

SEPTEMBER 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 Wednesday, September 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

-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: 19-5626, 19-5628, 19-5632, 19-5634, 19-5635, 19-5636, and 19-5637.

STAFF BRIEFINGS - NONE

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CLOSED SESSION

- 19-5567 PERSONNEL MATTER
- 19-5631 CONSULT WITH ATTORNEY
- 19-5647 BUSINESS LOCATION AND EXPANSION

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 go into Closed Session for the following purpose(s): Personnel Matter, Consult with Attorney, and Business Location and Expansion.

The Board went into Closed Session at 5:13 p.m. and came back into Open Session at 6:15 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 Scarborough, followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

19-5592 2019 NACO ACHIEVEMENT AWARDS

The Board recognized the County's 2019 NACo (National Association of Counties) Achievement Awards winners.

Note: County staff won 16 2019 NACo awards for a variety of programs. Eight were being recognized at tonight's meeting as noted below. The remaining winners will be recognized at the September 17, 2019 meeting.

NACo Award Winners:

1. *Child Support Amnesty Week*
2. *The Housing First Charlotte-Mecklenburg*
3. *Narcan Community Distribution Program*
4. *Information Technology Services/DSS Daysheets Application*
5. *Information Technology Services/HHS Community Resource Center System Project*

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- 6. *Comprehensive Foreclosure Strategy*
- 7. *Interactive Tax Foreclosure Web Tool*
- 8. *Notice of Bidder Solicitation*

A description of the winning programs is on file with the Clerk to the Board.

PUBLIC APPEARANCE

19-5629 PUBLIC APPEARANCE

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

James Lee, Corine Mack, Willie Keaton, Neicy Mendez, Steven Cohen, Mary Kelly, and Peter Kelly addressed Brooklyn Village and the urban renewal that occurred years ago that resulted in the displacement of primarily African American families and businesses. They spoke as advocates for former Brooklyn Village families and asked that the forthcoming development of the area be inclusive, so that former residents and/or their descendants would be able to afford to live in the area, as well as, have businesses.

Apryl Lewis addressed the Lake Arbor apartments issue. She addressed the need for accountability and the importance and need for Lake Arbor residents to be at the table when decisions were being made, impacting their lives.

APPOINTMENTS

19-5623 APPOINTMENTS

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

The vote was taken on the following nominees for appointments to the Charlotte-Mecklenburg Community Relations Committee:

Round 1

Patricia Banega Segura	Commissioners Dunlap, Fuller, Rodriguez-McDowell and Scarborough
Emmitt Butts	Commissioners Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough

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Delma Kendrick None
Erinn Rochelle Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell,
Powell, Rodriguez-McDowell, and Scarborough

Round 2

Patricia Banega Segura Commissioners Cotham, Dunlap, Fuller, Harden, Powell,
Rodriguez-McDowell, and Scarborough

Voting Ceased

Delma Kendrick

Chair Dunlap announced the appointments of Emmitt Butts, Erinn Rochelle, and Patricia Banega Segura to the Charlotte-Mecklenburg Community Relations Committee to fill unexpired terms expiring July 31, 2020.

Note: They replaced Kendal Brooks, Jason Michel, and Gina Sirhan.

JUVENILE CRIME PREVENTION COUNCIL

The vote was taken on the following nominees for appointment to the Juvenile Crime Prevention Council as a General Public representative:

Ashley Murrell None
Tysha Shaw Commissioners Dunlap, Fuller, Harden, Jerrell, Powell, and
Rodriguez- McDowell

Note: Tonja Brooks was nominated but asked to be removed from consideration at this time.

Chair Dunlap announced the appointment of Tysha Shaw to the Juvenile Crime Prevention Council to fill an unexpired term expiring June 30, 2021.

Note: She replaced Deandre Dukes.

LIBRARY BOARD OF TRUSTEES

Commissioner Jerrell, chair of the Board’s Library Board of Trustees Ad Hoc Interview Committee presented the Committee’s recommendation for appointments to the Library

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Board of Trustees. The other members of the Committee were Commissioners Harden, Leake, and Powell.

The Committee recommended the appointment of Kimmery Martin to fill an unexpired term expiring June 30, 2020 and Ricky Woods for a four-year term expiring June 20, 2023.

The vote was taken on the following nominees for appointments to the Library Board of Trustees:

Jakob Gattinger	None
Kimmery Martin	Commissioners Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough
Ricky Woods	Commissioners Dunlap, Fuller, Harden, Jerrell, Powell, Rodriguez-McDowell, and Scarborough

Chair Dunlap announced the appointment of Ricky Woods to the Library Board of Trustees for a four-year term expiring June 30, 2023 and Kimmery Martin to fill an unexpired term expiring June 30, 2020.

Note: They replaced Molly Griffin and Hyong Yi.

PLANNING COMMISSION

Commissioner Powell, chair of the Board’s Planning Commission AdHocInterview Committee presented the Committee’s recommendation for an appointment to the Planning Commission. The other members of the Committee were Commissioners Leake, Rodriguez-McDowell, and Chair Dunlap.

