

**JUNE 4, 2019**

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

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, June 4, 2019.

**ATTENDANCE**

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

**Absent:** None

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**-INFORMAL SESSION-**

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

**REMOVAL OF ITEMS FROM CONSENT**

The Board identified item(s) to be removed from Consent and voted upon separately. The items identified were Items: 19-5429, 19-5441, 19-5452, 19-5457, 19-5458, 19-5462, 19-5467, 19-5472, 19-5475, 19-5476, and 19-5484.

**STAFF BRIEFINGS - NONE**

**CLOSED SESSION**

**19-5456 CONSULT WITH ATTORNEY**

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**19-5479 BUSINESS LOCATION AND EXPANSION**

Prior to going into Closed Session, County Attorney Wade announced there were no Consult with Attorney matters to be discussed in Closed Session.

Motion was made by Commissioner Scarborough, seconded by Commissioner Powell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to go into Closed Session for the following purpose: Business Location and Expansion.

***The Board went into Closed Session at 5:19 p.m. and came back into Open Session at 6:00 p.m.***

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

**-FORMAL SESSION-**

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

**POINT OF PERSONAL PRIVILEGE**

Chair Dunlap took a point of personal privilege to comment on what he said was an “allegation” made by a fellow colleague, alleging that “back room dealings” had taken place and “illegal meetings” with respect to the budget process; and that there was a “violation of the Opens Meeting Law.” Chair Dunlap said he was speaking on behalf of himself and fellow colleagues.

Chair Dunlap said the following:

- Commissioner Cotham was the fellow colleague that made the allegation.
- Commissioner Cotham shared incorrect information with the media.
- The media moved forward with running the story without speaking to any other Commissioners first.
- The Board did not violate the Opens Meeting Law, which the County Attorney confirmed.
- The Board was transparent during the entire budget process, beginning with the Board’s Annual Retreat in January, which Commissioner Cotham decided not to attend.
- The Board held a series of meetings regarding the budget following the Board’s Retreat, some of which Commissioner Cotham either was absent, arrived late or left early.

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- The Board was pleased with the County Manager's Recommended Budget, but felt there were some things that needed a "boost," about six items.
- His leadership style was about seeking collaboration, so that "everyone wins."
- He spoke with every member of the Board regarding the budget.
- Some Board members were okay with the County Manager's Recommended Budget and some wanted changes.
- He gathered everyone's feedback and shared that information with the County Manager.
- The County Manager was asked by Chair Dunlap to review the information and to determine where cuts to her recommended budget could occur to accomplish the requests of those Commissioners desiring a change in what was recommended.
- He said the County Manager was the best person to make those determinations, rather than the Board.
- He shared with the full Board at a prior meeting that he would send Board members an email informing them of the information that was assembled, per Board member feedback and where the cuts came from.
- Further, that he would put the information in the form of a motion.
- His email to Board members was forwarded to the media by Commissioner Cotham.
- Commissioner Cotham said she responded to his email, but he never received it.
- Commissioner Cotham's response was sent to other Commissioners, one of whom, forwarded it to him.
- After receiving the email from Commissioner Cotham, via another Board member, he responded and said "Pat for you, the media, and anybody you blind copied, this is my response, therefore, there will not be a need for them to call me. My response is in this response."
- His response to Commissioner Cotham's email was not included in anything reported by the media.
- This resulted in a public records request for emails of Board members to see if there was anything there regarding "back room" negotiations.
- The allegation made by Commissioner Cotham was very disturbing for fellow Board members, because everything that had taken place was done in "good faith."
- The Board was committed to doing what was "right, what was fair."
- Board members were disappointed in the position the media took. The fact that they did not reach out to any other Commissioners prior to running their story.
- He said this was not unusual for the media, because they had a history of supporting Commissioner Cotham and her "antics."

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- He said if you read the articles, they had a “tendency of labeling primarily people of color and they perpetuate racism and stereotypes.”
- Chair Dunlap questioned whether Commissioner Cotham was really concerned about transparency; and asked Commissioner Cotham if she would be willing to open up her email immediately upon request and share information that she may have sent or received regarding her tenure as Board chair, relative to transparency.
- Chair Dunlap said under Commissioner Cotham’s chairmanship, the former county manager was fired publicly.
- He said leading up to the firing of the former county manager, Commissioner Cotham, then Chair, shared information with only five Commissioners regarding that matter. He said the other four Commissioners had no idea of what was going to take place. Further, that he was scheduled to be absent from that meeting.
- He said Commissioner Cotham encouraged the media to attend that meeting.
- Chair Dunlap said Commissioner Cotham continually tries to “undermine” the leadership of the Board when she has not been the leader.
- He said Commissioner Cotham corresponded with Cardinal Innovations when the County was trying to prevent MeckLink from going over to Cardinal.
- He asked Commissioner Cotham if she was willing to disclose those emails and correspondence between those agencies. *(There was no response.)*

Chair Dunlap said he was making a public records request to receive that information so that he would know which emails were being sent, how much money was spent, which attorneys were hired and how much attorneys were paid. He requested email, texts, and other communications that would “lead this community to know the truth about what happened.”

Chair Dunlap closed by saying “this Board believes in transparency” and that “this Board” had been more transparent than any board in the “history of Mecklenburg County.” He said for the first time ever, prior to the beginning of the budget process, the public was allowed to come into the process and inform the Board of what they wanted to see in the budget. In addition, surveys were conducted and other things to solicit citizen input, which culminated into a public hearing. He said individual Commissioners also conducted town hall meetings and attended other events to solicit public input. Also, that a second public hearing was held to receive citizen input.

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

Commissioner Cotham asked to be recognized to speak in response to Chair Dunlap’s comments.

Chair Dunlap consented to Commissioner Cotham’s request to speak.

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Commissioner Cotham said the following:

- She was not expecting to be “blasted” by the Chair at tonight’s meeting.
- She “categorically reject most of what the Chairman said.”
- In her second email response to the Chair, after he’d responded with a “sharp tone,” she said that it was not about her, that it was “about the people.”
- She said her focus was on “the people” and the Chair’s focus was on her.
- She said the “people” did not get to hear the discussions, nor did she.
- She did not get the opportunity to vote on the changes.
- She did not know where some of the changes came from, nor did the public.
- This was a lack of transparency.
- She had no regret for what she did; that she did the “right thing.”
- She said the process was not “good government.”
- She said she did not make it about herself.
- She said her focus was on “the process.”

Commissioner Cotham said she would vote no on the budget, even though there were a lot of things in the budget that she liked; but it was the principle of the matter.

- She said she could not support a process that was not open.
- She said the public had a right to hear the discussion and to hear Commissioners make their case for the changes they wanted.

Commissioner Cotham said she was “looking out for the people.”

- She said she’d been categorized as the “black sheep of the group,” but that the people knew what kind of person she was.
- She said she and the Chair disagree, but that the Board needed to do its job; and that the straw vote process was a part of that job; and it was not done as it should have been.

She thanked Chair Dunlap for recognizing her to speak.

Chair Dunlap said “when you impugn the integrity of your eight colleagues and the media not give them an opportunity to respond, you did this. Yes, it is about you because you made those comments. You alleged that there were some back room deals going on.”

