth in the 1997 Guidance Document Mecklenburg County Storm Water Services has purchased over 400 flood-prone properties, relocated over 700 families/businesses to less vulnerable locations and reclaimed over 185 acres of floodplains as public open space using a combination of State, Federal and Local funding; and

**WHEREAS**, Hurricane Florence in 2018 resulted in a Presidential Declaration which made federal funds available for hazard mitigation grants in North Carolina; and

**WHEREAS**, the North Carolina Emergency Management Act, N.C.G.S. §166A-19 et. seq. and N.C.G.S. §§ 143B-1000 and 166A-19.12(10) and (13) authorize the relationship as described in a grant agreement executed on May 5, 2022 between Mecklenburg County and State of North Carolina, Department of Public Safety, Division of Emergency Management (NCDPSEM) in the amount of \$4,150,486.00 using funds made available because of the 2018 Presidential Declaration (Grant Agreement); and

**WHEREAS**, the Grant Agreement is for flood mitigation through voluntary property acquisitions and provides purchase funding based on each property's Fair Market Value as of the date of disaster declaration on September 14, 2018; and

**WHEREAS**, Mecklenburg County has determined this compensation is not enough to be able to negotiate acquisitions, as it does not provide fair and equitable amounts to purchase homes currently due to substantial increases in housing costs since 2018 and substantial recent increases in mortgage interest rates not seen in 20 years; and

**WHEREAS**, NCDPSEM has made additional funding available to Mecklenburg County for HMGP 4393-0092-R through a State Acquisition and Relocation Fund (SARF) Memorandum of Understanding (SARFMOU) in an amount up to \$55,000 per property to help provide funds sufficient to negotiate voluntary property acquisitions; now, therefore, be it

**RESOLVED** by the Mecklenburg Board of County Commissioners that the County Manager, or her designee, are authorized to execute a Memorandum of Understanding between Mecklenburg County and NCDPSEM for use of State Acquisition and Relocation Funds (SARF); that the following ELIGIBLE PROPERTIES are approved to receive supplemental funds under this program; and that the method set forth in the APPLICABILITY OF SUPPLEMENTAL FUNDS will be used to present offers to eligible homeowners included under the Grant Agreement and SARFMOU.

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### ELIGIBLE PROPERTIES

The following single family residential structures have been or may be amended to the Grant Agreement for voluntary acquisition and in the SARFMOU and will be deemed eligible for acquisitions using Supplemental Funds as described below. Phase II properties were submitted in the HMGP 4393-0092 application but are not currently funded.

#### PHASE I - Funded

- 6425 MOUNTING ROCK RD
- 6429 MOUNTING ROCK RD
- 6432 MOUNTING ROCK RD
- 6439 MOUNTING ROCK RD
- 6440 MOUNTING ROCK RD
- 6445 MOUNTING ROCK RD
- 6451 MOUNTING ROCK RD
- 6525 MOUNTING ROCK RD
- 6617 MOUNTING ROCK RD
- 6629 MOUNTING ROCK RD
- 6701 MOUNTING ROCK RD
- 6717 MOUNTING ROCK RD
- 6725 MOUNTING ROCK RD
- 6726 MOUNTING ROCK RD
- 6727 MOUNTING ROCK RD

#### PHASE II - Unfunded

- 1106 MCDOWELL FARMS DRIVE
- 6421 MOUNTING ROCK ROAD
- 6433 MOUNTING ROCK ROAD
- 6501 MOUNTING ROCK ROAD
- 6507 MOUNTING ROCK ROAD
- 6515 MOUNTING ROCK ROAD
- 6519 MOUNTING ROCK ROAD
- 6600 MOUNTING ROCK ROAD
- 6601 MOUNTING ROCK ROAD
- 6605 MOUNTING ROCK ROAD
- 6608 MOUNTING ROCK ROAD
- 6611 MOUNTING ROCK ROAD
- 6623 MOUNTING ROCK ROAD
- 6635 MOUNTING ROCK ROAD
- 6711 MOUNTING ROCK ROAD
- 6728 MOUNTING ROCK ROAD
- 6729 MOUNTING ROCK ROAD

### APPLICABILITY OF SUPPLEMENTAL FUNDS

The Grant Agreement under HMGP 4393-0092-R provides funding for acquisitions using the property's fair market value as of the date of disaster declaration on September 14, 2018. Since market conditions have changed substantially since 2018 supplemental funds are necessary to successfully implement fair and equitable voluntary acquisitions.