The Committee recommended the appointment of Andrew Blumenthal to fill an unexpired term expiring June 30, 2021.

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

Andrew Blumenthal	Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough
Astrid Chirinos	<i>Voting Ceased</i>

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Bridgett Luther

Chair Dunlap announced the appointment of Andrew Blumenthal to the Planning Commission to fill an unexpired term expiring June 30, 2021.

Note: He replaced Rajahm Sellers.

19-5639 MECKLENBURG EMS AGENCY (MEDIC) BOARD APPOINTMENT

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

Note: 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.

PUBLIC HEARINGS

19-5633 TEFRA HEARING: ALDERSGATE AT SHALOM PARK, INC.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake,

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Powell, Rodriguez-McDowell, and Scarborough voting yes, to open a TEFRA public hearing and receive comments on the proposed financing by Aldersgate at Shalom Park, Inc.

Note: Aldersgate at Shalom Park, Inc. (the "Borrower") requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the "Authority"), issue its retirement facilities revenue anticipation bonds, in one or more series (the "Bonds"), in an aggregate principal amount not to exceed \$15,500,000, for the following purposes:

(A) to finance the preconstruction and development expenses associated with the acquisition, construction, and equipping of an approximately 136-unit new life planned community to be known as Shalom Park located on or near the parcels of land with the following addresses: 4801, 4803, 4809, 4815, and 4825 Providence Road, and 1015, 1027, 1039, 1101, and 1115 Jefferson Drive, Charlotte, North Carolina 28226 (the "Project"); and

(B) pay certain expenses incurred in connection with the authorization and issuance of the Bonds.

Aldersgate at Shalom Park, Inc., is using the Wisconsin Public Finance Authority as the issuer of the Bonds because of a desire to have a 30-year maturity on the debt; the North Carolina Capital Facilities Finance Agency, which would be the North Carolina issuer, has a policy which prohibits a bond maturity greater than 20 years.

In order to comply with federal tax law, and the code and approval requirements, Shalom Park, Inc. has requested that the Mecklenburg County Board of Commissioners hold a public hearing and approve the Resolution. This approval will not make the County responsible in any way for the Bonds or the Project financed with bond proceeds. Hosting the public hearing and approving the issuance of the Bonds are merely ministerial acts that will enable the Borrower to comply with federal tax law requirements in order that interest on the Bonds be exempt from federal income tax.

No one appeared to speak.

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 close the public hearing and adopt a resolution entitled: Resolution of the Board of Commissioners of the County of Mecklenburg, North Carolina, approving the issuance by the Public Finance Authority of its

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retirement facilities revenue anticipation bonds in an aggregate principal amount not to exceed \$15,500,000.

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS RETIREMENT FACILITIES REVENUE ANTICIPATION BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$15,500,000.

WHEREAS, Aldersgate at Shalom Park, Inc. (the "*Borrower*"), a North Carolina nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended ("*Code*") has requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the "*Authority*"), issue its retirement facilities revenue anticipation bonds, in one or more series (the "*Bonds*"), in an aggregate principal amount not to exceed \$15,500,000, and loan the proceeds of the Bonds to the Borrower for the following purposes:

(A) to finance the preconstruction and development expenses associated with the acquisition, construction, and equipping of an approximately 136-unit new life planned community to be known as Shalom Park located on or near the parcels of land with the following addresses: 4801, 4803, 4809, 4815, and 4825 Providence Road, and 1015, 1027, 1039, 1101, and 1115 Jefferson Drive, Charlotte, North Carolina 28226 (the "*Project*"); and

(B) pay certain expenses incurred in connection with the authorization and issuance of the Bonds.

WHEREAS, the Project will be owned and operated by the Borrower or an affiliate thereof.

WHEREAS, pursuant to Section 147(f) of the Code and related treasury regulations (collectively, "*Federal Tax Requirements*") and pursuant to Section 66.0304(11)(a) of the Wisconsin Statutes and Section 4 of the Amended and Restated Joint Exercise of Powers Agreement Relating to the Public Finance Authority dated as of September 28, 2010 (collectively, "*Authority Requirements*"), prior to their issuance and after a public hearing held following reasonable public notice, the Bonds are required to be approved by the "applicable elected representative" of a governmental unit having jurisdiction over the area in which the Project is located;

WHEREAS, the Board of Commissioners (the "*Board*") of Mecklenburg County, North Carolina (the "*County*") is the "applicable elected representative" of the County for the Project;

WHEREAS, the Borrower has requested that the Board approve the Authority's issuance of the Bonds and financing of the Project in order to satisfy the requirements Federal Tax Requirements and the Authority Requirements; and

WHEREAS, the Board, following notice duly given in the form attached hereto as Exhibit A (the "*TEFRA Notice*"), held a public hearing today regarding the Authority's issuance of the Bonds and the

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financing of the Project and now desires to approve the Authority's issuance of the Bonds and the financing of the Project in accordance with the Code;

BE IT RESOLVED by the Board as follows:

Section 1. Pursuant to and in satisfaction of the requirements of the Federal Tax Requirements and the Authority Requirements, the Board hereby approves (a) the Authority's issuance of the Bonds in an aggregate principal amount of not to exceed \$15,500,000, and (b) the financing of the Project located in the County.