This concluded the Chair’s point of privilege. *(Again, the above was not inclusive of every comment but was a summary.)*

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**AWARDS/RECOGNITION**

**19-5465      ORDER OF THE HORNET INDUCTION OF DALE MULLENNIX (COMMISSIONER HARDEN)**

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

Prior to the above vote, Mr. Mullennix was introduced by Commissioner Harden, who sponsored his induction and read the Order of the Hornet.

Mr. Mullennix thanked the Board for recognizing him in this manner and for the County's partnership with the Urban Ministry Center.

Commissioners thanked Mr. Mullennix for all of his years of dedicated service to the community.

*Note: The Order of the Hornet was established in 1972. It is bestowed by the Board of County Commissioners on persons who have displayed valor or high order of service uniquely and specifically to the citizens of Mecklenburg County. This is the highest honor bestowed by the Board. The Order of the Hornet was founded in the spirit of the early Mecklenburg patriots who signed the Mecklenburg Declaration of Independence on May 20, 1775, and proclaimed the County's freedom from Britain more than a year before the U.S. Declaration of Independence was signed. Those early patriots valiantly fought for their independence during the Revolution and gave Lord Cornwallis such difficulties during his occupation of Charlotte, that he termed the town a "hornet's nest" of rebellion. Because Dale Mullennix reflects the honor, strength, and fierce American patriotism that so stung Lord Cornwallis, he was recommended for membership in the Order of the Hornet*

*Note: Dale Mullennix has been the Executive Director for the Charlotte, NC-based Urban Ministry Center (UMC) since its inception in 1994. The UMC is an interfaith organization dedicated to ending homelessness, one life at a time. Under Mullennix's leadership, the Center runs a number of creative outreach ministries, for example:*

- Room In The Inn, which invites faith-based organizations in the area to open their doors in cold-weather months to provide shelter and meals to homeless neighbors.*
- SABER, one of the most recognized substance use treatment centers in Charlotte.*

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· *Enrichment programs include the ArtWorks 945 Studio, cooking classes, a soccer team, a gospel choir, and an organic garden.*

*Mr. Mullennix has been a consistent advocate for innovation and involvement. He has brought together more than 150 faith communities, thousands of donors, businesses, and volunteers across Charlotte to participate in the Center's mission. He and his team were the first in the area to adopt the research-based "Housing First Strategy," which prioritizes placing those living on the streets in stable housing before determining what other services are needed.*

*In 2012 the UMC opened Moore Place, an 85-unit apartment building that provides housing and on-site social services to those experiencing chronic homelessness. The UMC now houses over 300 formerly homeless individuals and provides services on four campuses and through scattered site housing.*

*Mr. Mullennix has been recognized over the years for his commitment and dedication to helping those in need, for example, in 2015 he was named Charlottean of the Year by Charlotte magazine and in 2018 awarded the Order of the Longleaf Pine in 2018. Most recently, he helped lead a successful merger with the Men's Shelter of Charlotte. After twenty-five years of dedicated service as the Executive Director of the Urban Ministry Center, he is retiring effective June 17, 2019.*

*Mr. Mullennix has a Master of Divinity from the Southern Baptist Theological Seminary in Louisville, KY. He served as Associate Pastor at Myers Park Baptist Church in Charlotte until selected to lead the UMC in 1994. Mullennix is married to the Reverend Jane Summey and they have two children.*

## **PUBLIC APPEARANCE**

### **19-5454      PUBLIC APPEARANCE**

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

James Lee complimented Chair Dunlap for his leadership and integrity. He said the current Board has the opportunity to "fix" a lot of things in the community for those in need. He urged the Board to move forward and to put any disagreements or disappointments it may have behind them. He said, "everyday one wakes up was an opportunity to get it right." He urged the Board not to be divided and to do the business of the County.

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Nancy Carter, a former Charlotte City Council member, and a current member of the Soil and Water Conservation District addressed Sustainable Energy. She said the Soil and Water Conservation District voted to support the City of Charlotte's Sustainable Energy Action Plan.

She encouraged the County to develop a sustainable energy action plan. She encouraged the County to work with the City on this issue to become a national leader in this area by developing defined goals and plans. She encouraged the County to build upon its existing efforts, the County's Environment Leadership Policy passed in 2004 and the Environmental Sustainability Plan. She further encouraged the County to purchase clean energy vehicles and elaborated on the benefits of doing so.

Tina Katsanos addressed climate change and environmental health impacts on adults and children, specifically, those with asthma. She also addressed the impact of pollen on one's health. She asked the Board to consider appointing a task force to address the issue of climate change and to develop an action plan around this issue.

Leo Amon, an elementary school student and the son of Ms. Katsanos, addressed climate change and the pollen "apocalypse." He said action was needed "now." He addressed his asthma condition and how he regrets disturbing his classmates because of his coughing. He said, "if nothing was done, everyone was going to die, but it would not be naturally."

Tera Long addressed climate change and the impact of this one's health. She encouraged the Board to support efforts for clean energy, clean air, clean water, and green jobs. She also expressed support for teachers and habitat for humanity.

Crystal Pemberton, a Yale graduate, and Erin Howell, co-founders of what they said would be known as the Great Opportunity Boarding Institute for Girls (GOBIG), spoke as advocates for "school choice." They said every family should have "equitable" access to a great education opportunity. GOBIG would be the first tuition free, all girls, public charter boarding school in N.C. The only one in the U.S. that would serve elementary age students. The curriculum would focus on developing an independent and collaborative entrepreneurial mindset in their scholars through STEM, Science, Technology, Engineering, and Mathematics.

James Doyle, a physician, addressed climate change. He noted recent reports regarding the topic. He said the issue was getting worse and that an action plan was needed.

William Hickman and Charles Mandizha registered to speak but were not present.



**APPOINTMENTS**

**19-5464      MECKLENBURG EMS AGENCY (MEDIC) BOARD APPOINTMENT**

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to appoint Saad Ehtisham, President and Chief Operating Officer, Novant Health Presbyterian Medical Center, to the Mecklenburg EMS Agency Board to fill the unexpired term of Paula Vincent, as a Novant Health representative, term expiring December 2019.

*Note: In 1996, the Mecklenburg Board of County Commissioners along with County management staff worked with EMS management and leaders in both the medical and business communities to address the needs of the County's EMS department. The Amended and Restated Joint Undertaking Agreement, approved by the Board of County Commissioners in November 2009, states the affairs of the Agency shall be governed by a seven-member Board of Commissioners which shall be appointed by the Mecklenburg County Board of Commissioners as follows:*

- a. Three (3) persons shall be Charlotte-Mecklenburg Hospital Authority (CMHA) employees nominated by the CMHA Chief Executive Officer; and*
- b. Three (3) persons shall be Novant Health Southern Piedmont Region (Presbyterian) employees nominated by the Presbyterian Chief Executive Officer; and*
- c. One (1) person shall be a County employee nominated by the County Manager.*

*Each Agency Commissioner shall be appointed for a term of three (3) years or until such Commissioner's successor is nominated and appointed. There is no limit to the number of successive terms in which a Commissioner may serve.*

**19-5471      APPOINTMENTS**

**SMALL BUSINESS AND ENTREPRENEURSHIP ADVISORY BOARD**

The vote was taken on the following nominees for appointment to the Small Business and Entrepreneurship Advisory Board:

Russell Alexander Martin	Commissioner(s) Dunlap, Fuller, Powell, Rodriguez-McDowell, and Scarborough
Shalinda Williams	Commissioner(s) Cotham, Harden, and Jerrell

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Chair Dunlap announced the appointment of Russell Alexander Martin to the Small Business and Entrepreneurship Advisory Board to fill an unexpired term expiring June 30, 2019 and a subsequent three-year term expiring June 30, 2022.