Mecklenburg County will compute offers and provide supplemental funds for Eligible Properties based on the following:

#### (a) for non-owner occupied properties:

- the current FMV as determined by appraisal(s), which will include supplemental compensation for the difference between the September 14, 2018 fair market value and the current FMV as determined by appraisal(s);
- a supplemental moving payment will be made to eligible tenants in accordance with, and as required by, the federal Uniform Relocation Act;
- a replacement housing payment will be made to eligible tenants in accordance with, and as required by, the federal Uniform Relocation Act.

#### (b) for owner occupied properties:

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- the current FMV as determined by appraisal(s) which will include supplemental compensation for the difference between the September 14, 2018 fair market value (FMV) and the current FMV as determined by appraisal(s); plus
- a supplemental moving payment as calculated using the method in the federal Uniform Relocation Act; plus
- a supplemental relocation payment for owners with a mortgage. The supplemental relocation payment amount will be calculated using the existing mortgage balance and the new loan amount (but for calculation purposes, the new loan amount can be no greater than the existing mortgage balance) by computing the additional cost of new monthly mortgage payments due to a higher interest rate over 42 months (consistent with how comparable replacement housing payments are calculated pursuant to the federal Uniform Relocation Act). The supplemental relocation payment shall not exceed \$20,000 for Low-to-Moderate Income (LMI) homeowners and \$15,000 for all other homeowners. An example calculation is as follows:

	Existing	New	Eligible Difference
<b>Mortgage Balance</b>	\$200,000	\$210,000 or greater	\$0
<b>Rate</b>	3.5%	6.0%	+2.5%
<b>Monthly Payment</b>	\$898.09	\$1,199.10	\$301.01 (x 42 months) = \$12,642.42 supplemental relocation payment

The funding sources for acquisitions and supplemental funds described in this resolution will be from 1) the Grant (HMGP 4393-0092-R; 2) the State Acquisition and Relocation Fund (SARF); and 3) Storm Water Capital Improvement Program funds.

ADOPTED the 7<sup>th</sup> day of February 2023.  
Approved as to form:

\_\_\_\_\_  
County Attorney

**CERTIFICATION**

I, Kristine M. Smith, Clerk of 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 7<sup>th</sup> day of February, 2023.

WITNESS my hand and the seal of the County of Mecklenburg, North Carolina, this the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Kristine M. Smith, Clerk to the Board

RBCWB:MAB:211369

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***Resolution recorded in full in Ordinance Book 51, Document # 91.***

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**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

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**23-0107      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:

**23-0044      COMMUNITY SUPPORT SERVICES DEPARTMENT POSITIONS**

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell, and unanimously carried (9-0), to authorize five new non-County funded positions in the Community Support Services, Housing Innovation & Stabilization Services Division, which will expire effective 12/31/2024:

- 1 Social Services Coordinator position (annual mid-point) \$67,548
- 4 Social Worker I positions (annual mid-point) \$61,408 per position

*Background: There has been a 22% increase in people experiencing homelessness in Charlotte-Mecklenburg since June 2022. Coordinated Entry has experienced an even greater increase with an average of 200 calls per day being received from households seeking homeless resources. There are currently five (5) Social Workers managing the Coordinated Entry hotline and receiving households at emergency shelter locations. The current team is unable to respond.*