Section 2. The County has no responsibility for the payment of the principal of or interest on the Bonds or for any costs incurred by the Borrower with respect to the Bonds or the Project.

Section 3. This resolution is effective immediately on its passage.

Extract/Resolution recorded in full in Minute/Ordinance Book 48-A, Document #62.

19-5642 BUSINESS INVESTMENT GRANT: LOWE'S COMPANIES, INC

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

Peter Zeiler, Director of Economic Development presented the request.

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

Note: Lowe's is the second largest hardware and home improvement chain globally. It ranks # 42 on the Fortune 100 list and is headquartered in Mooresville, NC. Lowe's operates more than 2,000 stores and employs more than 300,000 people.

Lowe's is establishing a new technology center to ensure business growth, transform supply chain management, deliver service and merchandise excellence and operate more efficiently.

This will be accomplished by creating a new facility with sufficient technology workforce to develop and implement the enhanced technology infrastructure for the company.

Lowe's proposed project meets all the following Business Investment Program guidelines:
- *A taxable investment of \$153.88 million to be completed in the next three years.*

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- *Creation of 1,612 new jobs with an average wage of \$110,000 and the regional retention of 300 jobs.*
- *There is competition for this project from York County, South Carolina and Dallas, Texas.*

The Business Investment Program grant is a 90% grant over 10 years, with a not to exceed amount of \$10,160,514.

The general terms and condition of this grant include:

- *A portion of the grant must be repaid if the company moves this investment from Charlotte within 10 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 June 4, 2019. In an open session meeting on July 22, 2019, the City of Charlotte approved a Business Investment Program grant of \$6,031,880.

Reginald Henderson, Vice President of Government Affairs for Lowe's thanked the Board for its support of their request. He said Lowe's was excited about the opportunity to call Charlotte the home of its Global Technology Hub. He said Lowe's looked forward to a continued and strong collaborative partnership with the community.

Several Commissioners expressed thanks to Mr. Henderson for communicating with them and sharing information regarding Lowe's and how they plan to reach out to the community.

Commissioner Leake said she'd like Mr. Henderson to come back in a year, assuming the request is approved, and give the Board an update on what had occurred since the receipt of the grant, as it related to jobs, training, and community outreach.

Commissioner Cotham noted that in her conversation with Mr. Henderson, she asked if Lowe's now believed in giving individuals with a criminal record, after making a mistake, a "second chance." Commissioner Cotham said Mr. Henderson's response was yes.

Commissioner Cotham said she was glad to hear that response because this was something she'd complained about in the past because people deserved a "second chance."

Commissioner Jerrell said he was pleased to hear about things Lowe's was doing and would do in the community.

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Commissioner Rodriguez-McDowell said 90% Business Investment Program Grant recipients should be located in opportunity zones and since the Lowe's request would not be located in an opportunity zone, she would not be voting in favor of the request.

Betsy Mack, Executive Director, Charlotte Hornets Foundation and Shannon Hinson, Vice President of Organizational Advancement and Development, Habitat for Humanity spoke in support of the request. They also commented on their successful partnerships with Lowe's. For example, Lowe's partnership with the Charlotte Hornets for their Legacy Project, which involves re-doing basketball courts in different areas of the community for underprivileged students and communities. Their partnership with Habitat for Humanity (14 years) and their investment of \$1.1 million in the last two years for affordable housing solutions in the Charlotte/Mecklenburg community.

They said although the Lowe's facility would not be located in an opportunity zone, their community outreach does occur in opportunity zones.

Commissioner Fuller addressed the benefits of this proposed investment grant.

Chair Dunlap thanked Mr. Henderson and the other speakers for their comments

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-2 with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, and Scarborough voting yes, and Commissioners Powell and Rodriguez-McDowell voting no, to close the public hearing and adopt a resolution approving a Business Investment Program grant to Lowe's for a total estimated amount of \$10,160,514 and authorize the County Manager to negotiate and execute the contract.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT FOR LOWE'S COMPANIES, INC.**

WHEREAS, Lowe's Companies, Inc. is seeking to establish a new technology center in Charlotte, NC; and

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

WHEREAS, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the City of Charlotte and the County of Mecklenburg; and

WHEREAS, the Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on June 4, 2019 and as authorized by the Board, the County communicated this information to the company; and

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WHEREAS, taking into consideration the Board's stated intent to make an economic development grant, the company subsequently decided to expand in Charlotte. The project will include a capital investment of approximately \$153.88 million and will create 1,612 new jobs and transfer 300 jobs to Mecklenburg County within five years at an average annual salary of approximately \$110,000. The Business Investment Program grant is a 90% grant over 10 years, with an estimated total amount of up to \$10,160,514. The grant will be subject to the County's standard contract provisions, including compliance requirements for the company related to job creation targets and clawback provisions; and

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

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

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #63.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER'S REPORT

19-5650 BOCC FY2020 BUDGET PRIORITIES UPDATE

The Board received as information an update on the status of approved FY20 budget items associated with each of the Board's FY20 Budget Priorities.