*Note: He replaced Chris Clark.*

**19-5480      NOMINATIONS/APPOINTMENTS**

**ADULT CARE HOME ADVISORY COMMITTEE**

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to nominate and appoint Marque Macon to the Adult Care Home Advisory Committee for a one-year term expiring June 4, 2020.

**JURY COMMISSION**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to reappoint Carla Brafford to the Jury Commission for a two-year term expiring June 30, 2021.

*Note: Per state statute the Jury Commission shall consist of three members. One member of the commission shall be appointed by the senior regular resident superior court judge, one member by the clerk of superior court, and one member by the board of county commissioners. Members must be qualified voters of the county and can serve unlimited terms. Must be a resident of Mecklenburg County. The Jury Commission generally meets twice a year.*

**PLANNING COMMISSION**

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to reappoint John Ham to the Planning Commission for the remainder of his term, expiring June 30, 2019, and a subsequent three-year term expiring June 30, 2022.

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*Note: Mr. Ham was removed because of missing three consecutive meetings but has assured the Board he would meet the requirement going forward.*

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

Emmitt Butts	by Commissioner Jerrell
Peter Kelly	by Commissioner Harden
Unithia McGruder	by Commissioner Fuller

*Note: Per Board policy, an appointment will be made following interviews of those nominated by an ad hoc committee of the Board, appointed by the Board Chair. The appointment will be scheduled to occur no later than the Board's July 2, 2019 meeting.*

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to close the nominations.

*Commissioners Leake and Rodriguez-McDowell volunteered to serve on the Ad Hoc Committee. Two additional Commissioners will be needed.*

#### **PUBLIC HEARINGS - NONE**

#### **ADVISORY COMMITTEE REPORTS**

##### **19-5474 JUVENILE CRIME PREVENTION COUNCIL ANNUAL REPORT & PROPOSED FUNDING ALLOCATION PLAN**

The Board received the annual report of the Juvenile Crime Prevention Council and proposed funding allocation plan.

Terri Stowers, chair of the Juvenile Crime Prevention Council gave the report.

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

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

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- 1) Receive as information the Juvenile Crime Prevention Council Annual Advisory Committee Report;
- 2) Recognize, receive and appropriate FY20 Department of Public Safety - Division of Juvenile Justice funds in the amount of \$1,415,682.00; and
- 3) Approve FY20 funding allocation plan as recommended by the Mecklenburg County Juvenile Crime Prevention Council in the amount of \$1,065,682.00.

*Note: The difference between the amount of FY20 Department of Public Safety - Division of Juvenile Justice funds received, and the amount approved for the FY20 Funding Allocation Plan was \$350,000. The Juvenile Crime Prevention Council (JCPC) originally recommended \$350,000 in JCPC funds be approved for the development of temporary shelter care programming for justice involved youth with Thompson Child and Family Focus, however, this amount was excluded because of uncertainty regarding the matching funds needed by Thompson. A subsequent action item will be brought to the Board for allocation of the \$350,000 at a later date.*

Chair Dunlap thanked Ms. Stowers for the report.

#### **MANAGER'S REPORT**

##### **19-5466      MECKLENBURG COUNTY SOLID WASTE FEE ORDINANCE FY2020**

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve revisions to the Mecklenburg County Solid Waste Fee Ordinance for fiscal year 2020.

*Note: Annually, LUESA Solid Waste proposes to change the Mecklenburg County Solid Waste Fee Ordinance by revising certain fees in the Solid Waste Program to respond to inflation and contract service fees charged to Mecklenburg County. These changes include, but are not limited to:*

1. *Continued implementation of the incremental multi-year fee plan developed in FY2017;*
2. *No increase to the volumetric fees for residential customers who use County Drop-Off Centers, and a decrease of Yard Waste from \$8.50 to \$8;*

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3. *Increase fees for non-residential/out of county customers who use County Drop Centers from \$50 to \$65 annually;*
4. *Incorporate necessary fees to cover the costs associated with accepting, processing, and transporting waste materials to their final disposal point.*
5. *Fees contained in this ordinance will be effective July 1, 2019.*

*The Residential Solid Waste Availability Fee is proposed to increase from the current \$27.50 per year to \$33.50 per year. This increase is due to collapses in the Recycling Market and equates to .50 cents per month for each residential property. This will allow our community to continue recycling in the same manner as we have for the past several years. The Availability Fee is included in the FY 2020 Operating Budget request and is separate from the Mecklenburg County Solid Waste Fee Ordinance.*

***Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 29.***

**19-5488 PRIVATE AND PHILANTHROPIC FUNDING FOR PRE-K**

The Board received information from Michael Marsicano, President and CEO, Foundation for the Carolinas, regarding private and philanthropic funding for Pre-K.

Mr. Marsicano informed the Board of other donations that had been pledged for the County's Universal Pre-K and Degree Granting Programs for Teachers. Thus, reaching the County's goal of raising \$6.2 million. These funds will be used to finance scholarships for students at the bachelor and associate degree level, so that teachers placed in the Pre-K classrooms are highly qualified. The list of contributors are as follows:

Corporate Charlotte and Philanthropic Families Rally  
In support of Universal Pre-K and Degree Granting Programs for Teachers

Albemarle Corporation	Foundation For The Carolinas	Novant Health
Atrium Health	Ingersoll Rand	
Bank of America	Howard R. Levine Foundation	Pricewaterhouse Coopers
Barings, LLC	Leon Levine Foundation	Charlotte Merchants Foundation
John M. Belk Endowment	Merancas Foundation	Coca Cola Consolidated
Brighthouse Financial	Duke Energy	C.D. Spangler Foundation
Wells Fargo		

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Commissioners expressed sincere thanks to Mr. Marsicano for all of his great work on making this happen.

County Manager Diorio was thanked as well.

**19-5509      SMALL BUSINESS LOAN PROGRAM**

Finance Director Sarah Lyberg presented the proposed Small Business Loan Program Ordinance.

*Note: The Fiscal Year 2019-2020 Budget Ordinance includes funding for the establishment of the Small Business Loan Program. The Small Business Loan Program Fund ordinance will establish a separate fund to account for the activities of this program.*

**Comments**

Commissioner Powell asked was this something the County could legally do and about oversight. *County Attorney Wade said yes and that there would be oversight. He said the details would come at a later date.*

Chair Dunlap, who initiated this idea years ago, expressed how grateful he was to see this come to fruition.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the Small Business Loan Program Ordinance.