*to each caller, and return calls are taking up to 48 hours even while the household is in a housing crisis. Additional staff provide greater opportunities to assist households in seeking homeless resources to divert them from emergency shelter or prevent them from entering homeless system.*

*The position's salary & fringe will be funded from American Rescue Plan Act funds through 12/31/2024.*

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**23-0067 GRANT APPLICATION - RYAN WHITE YEAR 17**

Motion was made by Commissioner Leake, seconded by Commissioner Altman, and unanimously carried (9-0), to affirm submission of a grant application to the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA) for up to \$6,896,061 for funding for HIV positive patients in the Transitional Grant Area; and recognize, receive and appropriate the award amount in the General Grant Fund (G001); and approve the allocation process involving regional participation in accordance with HRSA of the U.S. Department of Health and Human Services guidelines; and adopt the required grant project ordinance for U.S. Department of Health and HRSA Grant in the General Grant Fund (G001).

*Background: Under the Ryan White HIV/AIDS Treatment Extension Act of 2009, Part A funds are awarded by HRSA to serve HIV positive patients. Ryan White year seventeen (17) funds were awarded to Mecklenburg County. Funds will be used for patients in the Transitional grant Area (TGA) consisting of the following counties: Mecklenburg, Anson, Cabarrus, Gaston, Union, and York, SC. Ryan White Part A funding is used to assist this six-county region in developing and enhancing access to a comprehensive continuum of high quality, community-based care for low-income individuals and families with HIV disease. In the current year sixteen, twenty-one (21) providers in our region are providing medical or support related services to 3,598 HIV clients during the first 10 months of the year, as of December 31, 2022.*

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**GRANT PROJECT ORDINANCE**

**WHEREAS,** Mecklenburg County is applying and/or has been awarded a grant from the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA). The grant has been made available to Mecklenburg County under the Grant Application – Ryan White Year 17 up to the amount of \$6,896,061; and

**WHEREAS,** the grant funds must be used to serve HIV-positive patients. Funds will be used for patients in the Transitional Grant Area (TGA) consisting of a six-county region to develop and enhance access to a comprehensive continuum of high-quality, community-based care for low-income individuals and families with HIV disease; and

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

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

- Section 1. The project described in the **U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA)** grant application is hereby authorized to be undertaken for the duration of the grant.
- Section 2. The County Manager is authorized to execute the grant agreement and other documents that are required or appropriate for the County to receive the (name of grant) and to undertake the project. The County Manager is directed to take steps necessary to ensure compliance with all spending and reporting requirements **U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA)**.
- Section 3. The following revenues are anticipated for Mecklenburg County in the General Fund (G001) to complete this project:

<b>Ryan White Year 17 (Health) Grant</b>	<b>\$6,896,061</b>
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- Section 4. The following expenses are appropriated for Mecklenburg County in the General Fund (G001) to complete this project:

<b>Ryan White Year 17 (Health) Grant</b>	<b>\$6,896,061</b>
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Adopted this \_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

***Ordinance recorded in full in Ordinance Book 51, Document # 86.***

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**23-0070      FY2023 FEDERAL GOVERNMENT OMNIBUS APPROPRIATIONS BILL – CJS**

Motion was made by Commissioner Leake, seconded by Commissioner Altman, and unanimously carried (9-0) to approve a grant project ordinance for the Omnibus Appropriations Bill in the General Grants Fund (G001); and recognize, receive, and appropriate up to \$1,000,000 in Federal funding to the General Grants Fund (G001) within Criminal Justice Services.