Budget Director Michael Bryant gave the update.

Note: BOCC FY2020 Budget Priorities:

- 1. Reduce Racial Disparities*
- 2. Affordable Housing*
- 3. Fund MeckPre-K*
- 4. Mental Health Support*
- 5. Parks & Greenways*

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

Comments

Chair Dunlap encouraged Board members to submit any questions they had regarding the update to Director Bryant or the County Manager directly.

Commissioner Leake said she had some concerns regarding the funding set aside for the Race Matters-Juvenile Justice program and some of the things being promoted. She said she would follow up with Director Bryant.

Commissioner Harden expressed concern that Charlotte-Mecklenburg Schools funding from the state was still unknown. She asked what impact that had on the positions CMS requested for psychologists and social workers, as well as, teacher supplements, which the County provided funding for.

Commissioner Harden asked Board members to consider at a future meeting perhaps to make the teacher supplement retroactive, once the state approved its budget.

Chair Dunlap said it would be retroactive.

Commissioner Leake said the County had done its part with respect to CMS funding. She encouraged Board members to reach out to state legislators and encourage them to take action.

Commissioner Powell noted how the state had impacted local governments with respect to mental health support.

Chair Dunlap thanked Director Bryant for his report.

19-5661 COUNTY ASSISTANCE TO LAKE ARBOR RESIDENTS

The Board received an update on the County's role in assisting Lake Arbor residents.

Stacy Lowry, Community Support Services Director, gave the presentation.

Note: At the beginning of August, the owners of Lake Arbor Apartments notified all 177 households of their plans to close the complex and renovate the property. The majority of households (125) were given notice to vacate by the end of August. The remainder of

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households received move-out dates for later this year and during 2020.

The County joined the Project SAFE team to complete assessments and analyze data to determine household eligibility for relocation and/or financial assistance. An update will be provided on how the County will assist eligible residents.

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

Comments

Commissioner Rodriguez-McDowell asked for clarity regarding the \$1.8 million Emergency Assistance funding.

Director Lowry said the \$1.8 million was the annual allocation from the Department of Social Services to Crisis Assistance Ministries, that would be used for Lake Arbor, in addition to all of the other emergency responses that would occur between July 1 and June 30th of next year. She said they would also have the funds that the United Way of Central Carolinas was currently raising dollars for. She said she believed they had approximately \$130,000 that they had also raised. Those funds would also be utilized specifically for Lake Arbor residents to help with their housing relocation and transition.

Commissioner Rodriguez-McDowell said she would like to be kept abreast of how the transition is taking place for the residents.

Commissioner Leake said this problem had been going on for at least four years. She said this was something that Charlotte City Council was aware of and that they were supposed to have addressed this issue and held the property owner accountable.

Commissioner Leake asked if persons were being required to pay rent if they still had personal belongings in their apartment.

Director Lowry said it was her understanding that of the 177 Lake Arbor residents, only 30 were currently paying rent.

Commissioner Leake asked if rent was being charged to those that remained there. *Director Lowry said she was not aware of who had or had not paid rent, but that the property owner had stated they would be willing to forgive any rent in the rears.*

Commissioner Leake asked was that in writing. *Director Lowry said she didn't know because*

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that was a matter between the City of Charlotte and the property owner.

Commissioner Leake said the public needed to be aware of what the County Manager was doing with respect to this issue, even though it was outside the box of the County's responsibility.

Commissioner Leake commented on immunizations for children in Lake Arbor apartments. She said she spoke with Health Director Gibbie Harris and per that discussion, the Health Department was going to go where those children were currently to make sure they were immunized, if there's a need for this to occur. Commissioner Leake thanked the Health Department for doing this.

Commissioner Leake said she also reached out to the Board of Education regarding where Lake Arbor children would be sent to school. Commissioner Leake said she was assured the matter was being taken care of.

Commissioner Leake said Lake Arbor was in her District and that this was a matter she'd been trying to get addressed for quite some time. Commissioner Leake thanked Commissioner Jerrell for meeting with Lake Arbor residents, as well.

Chair Dunlap thanked Director Lowry for the report.

19-5561 CHARLOTTE-MECKLENBURG EMERGENCY OPERATIONS PLAN APPROVAL

The Board received information on the Charlotte-Mecklenburg Emergency Operations Plan.

Cynthia Bonham, Charlotte Fire Department Deputy Chief/Director of Emergency Management and Hannah Panicco, Emergency Management Planner, presented the matter to the Board.

Note: The revised Emergency Operation Plan (EOP) is the result of the collaborative efforts among the City of Charlotte, Mecklenburg County, the Towns, non-profits, and private partners that have assigned emergency roles and responsibilities. The final base plan incorporates comments and suggestions received from a variety of stakeholders that provide critical support during times of disaster. An EOP is a document which outlines how the community will respond to an emergency. The EOP sets guidelines to manage a disaster in an effective, efficient, and timely manner. The EOP is not written as a standalone document but instead establishes the basis for more detailed planning and development of agency-specific plans and standard operating procedures by the individual agencies to support the execution of their assigned

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responsibilities. The approval process requires the EOP to be approved by the Mecklenburg Board of County Commissioners, the Mayor of Charlotte, and the Mayors of all the towns within Mecklenburg County.