**MECKLENBURG COUNTY, NORTH CAROLINA  
SMALL BUSINESS LOAN PROGRAM**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE FOURTH DAY OF JUNE 2019:**

**WHEREAS**, Mecklenburg County has decided to create a Small Business Loan Program funded by a transfer of \$3,250,000 from the General Fund together with any other available funds, including earnings on such funds;

**NOW, THEREFORE, BE IT ORDAINED** that the Small Business Loan Fund is hereby established as follows:

Section I. The purpose of this Small Business Loan Fund is to hold and account for revenue as specified above and for use for providing funds for small business loans.

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Section II. The County Director of Finance is authorized to receive and place into the Small Business Loan Fund the specified revenues.

Section III. That \$3,250,000, General Fund balance transfer, is hereby appropriated for the purposes specified above.

Section IV. This Small Business Loan Fund will remain in place until terminated by the Board of County Commissioners.

***Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 30.***

## **19-5510          RENTAL SUBSIDY PROGRAM**

Finance Director Sarah Lyberg presented the proposed Rental Subsidy Program Ordinance.

*Note: The Fiscal Year 2019-2020 Budget Ordinance includes funding for the establishment of the Rental Subsidy Program. The Rental Subsidy Program Fund ordinance will establish a separate fund to account for the activities of this program.*

### Comments

Commissioner Powell asked was this something the County could legally do. *County Attorney Wade said yes.*

Commissioner Powell said consideration needed to be given to developing policies with a goal for self-sufficiency as well.

Commissioner Jerrell, who emphasized the need for this type of program after taking office, said this was something he heard over and over again when campaigning.

Commissioner Jerrell thanked staff for making this come to fruition.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the Rental Subsidy Program Fund Ordinance.

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**MECKLENBURG COUNTY, NORTH CAROLINA  
RENTAL SUBSIDY PROGRAM**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE FOURTH DAY OF JUNE 2019:**

**WHEREAS**, Mecklenburg County has decided to create a rental subsidy program funded by transfers from other funds together with any other available funds, including earnings on such funds;

**NOW, THEREFORE, BE IT ORDAINED** that the Rental Subsidy Program Fund is hereby established as follows:

Section I. The purpose of this fund is to hold and account for revenue as specified above and held for use for providing funds for rental subsidies.

Section II. The County Director of Finance is authorized to receive and place into the Rental Subsidy Program Fund the specified revenues.

Section III. That \$11,000,000 of transfers from other funds is hereby appropriated for the purposes specified above.

Section IV. This Rental Subsidy Program Fund will remain in place until terminated by the Board of County Commissioners.

***Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 31.***

**19-5470      FISCAL YEAR 2019-2020 BUDGET ORDINANCE ADOPTION**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-1 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes and Commissioner Cotham voting no, to adopt the Fiscal Year 2019-2020 Mecklenburg County Budget Ordinance as included in the Board's agenda, which reflects a property tax rate of 61.69 cents.

*Note: Approval of the Budget Ordinance adopts a balanced operating budget of expenditures and revenues for the period of July 1, 2019 through June 30, 2020 as required by the Local Government Budget and Fiscal Control Act. The Budget Ordinance results in a total budget of*

*\$1.99 billion and a property tax rate of 61.69 cents. It reflects the tax rate for the following Law Enforcement Service Districts: Charlotte = 17.81 cents; Cornelius= 13.32 cents; Davidson = 14.32 cents; Huntersville = 15.84 cents; Mint Hill = 15.58 cents; and Pineville at 16.37 cents. Also, the following reflects the tax rates for the fire service districts for the following Extra Territorial*



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*Jurisdictions (ETJs): Charlotte = 6.67 cents; Cornelius = 3.62 cents; Davidson = 6.50 cents; Huntersville = 4.10 cents; and, Mint Hill = 7.00 cents.*

***Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 32.***

Prior to the above vote, Commissioners, with the exception of Commissioner Cotham, spoke in support of the budget and noted the great things that would be occurring as a result of the FY19-20 budget.

Commissioner Cotham noted for the record that even though she felt there were some good things in the budget, she could not vote in support of the FY19-20 Budget, because she felt the budget process was not transparent. She said also, that she would not accept the FY19-20 pay raise for Commissioners.

**19-5478      ACCELERATED GREENWAY PLAN**

The Board received as information the plan to accelerate greenway projects to achieve 30 miles of completed greenways by 2023.

Bert Lynn, Park and Recreation Division Director of Capital Planning gave the report.

*Note: Mecklenburg County Park and Recreation Department has been tasked to develop a strategy to complete construction of 30 miles of greenway by the end of 2023. The report addressed the Department's strategy which included completion of projects under construction and design, moving remaining projects forward and initiating new projects.*

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

Chair Dunlap thanked Division Director Lynn for the report.

**19-5468      CAPITAL PROJECT ORDINANCES**

Finance Director Sarah Lyberg presented the capital project ordinances noted below.

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

**JUNE 4, 2019**

**1) Approve FY 2020 Authorization Land Acquisition Capital Project Ordinance.**

**MECKLENBURG COUNTY, NORTH CAROLINA  
FY 2020 AUTHORIZATION LAND ACQUISITION  
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 4th DAY OF June 2019.

Section I. That for the purpose of providing funds, together with any other available funds, for providing land for present and future park and recreation needs including open space purposes and the acquisition of improvements thereon and interests in such real property, \$8,600,000 is hereby appropriated.

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

Proceeds from Sale of Bonds, Pay-As-You-Go/Other County Funds \$8,600,000

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

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

***Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 33.***

**2) Amend FY 2018 Authorization Park and Recreation Capital Project Ordinance as amended and restated May 7, 2019.**

**MECKLENBURG COUNTY, NORTH CAROLINA  
FY 2018 AUTHORIZATION PARK AND RECREATION  
CAPITAL PROJECT ORDINANCE**

The following ordinance was offered as a second amendment to and restatement of *FY2018 Authorization Park and Recreation Approved Capital Project Ordinance as adopted June 19, 2018 and amended May 7, 2019*

**JUNE 4, 2019**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 4th DAY OF JUNE 2019:

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

Discovery Place

Druid Hills Neighborhood Park

Independence Park

Irvins Creek Gwy-Idlewild Road to Lakeview Circle

McAlpine Creek Gwy-Green Rea Road to Johnston Road

McDowell Creek Gwy-Upper McDowell at NC76 to Chilgrove Lane

Plum Creek Gwy-South Bailey Road to South Prong Rocky River Gwy

Torrence Trib#2-Cats Park and Ride to Rosewood Meadow Drive

Including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefore, \$ 40,162,858 is hereby appropriated.