*Background: President Biden signed a \$1.7 trillion Omnibus funding bill into law on December 29th, 2022. One of the funded projects included in this spending bill, submitted by North Carolina Congresswoman Alma Adams, was the Data and Dashboards: Research and Enhancements to Ensure Mecklenburg County's Criminal Justice System is a Leader in Data-Driven Decision-Making project.*

*With the awarded \$1,000,000.00 funding, Mecklenburg County Criminal Justice Services (CJS) will execute a researcher-practitioner project aimed at examining the trends in criminal offending and population change in Mecklenburg County over the past several decades, as well as a data enhancement and visualization project to build upon existing data within the CJS Research and Planning Unit. The research project would take a historical look at crime trends and demographic changes in Mecklenburg County to better understand the context of our current discussions around criminal offending in our community.*

*It is the intention of CJS that the dashboards and visualizations produced through this project would be made publicly available, so that criminal justice stakeholders and the public can have access to near-real time data (updated daily) around the actions and decisions of the criminal justice system. Funding for this project will benefit the greater Charlotte-Mecklenburg community by providing much-needed understanding around the nature and trends of criminal offending in Mecklenburg County.*

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**GRANT PROJECT ORDINANCE**

**WHEREAS,** Mecklenburg County is applying and/or has been awarded a grant from the Federal Government. The grant has been made available to Mecklenburg County under the FY2023 Omnibus Appropriations Bill up to the amount of \$1,000,000.00; and

**WHEREAS,** the grant funds must be used to further expand Mecklenburg County's Criminal Justice System data warehouse and to partner with a university to conduct a crime study of Mecklenburg County; and

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

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

- Section 1. The project described in the Federal Government grant application is hereby authorized to be undertaken for the duration of the grant.
- Section 2. The County Manager is authorized to execute the grant agreement and other documents that are required or appropriate for the County to receive the FY2023 Omnibus Appropriations Bill and to undertake the project. The County Manager is directed to take steps necessary to ensure compliance with all spending and reporting requirements of the Federal Government.
- Section 3. The following revenues are anticipated for Mecklenburg County in the G001 Fund to complete this project:

<b>Grant</b>	<b>\$1,000,000.00</b>
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- Section 4. The following expenses are appropriated for Mecklenburg County in the G001 Fund to complete this project:

<b>Grant</b>	<b>\$1,000,000.00</b>
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Adopted this \_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board

***Ordinance recorded in full in Ordinance Book 51, Document # 88.***

**Meeting Minutes**  
**February 07, 2023**

**23-0072      APPOINTMENT OF REVIEW OFFICERS**

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell, and unanimously carried (9-0), to amend "Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office pursuant to N.C.G.S. 47-30.2" to include Ayesha Iftikhar.

*Background: On July 8, 1997, the General Assembly passed Senate Bill 875, which required that each Board of County Commissioners designate by name one or more persons experienced in mapping or land records management as a Review Officer to review each map and plat presented to the Register of Deeds for recording. On September 16, 1997, the Board adopted the attached resolution appointing representatives from Mecklenburg County, the City of Charlotte, and other municipalities in Mecklenburg County. These individuals were chosen by their respective jurisdiction based on their expertise in mapping and land use planning within their jurisdictions (a list of those departments and/or municipalities is attached).*

*The original resolution has been amended multiple times since its adoption to add or delete names of appointees. The need to add or delete names occurs for various reasons such as changes in staffing (e.g., resignations, retirements) and/or changes in the duties and responsibilities of related positions within the respective jurisdictions. In these instances, a replacement Review Officer is identified from within the department or municipality in which the change has occurred.*

*From time to time, and for various reasons, the City of Charlotte Planning Design and Development Department receives requests to update the Review Officer roster from various agencies within Mecklenburg County. This update will add new staff in charge of plat review work for the City of Charlotte Planning Department. Ayesha Iftikhar will assume the duties of plat review.*

**Meeting Minutes  
February 07, 2023**

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

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

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

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

**BE IT RESOLVED** by the Mecklenburg County Board of Commissioners that the Resolution adopted on September 16, 1997, as amended on prior occasions, be amended and the same hereby is further amended as follows:

1. Ayesha Ifthikhar from Charlotte Planning Design and Development is hereby designated as Review Officer in addition to those persons so designated in the Resolution of September 16, 1997, and other appointees as amended on prior occasions; thus the Resolution is accordingly amended to add these names.