Comments

Commissioner Powell asked was the EOP implemented for the flood that recently occurred in District 1. *The response was yes.*

Commissioner Powell acknowledged the “good” work that was done by Emergency Management and other organizations during that time. She noted, however, that there was still a lot of frustration. She asked that going forward with respect to the Communication Plan that all elected officials be notified of what’s taking place. Commissioner Powell said she was aware of what was occurring because she lives in the area, but that there were many others who weren’t aware of what was taking place.

Deputy Chief Bonham said communications were provided and that emergency situations can cause frustration. She said since that time, they had identified ways to improve their communication efforts.

Commissioner Powell thanked Deputy Chief Bonham again for the work that they do.

Chair Dunlap expressed thanks as well for the work that was done in response to the recent flooding.

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, Rodriguez- McDowell and Scarborough voting yes, to approve the Charlotte-Mecklenburg Emergency Operations Plan (EOP).

Plan recorded in full in Minute/Ordinance Book 48-A, Document #64.

19-5567 CLOSERD SESSION – PERSONNEL MATTER

Commissioner Powell, Chair of the Board’s Performance Review Committee, presented the Committee’s recommendation regarding the County Manager’s compensation. The other members of the Committee were Commissioners Fuller, Leake, and Rodriguez-McDowell.

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The following was noted:

- The Committee convened on August 7, 2019 to review the FY19 performance of County Manager Dena R. Diorio.
- Based on its review, the Committee reached consensus on the following:
 - The County Manager performed all key initiatives as established in her FY19 Work Plan at an exemplary level;
 - The County Manager demonstrated all leadership competencies ascribed to her position; and
 - The County Manager met the established expectations set for the performance year and successfully delivered additional key projects and initiatives.
- As a result of these findings, the Committee presented its recommendation to the full Board during Closed Session at tonight's meeting.

Motion was made by Commissioner Powell, seconded by Commissioner Leake and carried 8-1 with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell, and Scarborough voting yes, and Commissioner Rodriguez-McDowell voting no, to approve a 5.5% increase in the County Manager's base salary, which, when combined with Deferred Compensation, a 5% 401k Match, and her Expense Allowance equals a total compensation of \$404,651.

Note: This represents a total increase of \$4,032.00 from last year.

POINT OF PERSONAL PRIVILEGE – COMMISSIONER LEAKE

Commissioner Leake asked for a "Point of Personal Privilege," which was granted.

Commissioner Leake noted that she received a second anonymous letter, which she found offensive and threatening. She read the letter for the public's awareness. The letter is noted below.

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Oh Poor, Poor VILMA,

You just don't get it do you???? There wasn't anything threatening in my letter. You need to go back and read it carefully AGAIN. It was filled with "hypothetical" thought and observations, wishful thinking, and possibly a bit of political rhetoric, which is NOT against the law. IF... you were really as smart as you think you are, you should know this. I wished to remain anonymous not because I am afraid of you, but because I am a PRIVATE person and wish to remain that way. Everything I said has already been said, is being said every day and will always be said about your brethren, until you SEE the LIGHT.

You and your people have been in this country for close to 400 years. You were not invited, and it was only on the backs of our LAZY ASS rich planters that you ended up in this nation. We cuss them every day and wonder what our country would be like if it were only more like New Zealand or Australia, which the slave trade did not reach, with its ugly, ugly stigma and scourge of the black mentality, or more appropriately, LACK OF.

While you have been here, you have yet learned to use proper English. You say "AX" instead of "ASK", you say "SKREET" instead of "STREET", you say "STRIMPS" instead of shrimp. You order "Oyster" instead of "OYSTERS" and not only do you not know your nouns, from your pronouns, you know very few adjectives, and God help us on the adverb piece of proper English. You could not diagram an English sentence if your very own life depended on it. You don't know how to follow-up with a succinct letter to potential employers. And on top of that YOU are LOUD and obnoxious and try to the death (literally) to talk over one another, let alone anyone else in the room. Possibly if you would SHUT up and listen, try to learn and emulate your race would NOT be viewed as being so disgusting and loathed by other races in this country.

Additionally, as a so called county commissioner... WHAT HAVE YOU DONE FOR OTHERS IN THIS COUNTY??? You are so concerned and obsessed with elevating black people, you totally ignore the HEBREWS (Jewish People), the HISPANIC people, the GERMAN people, the FRENCH people, the INDIANS, both native Americans and from the country of INDIA? These are but a few.

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Go back to college (if you even went in the first place) and if you didn't, I'm sure you got a very biased, substandard education that was definitely NOT "worth its weight in Gold."

YOU TRULY SHOULD BE ASHAMED OF YOURSELF, WITH YOUR PURSED LIPS, WHICH BY THE WAY, THE BLACK LIPS ARE NOT ONLY BIG AND OBNOXIOUSLY SMELLY, YOU PEOPLE HAVE THE WORSE BREATH KNOWN TO MAN.