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

Proceeds from Sale of Bonds, Pay-As-You-Go/Other County Funds:

2018-2019 fiscal year \$ 1,218,356

2019-2020 fiscal year 7,649,120

2020-2021 fiscal year 15,867,385

2021-2022 fiscal year 11,427,997

2022-2023 fiscal year 4,000,000

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

***Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 34.***

**3) Amend FY 2018 Authorization Park and Recreation Capital Project Ordinance as amended and restated December 19, 2017.**

**MECKLENBURG COUNTY, NORTH CAROLINA  
FY 2018 AUTHORIZATION  
PARK AND RECREATION**

**JUNE 4, 2019**

**CAPITAL PROJECT ORDINANCE**

The following ordinance was offered as an amendment to and restatement of *FY2018 Authorization Park and Recreation approved Capital Project Ordinance as adopted December 19, 2017*

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 4th DAY OF JUNE 2019:

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

Stewart Creek Greenway

Including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$4,990,248 is hereby appropriated.

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

Proceeds from Sale of Bonds, Pay-As-You-Go/Other County Funds and \$250,000 contribution from Lakewood Community Development Corporation:

2017-2018 fiscal year \$50,000  
2018-2019 fiscal year 652,500  
2019-2020 fiscal year 843,848  
2020-2021 fiscal year 2,983,319  
2021-2022 fiscal year 460,581

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

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

***Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 35.***

**JUNE 4, 2019**

**4) Amend FY 2018 Authorization Park and Recreation Capital Project Ordinance adopted March 20, 2018.**

**MECKLENBURG COUNTY, NORTH CAROLINA FY 2018 AUTHORIZATION PARK AND RECREATION CAPITAL PROJECT ORDINANCE**

The following ordinance was offered as an amendment to and restatement of *FY2018 Authorization Park and Recreation approved Capital Project Ordinance as adopted on March 20, 2018*

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 4th DAY OF June 2019:

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

Memorial Stadium Renovations \$32,000,000

including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$32,000,000 is hereby appropriated.

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

Proceeds from Sale of Bonds, Pay-As-You-Go/Other County Funds:

2017-2018 fiscal year \$ 1,000,000

2018-2019 fiscal year 1,750,000

2019-2020 fiscal year 11,450,000

2020-2021 fiscal year 15,850,000

2021-2022 fiscal year 1,950,000

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

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

***Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 36.***

**JUNE 4, 2019**

**5) Amend FY 2018 Authorization Park and Recreation Capital Project Ordinance adopted June 20, 2017.**

**MECKLENBURG COUNTY, NORTH CAROLINA  
FY 2018 AUTHORIZATION PARK AND RECREATION  
CAPITAL PROJECT ORDINANCE**

The following ordinance was offered as an amendment to and restatement of *FY2018 Authorization Park and Recreation Approved Capital Project Ordinance as adopted June 20, 2017*:

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 4th DAY OF JUNE 2019:

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

Little Sugar Creek Gwy Polk Site to SC State Line  
Northern Towns Regional Recreation Center  
Pearle Street Neighborhood Park Improvements  
Eastway Regional Recreation Center  
David B. Waymer Recreation Center Renovations

Including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefore, \$ 99,827,481 is hereby appropriated.

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

Proceeds from Sale of Bonds, Pay-As-You-Go/Other County Funds:

2017-2018 fiscal year \$ 5,052,099  
2018-2019 fiscal year 26,717,776  
2019-2020 fiscal year 36,039,520

2020-2021 fiscal year 30,184,783  
2021-2022 fiscal year 1,833,303

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

**JUNE 4, 2019**

***Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 37.***

**6) Approve FY 2020 Authorization Park and Recreation Capital Project Ordinance.**

**MECKLENBURG COUNTY, NORTH CAROLINA  
FY 2020 AUTHORIZATION PARK AND RECREATION  
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 4th DAY OF JUNE 2019:

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

Briar Creek Greenway (Central to Commonwealth to Monroe) Paw Creek  
Briar Creek/Little Hope Greenway-Keystone Court Caldwell Station Tributary  
Irwin Creek Greenway Long Creek (III)  
McIntyre Creek Greenway Reedy Creek  
Sugar Creek Greenway (BG Parkway to McDowell Farms Dr) Walker Branch/Hoover Creek  
Ezell Farms Community Park Mallard Creek Greenway

Including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefore, \$67,305,475 is hereby appropriated.

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

Proceeds from Sale of Bonds, Pay-As-You-Go/Other County Funds:

2019-2020 fiscal year \$ 1,426,172  
2020-2021 fiscal year 9,604,013  
2021-2022 fiscal year 29,921,717  
2022-2023 fiscal year 23,440,768  
2023-2024 fiscal year 2,912,805

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

***Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 38.***

**JUNE 4, 2019**

**7) Amend FY 2017 Authorization School Facilities Capital Projects Ordinance adopted February 19, 2019.**

**MECKLENBURG COUNTY, NORTH CAROLINA  
FY 2017 AUTHORIZATION SCHOOL FACILITIES  
CAPITAL PROJECT ORDINANCE**

The following ordinance was offered as an amendment to and restatement of *FY2017 Authorization School Facilities Capital Project Ordinance as adopted February 19, 2019*:

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 4th DAY OF JUNE 2019:

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

**Land Acquisition \$30,500,000**

(3 new elementary schools, 1 new high school, Shamrock Gardens ES, Briarwood ES)

**Design/Preconstruction \$10,750,000**

(Collinswood Language Academy K8, Harding HS, EC Specialty, Montclair ES, new K8 – South, New K8 – North)

**Construction Cost \$239,070,534**

(Nations Ford Sterling Steel Creek Relief, South Meck/Ardrey Kell/Myers Park, K-8 Language Immersion Magnet South, K-8 Language Immersion Magnet School-North, Shamrock Gardens Elementary School Replacement)

including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, in order to provide additional school facilities in said County to maintain the nine months' school term as required by Section 2 of Article IX of the North Carolina Constitution, \$280,320,534 is hereby appropriated.

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

Proceeds from Sale of Bonds, Pay-As-You-Go/Other County Funds:

2016-2017 fiscal year \$33,250,000

2018-2019 fiscal year 8,000,000

2019-2020 fiscal year 38,274,966

2020-2021 fiscal year 78,709,192

2021-2022 fiscal year 67,569,660



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2022-2023 fiscal year 52,453,083

2023-2024 fiscal year 2,063,633

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

***Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 39.***

**8) Approve FY 2020 Authorization School Facilities Capital Projects Ordinance.**

**MECKLENBURG COUNTY, NORTH CAROLINA  
FY 2020 AUTHORIZATION SCHOOL FACILITIES  
APPROVED NOVEMBER 7, 2017 REFERENDUM  
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 4th DAY OF JUNE 2019:

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

CTE Upgrades Phase One New ES-Hidden Valley/Newell/JW Grier Academy Relief East Mecklenburg High School Renovation

New ES-Bain/Lebanon Rd/Piney Grove Relief

Sharon Elementary School Renovation/Addition

West Mecklenburg High School Renovation/Addition

Including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, in order to provide additional school facilities in said County to maintain the nine months' school term as required by Section 2 of Article IX of the North Carolina Constitution, \$ 102,151,974 is hereby appropriated.