ADOPTED this the 7th day of February 2023.

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Kristine M. Smith  
Clerk to the Board

***Resolution recorded in full in Ordinance Book 51, Document # 89.***

**Meeting Minutes  
February 07, 2023**

**23-0080 JUVENILE CRIME PREVENTION COUNCIL (JCPC) UPDATE TO PROPOSED FY23 FUNDING ALLOCATION- CJS**

Motion was made by Commissioner Leake, seconded by Commissioner Altman, and unanimously carried (9-0), to approve the revised FY23 funding allocation plan as recommended by the Mecklenburg County Juvenile Crime Prevention Council (JCPC).

*Background: The Mecklenburg County Juvenile Crime Prevention Council (JCPC) received \$2,051,713 in FY23 funding from the North Carolina Department of Public Safety. Board approved item #22 7577 on May 3rd, 2022, to recognize, receive, and appropriate the funds for Mecklenburg County Criminal Justice Services. One of the programs, Right Moves For Youth, Inc., is changing its local funding from In-Kind to cash match.*

***Funding Plan recorded in full in Ordinance Book 51, Document #90.***

**23-0089 NEW POSITIONS - HEALTH DEPARTMENT**

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell, and unanimously carried (9-0) to approve the creation of eight full-time, time-limited positions in the Health Department to be supported by existing funds in the America Rescue Plan Act Fund (ARPA). These positions will support the deliverables for the Children's Developmental Service Agency (CDSA) and Dental Service programs. ARPA funding for these positions is available through December 31, 2024.

- |     |                            |
|-----|----------------------------|
| (1) | Case Management Supervisor |
| (2) | Licensed Clinician         |
| (1) | Sr Adm Support Asst        |
| (1) | Dentist                    |
| (1) | Dental Assistant           |
| (1) | Dental Hygienist           |
| (1) | Adm Support Assistant      |

*Background: Mecklenburg County has extremely limited infant and early childhood mental health services for children ages birth to three outside of the services Mecklenburg County Children's Developmental Services Agency (CDSA) provides for families who are eligible for early interventions services. There is a gap for children who do not have other developmental delays, but the family has trauma history and are at risk for ongoing family disruption, increase risk for abuse and neglect, and adverse outcomes for the child. CDSA seeks to enhance their current*

## **Meeting Minutes**

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*services and to expand mental health services to families with children ages birth to three years old in Mecklenburg County. With this funding, CDSA would be able to provide infant and early childhood mental health services to families of children ages birth to three who are not eligible for CDSA services but need services.*

*Due to limited access to care and inability to pay for it, inequities in oral health are severe. Children from low-income, underrepresented groups, and rural areas are disproportionately affected by oral health issues. The most prevalent chronic illness in kids is tooth decay, which also accounts for 51 million hours of lost school time annually. 11.3% of kindergartners in Region IV, including Mecklenburg County, have tooth decay already. The Mecklenburg County Dental Service program understood that access to care adjustments were essential for supporting our school-based Oral Health Expansion Initiative and making sure that this program could be grown and sustained. Mobile dental vans (MDV) are extremely useful for underprivileged populations in Mecklenburg County because of their great mobility. Modern dental technology makes it possible for MDVs to function independently. This enables the MDV to provide a range of dental treatments, including preventative care, minimally invasive treatment, and oral health education, almost as well as a traditional dental clinic. Because the target populations are kids who have little to no access to dental care, schools are an ideal environment for service delivery. The initiative eliminates barriers to oral health care because it offers treatment in schools, avoiding parents' rigid work schedules, lack of transportation, eligibility requirements, bureaucratic procedures, and cost.*

## **23-0102 COMMISSIONER REPORTS**

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

## **ADJOURNMENT**

Motion was made by Commissioner Meier, seconded by Commissioner Jerrell, and unanimously carried (9-0), voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:46 p.m.

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Kristine M. Smith, Clerk to the Board

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George Dunlap, Chair