SO GO ON AND SPIN YOUR WHEELS. WHAT HAS BEEN WRITTEN IS NOT A CRIME.

True to form, instead of moving on and concentrating on what you should be focusing on, I have proved my point that your TIRED ASS is completely wrapped up in a matter of OPINION. Which is mine, and you can do nothing with, whether you like or not:

Is a matter of fact there are 300,000,000 (THAT IS 300 MILLION) that feel the same way I DO. LIKE IT OR NOT... YOU ARE DEFINITELY A MINORITY, AND UNTIL YOUR PEOPLE HUNKER DOWN, ASSIMILATE, GET SOME EDUCATION, STOP COMMITTING CRIMES, TIP BETTER, CONCENTRATE ON BETTER AND MORE GENUINE CUSTOMER SERVICE, QUIT THE "WOE IS ME SYNDROME" AND TRY AND BECOME MORE RESPONSIBLE, FINANCIALLY STABLE/FISCAL PEOPLE, WHO VALUE THIS COUNTRY... THEN DEFINITELY GO BACK TO AFRICA FROM WHENCE YOU CAME AND SPEND A FEW MONTHS. YOU JUST MIGHT COME BACK WITH A DIFFERENT PERSPECTIVE? AND IN THE PROCESS, HOPEFULLY DEVELOP SOME EMPATHY AND EMOTIONAL INTELLIGENCE ALONG THE WAY.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

19-5604 GOVERNANCE MODEL FOR SUPPORTING THE ARTS/SCIENCE/HISTORY SECTOR

County Manager Diorio addressed the Governance Model for supporting the Arts/Science/History Sector. Prior to doing so, she addressed the proposed governance for Parks & Schools funding. It was noted that this governance model would be brought back at a later date for the Board’s consideration.

The following was noted with respect to Parks & Schools Funding:

- The budget would segregate these funds from general operating dollars.
- The budget ordinance would include provisions restricting these funds for these purposes.
- Funds would be placed in Restricted Contingency requiring that a detailed plan be presented to the Board of County Commissioners before released for spending.

Governance Model for supporting the Arts/Science/History Sector

Note: With the passage of the advisory referendum on the November 5, 2019 ballot for the one-quarter cent sales and use tax, a governance model will be needed. It's believed any model created must not only provide stability to existing and emerging cultural organizations, it must also ensure cultural equity across the county. Arts & Science Council's (ASC) working definition of cultural equity was used to guide the work of the committee that studied the issue of governance. ASC's definition of cultural equity: To truly achieve ASC's vision of "Culture for All, " all Charlotte-Mecklenburg residents must have equitable opportunity to participate in the cultural life of our region as audiences, volunteers, artists, administrators, board members and donors.

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

The following models were presented, along with their pros and cons:

- Create a supporting organization of Foundation for the Carolinas (Not recommended)
- Create a new 501(c)(3) (Not recommended)
- Re-envisioned Arts and Science Council

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- Retains the ASC as a well-respected non-profit organization
- Cease all programming
- No longer involved in fund raising
- Optimizes existing expertise and infrastructure
- Eliminates redundant and unnecessary overhead
- Newly appointed Board of Directors to include BOCC members
- Significant County oversight with regular reporting to the BOCC
- Ensures equity is leading criteria for distributing funds across the County
- Ensures county-wide, coordinated strategic planning



The following persons appeared to speak regarding this matter:

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Martha Connerton, dance company director and representing small organizations addressed how ASC funding to her organization had decreased over the years. She said she hoped the new structure would ensure continued funding for organizations with a proven track record like hers. She said the new structure should have a built in system whereby established artists driven non-profits would be “honored for their accomplishments and valued for their offerings.”

Ms. Connerton said she and other long-time artists should have been included in the discussions regarding the tax initiative from the beginning. Ms. Connerton said in order to get her support, that of her board of directors and social media followers, assurance was needed for her organization and others like hers that “substantial and annual programming support would be provided.”

The following persons spoke in support of the proposed Re-envisioned Arts and Science Council governance model:

Kathryn Hill (CEO of the Levine Museum of the New South), Marcie Kelso, Andrew Goh, Sherri Belfield (Chair of the Public Arts Commission & member of the ASC Board of Directors), Deborah Wellington, Jeep Bryant (President of the ASC), Kevin Patterson, Goëff Owen, and Camerin Watson(an independent artist).

Comments

Chair Dunlap addressed the Re-envisioned Arts and Science Council governance model. He noted the Board’s representation on the Board of Directors, as well as, representation from the northern and southern towns.

Commissioner Scarborough expressed her support of the Re-envisioned Arts and Science Council governance model.

Commissioner Rodriguez-McDowell expressed her support of the Re-envisioned Arts and Science Council governance model and made the following motion:

Motion was made by Commissioner Rodriguez-McDowell, seconded by Commissioner Scarborough, to approve the Re-envisioned Arts and Science Council governance model for supporting the Arts/Science/History sector.