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

Proceeds from Sale of Bonds, Pay-As-You-Go/Other County Funds:

2019-2020 fiscal year \$ 4,982,099

2020-2021 fiscal year 23,996,563

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2021-2022 fiscal year 39,169,647

2022-2023 fiscal year 31,597,358

2023-2024 fiscal year 2,406,307

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

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

***Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 40.***

**DEPARTMENTAL DIRECTORS' MONTHLY REPORTS - NONE**

**STAFF REPORTS & REQUESTS - NONE**

**COUNTY COMMISSIONERS REPORTS & REQUESTS**

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

**19-5463      SELECTION OF NACO VOTING DELEGATE AND ALTERNATE (CHAIR DUNLAP)**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, Harden, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to select Chair Dunlap as the County's voting delegate for the 2019 National Association of Counties (NACo) 84th Annual Conference to be held July 12-16 in Clark County, Las Vegas, Nevada. In the event the Board's representatives do not pick up the County's ballot, the president of the NC Association of County Commissioners (or his/her designee) is authorized to pick up the County's ballot and cast the County's votes.

Commissioner Leake nominated Commissioners Jerrell and Rodriguez-McDowell to serve as alternates, depending upon, if either goes to the conference.

Commissioners Jerrell and Rodriguez-McDowell were uncertain as to whether they would be attending.

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Chair Dunlap said a decision regarding the alternate would be made at a later date, based on who plans to attend, Commissioners Jerrell and Rodriguez-McDowell, or others.

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

**19-5473      NAMING APPLICATION - PEDESTRIAN BRIDGE AT QUEENS SPORTS COMPLEX  
AT MARION DIEHL PARK TO "JERRY AND IRENE BLACKMON BRIDGE AND  
TRAILS" (COMMISSIONER HARDEN)**

Motion was made by Commissioner Harden, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Dunlap, Fuller, Harden, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to acknowledge receipt of an application, submitted by Commissioner Susan B. Harden, to approve naming the pedestrian bridge connecting Little Sugar Creek Greenway to the Queens Sports Complex at Marion Diehl Park the "Jerry and Irene Blackmon Bridge and Trails" and schedule a public hearing on July 2, 2019 at 6:30 p.m. to receive public comment on the proposed naming.

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

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

*Mr. Blackmon has participated in many civic and community activities, has held positions of leadership and received numerous awards and honors as listed in the naming application. Mr. Blackmon was inducted into the Mecklenburg County Order of the Hornet on December 3, 1990.*

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**CONSENT ITEMS**

**Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Dunlap, Fuller, Harden, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the following item(s):**

**19-5442      GRANT APPLICATION - FEMA LETTER OF MAP CHANGE – LUESA**

- 1) Approve submittal of an application for up to \$20,000 in grant funding from Department of Homeland Security - Federal Emergency Management Agency;
- 2) If awarded, recognize, receive and appropriate grant funds and authorize the County Manager to execute a contract to implement grant scope of work as specified in Mapping Activity Statement; and
- 3) Authorize the carry-forward of unspent funds for the duration of the grant.

*Note: On July 1, 2006 Charlotte-Mecklenburg became the first local entity in the country to be given the authority to process Letters of Map Change (LOMCs) as part of a FEMA pilot program. These LOMCs make conditional and permanent changes to our Flood Insurance Rate Maps, which are used for floodplain management activities such as rating flood insurance, regulating development, assessing existing flood risk, etc. The requested actions are necessary to continue the program and associated funding into the fourteenth year so that Charlotte-Mecklenburg Storm Water Services will be reimbursed by FEMA for the actual cost of processing LOMCs within Mecklenburg County, the City of Charlotte and all six towns.*

**19-5446      RECORDS RETENTION AND DISPOSITION- NEW RETENTION SCHEDULE MODEL FOR LOCAL GOVERNMENTS**

Approve the Records Retention and Disposition Schedule General Records Schedule for Local Government Agencies dated March 1, 2019 and authorize the Board Chairman and Clerk to sign the approval documents.

*Note: The Archives Division of the Government Records Section of the Department of Natural and Cultural Resources (DNCR) promulgates retention schedules, which establishes the minimum retention periods for the categories of records listed in the schedules. The (DNCR) Archives and Records Section, has advised that beginning in 2019 all local records retention schedules will be updated on an annual basis. March 1 is the first update. These annual updates*

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*will include any updates to the General Records Standards as well as any scheduled updates to specific Program Records Standards. Subsequent updates will be issued on January 1 of each year. The new General Records Schedule for Local Government Agencies (General Schedule) applies to all local governments including municipalities, counties and local education agencies. The new General Schedule includes nine categories of records. Once a local government adopts the new General Schedule, it supersedes all previous agency specific schedules for those categories. For those categories that are not covered by the new General Schedule, the most recently signed agency schedule will continue to apply for that program until a separate update is issued.*

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

**19-5453          STORM WATER PROGRAM - FY19 HAZARD MITIGATION FLOODPLAIN ACQUISITION**

- 1) Accept the Offer of Sale of Real Estate from James & Tiffany Guy, owners of property located at 1009 Mockingbird Lane, Charlotte, NC (tax parcel 171-082-15), for \$415,000;
- 2) Authorize the Charlotte-Mecklenburg Police and Fire Departments to use the structure for training exercises, and
- 3) Adopt a Resolution Approving Transfer of Reusable Building Materials to Habitat for Humanity of Charlotte, Inc. to allow for salvage of materials prior to demolition.

*Note: These acquisitions are being done through the County's Hazard Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.).*

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS  
RESOLUTION  
APPROVING TRANSFER OF REUSABLE BUILDING MATERIALS  
TO HABITAT FOR HUMANITY OF CHARLOTTE, INC.**

**WHEREAS**, Mecklenburg County desires to voluntarily acquire and demolish certain structures located in flood-prone areas along various creeks in Mecklenburg County through its Charlotte-Mecklenburg Storm Water Services, Engineering & Mitigation Program, moreover described as follows:

<b>TAX PARCEL ID</b>	<b>STREET ADDRESS</b>	<b>CITY</b>
17108214	1001 MOCKINGBIRD LANE	CHARLOTTE
17108215	1009 MOCKINGBIRD LANE	CHARLOTTE

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14920336	1300 DREXEL PLACE	CHARLOTTE
17109105	5721 WEDGEWOOD DRIVE	CHARLOTTE
01509115	8018 GILEAD ROAD	HUNTERSVILLE
22102106	701 MAIN STREET	PINEVILLE

**WHEREAS**, the properties in question may become a part of the Mecklenburg County open space, parks and greenway system; and

**WHEREAS**, Habitat For Humanity of Charlotte, Inc. (“Habitat For Humanity”), a North Carolina not-for-profit corporation engaged in providing quality housing to low and moderate income persons in Mecklenburg County, has requested that it be allowed to remove and sell such reusable building materials from said structures, and to use the proceeds to help develop housing for low and moderate income persons in Mecklenburg County; and

**WHEREAS**, Habitat For Humanity has estimated that it will be able to sell such reusable building materials; and

**WHEREAS**, North Carolina General Statute 160A-279 provides that whenever a county is authorized to appropriate funds to any private entity which carries on a public purpose, the county may, in lieu of appropriating funds, convey for private sale to such entity any personal property which it owns provided that it attach a covenant which will assure that the property be put to a public use by the recipient entity; and

**WHEREAS**, assisting with providing housing for low and moderate income persons is a public purpose as provided in N.C.G.S. 153A-378; and