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Commissioner Cotham expressed opposition to the Re-envisioned Arts and Science Council governance model. Commissioner Cotham said she needed more information. She said she wanted to know also if the County would be auditing the ASC.

Chair Dunlap said the issue before the Board was only about governance.

Commissioner Leake said she had concerns and questions, such as would the ASC structure be the same; what their staffing would look like; would music be put back into the schools.

County Manager Diorio said what was being presented was a broad framework of how to move forward. She said it wasn't about operational issues.

Commissioner Leake said she was not supportive of the taxpayers "bailing" the ASC out.

Commissioner Powell acknowledged her "no" vote to place the sales tax matter on the ballot. She said nonetheless, she had been very engaged around this matter.

Commissioner Powell said she would like to see more input from the general public regarding the governance models before being able to support the request.

Commissioner Fuller questioned whether a governance model needed to be approved at this time, since this was contingent upon the passage of the referendum in November. He said it may be better to wait.

Commissioner Fuller said he was glad to see consensus around a governance model, with the understanding that there were more details to come.

Commissioner Fuller said if the referendum passes and the tax levied, then it should be the responsibility of the elected body (BOCC) to make sure funds were spent properly.

Commissioner Fuller said the ASC Board should make a funding recommendation to the Board of County Commissioners and that the Board of Commissioners would make the final decision.

Commissioner Fuller suggested an amendment to the motion made by Commissioner Rodriguez-McDowell, seconded by Commissioner Scarborough, to approve the Re-envisioned Arts and Science Council governance model for supporting the Arts/Science/History sector; but that it be amended to state that the final decision with

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respect to allocating funding would be made by the Board of County Commissioners based on a recommendation from the ASC Board.

Chair Dunlap questioned whether the Board would actually review all of the applications received by the ASC for funding or would the Board just “rubber stamp” them.

Commissioner Fuller said he was not comfortable with giving a non-elected body that authority over taxpayer dollars.

Commissioner Harden noted the participation of County Commissioners as Board members on the ASC Board of Directors, which would provide oversight.

Commissioner Leake questioned ASC’s handling of their funds currently and in the past.

Chair Dunlap echoed Commissioner Harden’s comment that there would be County Commissioners serving on the ASC Board of Directors.

Commissioner Jerrell asked could the proposed governance model be revised at a later date. *The response was yes.*

Commissioner Fuller addressed public accountability.

Chair Dunlap said to move the matter forward, then perhaps the Board should remove for now, the statement under ASC Board Responsibilities that says, “Makes Final Allocation Decisions.”

Substitute motion was made by Commissioner Fuller, seconded by Commissioner Harden and carried 8-1 with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell and Scarborough voting yes and Commissioner Powell voting no, to approve the Re-envisioned Arts and Science Council governance model for supporting the Arts/Science/History sector, but that the statement under ASC Board Responsibilities that says “Makes Final Allocation Decisions” be removed.

Commissioner Cotham asked the Board to reconsider the prior vote on the substitute motion, because she wanted to change her vote. She said she misunderstood what was being voted on.

Motion was made by Commissioner Cotham, seconded by Chair Dunlap and unanimously carried with Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Powell,

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Rodriguez-McDowell and Scarborough voting yes, to reconsider the prior vote on the substitute motion.

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

Substitute motion was made by Commissioner Fuller, seconded by Commissioner Harden and carried 7-2 with Commissioners Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell and Scarborough voting yes and Commissioners Cotham and Powell voting no, to approve the Re-envisioned Arts and Science Council governance model for supporting the Arts/Science/History sector, but that the statement under ASC Board Responsibilities that says "Makes Final Allocation Decisions" be removed.

CONSENT ITEMS

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 following item(s):

19-5619 PUBLIC AUCTION FOR DISPOSAL OF SURPLUS EQUIPMENT

Adopt a resolution authorizing sale of surplus personal property by public auction on September 14, 2019, 9:00 a.m. at 5550 Wilkinson Blvd., Charlotte, NC.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
Resolution Authorizing Sale of Surplus Personal Property by Public Auction**

WHEREAS, North Carolina G.S. 160A-270(b) allows the County to sell surplus personal property at public auction upon adoption of a resolution or order authorizing the appropriate official to dispose of the surplus property at public auction; and

WHEREAS, the County Manager has recommended that the surplus property listed on the attached Exhibit-A should be sold at public auction,

NOW, THEREFORE, BE IT RESOLVED, by the Mecklenburg County Board of Commissioners that the County Manager or her designee is authorized to sell the surplus property described on Exhibit A at public auction on the day of September 14, 2019 at 9:00 am at 5550 Wilkinson Blvd., Charlotte, North Carolina, as per the terms and conditions in accordance with North Carolina G.S. 160A-270(b) and in compliance with County policies. The terms of the sale shall be net cash. The County Manager or her designee is directed to publish at least once and not less than ten (10) days before the date of the

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auction, a copy of this Resolution or a notice summarizing its content as required by North Carolina General Statute 160A-270(b).

Resolution recorded in full in Minute/Ordinance Book 48-A Document #65.