**WHEREAS**, said N.C.G.S. 160A-279 requires that the procedural provisions of G.S. 160A-267 shall apply, which statute requires that the Board adopt a resolution authorizing appropriate officials to dispose of the property by private sale at a negotiated price, and that a notice summarizing the contents of the resolution be published once after its adoption, and that such sale be consummated no earlier than ten (10) days after the publication of said notice; and

**WHEREAS**, the Board of County Commissioners has determined that it would be in the public interest and appropriate to use this statutory authorization to convey the reusable building materials to Habitat For Humanity; now, therefore, be it

**RESOLVED** that the Mecklenburg County Board of Commissioners does hereby authorize W. Dave Canaan, Director of Mecklenburg County Storm Water Services, to transfer title to the reusable building materials contained in structures listed above once under the ownership of Mecklenburg County, to Habitat For Humanity, with the covenant that Habitat For Humanity must remove the building materials in a timely manner, and that such building materials either be used directly in the construction of housing for low and moderate income persons, or that the property be sold and the proceeds be used to provide housing for low and moderate income persons; and be it further

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**RESOLVED** that the Clerk to the Board is directed to publish a notice summarizing the contents of this resolution once after its adoption, and that the transfer of property to Habitat For Humanity not be consummated until ten (10) days after its publication.

***Resolution recorded in full in Minute/Ordinance Book 48-A Document # 41.***

**19-5455          MINUTES**

Approve Minutes of Regular meeting held May 21, 2019 and Special Meeting held May 28, 2019.

**19-5460          LOCAL HEALTH DEPARTMENT RECORDS RETENTION AND DISPOSITION  
SCHEDULE**

Approve the updated Local Health Departments Records Retention and Disposition Schedule in accordance with State requirement dated March 1, 2019.

*Note: In accordance with regulations set by the NC Department of Health and Human Services and the Department of Natural and Cultural Resources - Division of Archives and Records, local health departments are required to store and dispose of records possessing administrative, fiscal, legal, research or reference value. The records retention and disposition schedule is a tool for the employees of local government agencies across North Carolina to use when managing the records in their offices. It lists records commonly found in agency offices and gives an assessment of their value by indicating how long those records should be retained. This schedule is also an agreement between the Mecklenburg County Health Department and the State Division of Archives of North Carolina. The schedule must be approved by the governing body and signed by the Chairman of the Board of County Commissioners. The updated schedule was adopted by the State on March 1, 2019.*

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

**19-5461          TAX REFUNDS**

Approve tax refunds in the amount of \$619.29 as statutorily required to be paid, as requested by the County Assessor.

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

**JUNE 4, 2019**

**19-5485 NOTICE OF PROPOSED ADOPTION OF REVISED BOARD OF HEALTH RULES  
GOVERNING THE CONTROL OF RABIES AND ZOONOSSES**

Instruct the Clerk to the Board to publish a notice of proposed adoption of revised Board of Health Rules Governing the Control of Rabies and Zoonoses to be considered by the Board on June 18, 2019 at 6:30 p.m. or as soon as the agenda permits.

*Note: The County's current Ordinance is not consistent with the state statute and duplicates services. Additionally, the County will no longer need the Ordinance as currently written regarding animal holding facilities permits; licensing and records; standards as these are now covered by Dept of Agriculture rules. The current Ordinance will be recommended for repeal upon adoption of the proposed rules.*

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

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***Commissioner Jerrell returned to the dais.***

**19-5429 CONSTRUCTION CONTRACT - DAVID B. WAYMER, SR. RECREATION CENTER**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to award a construction contract to Hoss Contracting, Inc. in the amount of \$2,190,669 for the renovation of David B. Waymer, Sr. Recreation Center.

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

***Commissioner Cotham returned to the dais.***

**19-5441 BUDGET AMENDMENT - SHERIFF'S OFFICE SPECIAL REVENUE FUND (REVENUE  
AND EXPENSE INCREASE)**

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



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1. Recognize, receive and appropriate \$242,300 from Inmate Commissary revenue to the Sheriff's Office Special Revenue Fund;

*Note: All funds collected through Jail commissary operations are to be used for inmate education, library and self-sufficiency programs, as well as, supplies and equipment to support the programs.*

2. Recognize, receive and appropriate \$62,220 from Vocational Facility telephone revenue to the Sheriff's Office Special Revenue Fund;

*Note: All funds received from 16.8 percent of commissions from the inmate telephone system are to be used for inmate vocational education programs.*

3. Recognize, receive and appropriate \$184,905 from Concealed Handgun permit fees to the Sheriff's Office Special Revenue Fund; and

*Note: The Sheriff's Office share of all funds resulting from the issuance of concealed carry permits will be used for law enforcement purposes only. These funds will be used for the purchase of supplies and equipment as necessary but will not be used for the purchase of information technology.*

4. Recognize, receive and appropriate \$127,315 from Seized Assets to the Sheriff's Office Special Revenue Fund.

*Note: Funds are generated from seized assets and will allow the Sheriff's Office to enter into contracts and expend money in accordance with the Special Revenue Fund ordinance.*

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

#### **19-5452      ENGINEER SELECTION - GRADY COLE CENTER**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to negotiate fees and execute a contract with RMF Engineering, Inc. for design services for the Electrical System Modifications and Heating, Ventilating, Air Conditioning System Replacement at the Grady Cole Center. In the event negotiations with RMF Engineering, Inc. are

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unsuccessful, approve negotiations with the alternate firm of Optima Engineering, PA.

Commissioners Jerrell and Leake removed this item from Consent for more public awareness and clarity. County Manager Diorio and Director of Assets and Facility Management, Mark Hahn addressed this item.

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

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

**19-5457          DUKE ENERGY LIGHTING SERVICE CONTRACT - SPORTSPLEX AT MATTHEWS**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve a 10-year contract with Duke Energy at \$115.48 per month to provide walkway lighting at the entrance/exit of the fieldhouse at the Sportsplex at Matthews.

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

**19-5458          CAPITAL RESERVE EXPENDITURE REQUEST - SUNSET HILLS GOLF COURSE (PARK AND RECREATION)**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve expenditure of \$60,000 from the Golf Course Capital Reserve fund for renovations to the picnic pavilion at Sunset Hills Golf Course.

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

**19-5462          CRIMINAL JUSTICE SERVICES GRANT POSITION**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the creation of one Grant Manager

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position (annual market rate is \$55,851) funded with existing MacArthur Foundation grant funds in the Criminal Justice Services Department.

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

Commissioner Leake requested additional information on the amount of the grant and the recipients.

**19-5467      GRANT APPLICATION - BUREAU OF JUSTICE ASSISTANCE BULLETPROOF VEST PROGRAM (SHERIFF'S OFFICE)**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to affirm submittal of a grant application up to \$95,184, for reimbursement of 50% of the purchase cost of bulletproof vests and if awarded, recognize, receive and appropriate the grant funds.

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

***Chair Dunlap returned to the dais.***

**19-5469      LAND USE AND ENVIRONMENTAL SERVICES AGENCY (LUESA) FEE ORDINANCE CHANGES (SECOND READING)**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-2 with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leak and Scarborough voting yes and Commissioners Powell and Rodriguez-McDowell voting no, to adopt an Ordinance Revising the Land Use and Environmental Services Agency (LUESA) Fee Ordinance.

Commissioner Powell removed this item from Consent in order to vote no.

***Ordinance recorded in full in Minute/Ordinance Book 48-A, Document # 42.***

***Chair Dunlap resumed chairing the meeting.***

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**19-5472      COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT PROGRAM - 2019  
ANNUAL ACTION PLAN (FY2019 - 20) SUMMARY**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to approve the FY2019 Annual Action Plan for Mecklenburg County's Community Development Block Grant (CDBG) program of the U.S. Department of Housing and Urban Development (HUD), and recognize receive and appropriate awarded funds.

*Note: As an entitlement community, Mecklenburg County receives an annual share of federal Community Development Block Grant funds. In order to receive this funding, the County must submit an Annual Action Plan to HUD, which describes the funding levels and activities to be undertaken during the upcoming program year to address the priority needs and objectives as outlined in the Consolidated Plan.*

*The 2019 Annual Action Plan includes the funding application for CDBG funds in the amount of \$765,102. The Plan reflects the County's continued efforts and commitment to address public facility and infrastructure improvements, sustaining affordable owner-occupied housing and needs for childcare assistance for low to moderate income persons. Additionally, Mecklenburg County will continue to undertake specific actions in order to address the national objectives outlined by HUD by providing for increased activity involving resident initiatives, evaluation and reduction of lead-based paint hazards, increased employment opportunities, the further development of community-based institutional facilities and the enhancement of coordination between public and private housing and human service agencies. All activities and funding priorities included in Mecklenburg County's Annual Action Plan will address three statutory goals set by HUD:*

- o Provide Decent Housing*
- o Provide A Suitable Living Environment*
- o Provide Expanded Economic Opportunities*

Commissioners Jerrell and Leake removed this item from Consent for more public awareness.

Commissioner Leake said she'd like to receive additional information regarding CDBG.

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

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**19-5475      MEMORANDUM OF AGREEMENT - CALDWELL STATION CREEK GREENWAY**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to authorize the County Manager to negotiate and execute a Memorandum of Agreement between the County and Town of Cornelius for the operation and maintenance of the Caldwell Station Creek Greenway within the Town of Cornelius pursuant to the Interlocal Cooperation Agreement between the County and Town dated June 3, 2014.

*Note: On June 3, 2014, the County and Town of Cornelius entered into an Interlocal Cooperation Agreement for land acquisition, construction and maintenance of the Caldwell Station Creek Greenway which runs from Hwy 21 to Hwy 115 in Cornelius. To assist the Town with fulfilling the requirements of a grant it obtained from the North Carolina Department of Transportation, the County committed to purchasing land needed for the greenway. Additionally, the County committed to other future activities including maintenance of the greenway upon its completion. Now that construction of the greenway is complete, the County and Town need to enter into an agreement governing the operations and maintenance of the greenway. The major terms of the Memorandum are:*

*Term - Ten (10) years with automatic renewals for twelve (12) months following the initial term.*

*Operations - The County will be responsible for responding to the public's concerns regarding operations and maintenance of the greenway. The Town shall have no obligations related to day-to-day operations or maintenance of the greenway.*

*Programming - All requests for recreational programming on the greenway shall be submitted to and approved by the County.*

*Maintenance - The County shall be responsible for all routine maintenance, repair and upkeep on the greenway.*

*Town Improvements - The Town shall be responsible for all improvements it installs on the greenway.*

*Park Ranger Service - The County shall provide park ranger service on the greenway in a manner consistent with other greenways owned and maintained by the County.*

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

Commissioner Leake requested information on the number of greenways on the Westside and how much was being spent.

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**19-5476      MEMORANDUM OF AGREEMENT AND GREENWAY DONATION - PLUM CREEK GREENWAY**

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

1. Authorize the County Manager to negotiate and execute a Memorandum of Agreement between the County and Town of Cornelius for operation and maintenance of the portion of greenway referred to as "Plum Creek Greenway" located in the Town of Cornelius; and
2. Accept the donation of permanent greenway easement on Tax Parcel 007-281-13 from the Town of Davidson for construction and maintenance of greenway trail on "Plum Creek Greenway."

*Note: The County, Town of Cornelius, and Town of Davidson have partnered together to extend greenway trail along South Prong River. The trail has yet to be named and is informally referred to as "Plum Creek Greenway". It is included in the Fiscal Year 2019 - 2023 Capital Improvement Plan and is designed as a half-mile trail with portions of the trail in the Towns of Cornelius and Davidson. The trail will begin at South Bailey Road across from W.A. Hough High School and run northward to existing greenway trail. Included in the project is donation of a greenway easement by the Town of Davidson on Town-owned property. The exact acreage of the easement being donated by the Town will be based on a forthcoming survey. The partnership included the Town of Cornelius funding and completing all construction drawings, specifications, cost estimates, and permits to standards suitable for the County's bidding process. The County is responsible to manage and provide funds for all bidding and contract management for construction of the greenway. Construction is set to begin Fall, 2019. Following completion of the greenway, the County is responsible for operations and maintenance of the greenway. The major terms of the Memorandum are:*

*Term - Ten (10) years with automatic renewals for twelve (12) month following the initial term.*

*Operations - The County will be responsible for responding to the public's concerns regarding operations and maintenance of the greenway. The Town shall have no obligations related to day-to-day operations or maintenance of the greenway.*

*Programming - All requests for recreational programming on the greenway shall be submitted to and approved by the County.*

*Maintenance - The County shall be responsible for all routine maintenance, repair and upkeep on the greenway.*

*Town Improvements - The Town shall be responsible for all improvements it installs on the greenway.*

*Park Ranger Service - The County shall provide park ranger service on the greenway in a*

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*manner consistent with other greenways owned and maintained by the County.*

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

**19-5484      FY 2019-2020 JCPC-ENDORSED LEVEL II DISPOSITIONAL ALTERNATIVE  
PROGRAMS GRANT**

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

1. Approve the submission of a grant application for funding in the amount of \$200,000 to the North Carolina Department of Public Safety; and
2. If awarded, recognize, receive, and appropriate such funds for the grant period; and
3. If awarded, establish two (2) Criminal Justice Case Manager positions (annual market rate is \$45,430) in Criminal Justice Services for the grant period.

*Note: Criminal Justice Services Re-Entry Services Unit will deliver a vocational services program for Level II and select Level I juveniles, age 15 and above, with high risks and/or high needs. The program will include delivery of employment retention skills building curriculum, job training and/or job placement for up to 100 juveniles under the supervision of the 26th Judicial District Juvenile Court. The Criminal Justice Case Manager positions will be responsible for vocational counseling, group facilitation and education/vocational development, as well as contracted community supports.*

Commissioners Jerrell and Leake removed this item from Consent for more public awareness.

Commissioner Leake said she'd like to receive more information about the grant.

**ADJOURNMENT**

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:49 p.m.

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Janice S. Paige, Clerk

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George Dunlap, Chair