19-5625 REVALUATION RESERVE FUND

Approve the FY20 appropriation of \$200,000 of funds held in the Revaluation Reserve Fund for transfer and appropriation to the FY20 General Fund County Assessor's Office Operating Budget.

Note: Funds have been approved for the Revaluation Reserve Fund to prepare for the next revaluation, now scheduled for 2023. This action provides for the expenditures by the Assessor in this fiscal year for an appraisal support company and legal services. Funding will be requested as needed to continue preparation for the revaluation.

19-5630 MINUTES

Approve Minutes of Regular Meeting held August 7, 2019 and Closed Session held July 2, 2019 and August 7, 2019.

19-5640 TAX REFUNDS

1. Approve refunds in the amount of \$21,771.92 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor.

Note: 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.

2. Approve refunds in the amount of \$14,824.72 as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. There is an estimated accrued interest of \$85.45 that is included in the \$14,824.72 refunds.

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

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19-5652 LEASE FOR ATM MACHINES AT COUNTY FACILITIES

Adopt a resolution titled "Mecklenburg County Board of Commissioners Resolution Authorizing Lease of Property to State Employees' Credit Union".

Note: At its August 7, 2019 meeting, the Board adopted a resolution titled "Mecklenburg County Board of Commissioners Resolution Declaring Intent to Lease Property to NCSECU ." NCSECU would like to install Automated Teller Machines in the County facilities listed below. The Clerk to the Board subsequently published a notice of the Board's intent to approve the lease arrangement consistent with the business terms outlined in that resolution:

Locations

- (1) Mecklenburg County Courthouse (1)*
- (2) Mecklenburg County Jail Central (1)*
- (3) Wallace Kuralt Center {1}*
- (4) Valerie C. Woodard Center (2)*
- (5) Mecklenburg County Work Release (1)*
- (6) Mecklenburg County Jail North (1)*
- (7) Register of Deeds (1)*

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION AUTHORIZING LEASE OF PROPERTY TO STATE EMPLOYEES' CREDIT UNION**

WHEREAS, Mecklenburg County is the owner of several jail and general government facilities in Charlotte, NC; and

WHEREAS, State Employees' Credit Union and the County entered into a contract on September 1, 2019 for the installation of Automated Teller Machines (ATM) in the County owned facilities below consistent with the following business terms:

Locations

- (1) Mecklenburg County Courthouse
- (2) Mecklenburg County Jail Central
- (3) Wallace Kuralt Center
- (4) Valerie C. Woodard Center #1
- (4) Valerie C. Woodard Center #2
- (5) Mecklenburg County Work Release
- (6) Mecklenburg County Jail North

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(7) Register of Deeds

Lease Term	Seven (7) years
Base Lease Rate	Tenant shall pay County \$100 per month per machine
Option to Renew	County to have Two (2) options to renew for three (3) years each
Insurance	Bank shall carry comprehensive general liability insurance insuring against a combined loss of not less than \$1,000,000 .00 for each occurrence.

WHEREAS, the County's Asset and Facility Management has determined that the space that State Employees' Credit Union desires to lease will not be needed by the County during the term of the lease; and

WHEREAS, pursuant to G.S. 160A-272 the Board of Commissioners has determined that it would be in the public interest for it to agree to the arrangement proposed by State Employees' Credit Union; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby approve a lease arrangement with State Employees' Credit Union, as described above, and authorizes and directs the County Manager, or her designee, to negotiate and execute a formal lease arrangement with State Employees' Credit Union consistent with the business terms outlined above.

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #76.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

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

19-5626 PRELIMINARY STREET LIGHTING ASSESSMENTS- SET PUBLIC HEARING

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Powell, Rodriguez-McDowell, and Scarborough voting yes, to adopt Preliminary Assessment Roll Resolutions for the operating cost of street lights in the Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood subdivisions and set a public hearing on October 1, 2019 on the preliminary assessment rolls.

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Note: Mecklenburg County participates in an assessment program to provide street lighting in order to increase safety in subdivisions. Homeowners in these subdivisions went through a rigorous petition process that qualified the subdivisions for funding in the form of a loan for the installation and operation of street lights. Homeowners are in turn assessed for these costs until the subdivisions are incorporated into the city limits. A public hearing is required by General Statutes and allows property owners in these subdivisions to comment on the street lighting assessments for operating costs paid during the FY19 fiscal year.

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

**PRELIMINARY ASSESSMENT ROLL RESOLUTION STREET LIGHTING ASSESSMENT PROJECT CAPPS
HOLLOW SUBDIVISION OPERATION COSTS FY 2019**

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the economical traditional street lighting fixtures have been installed and are being operated on streets in the Capps Hollow Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted Final Assessment Resolutions on this project on September 2, 1997, and November 6, 2002, approving both projects for Sections 1 & 2 and requesting that Duke Power Company install and operate the economical traditional street lighting fixtures on all streets in the Capps Hollow Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of \$1,627.29 to Duke Power Company for charges incurred for the operation of these street lighting fixtures on said streets in the Capps Hollow Subdivision during the 2019 Fiscal Year plus \$300 in legal and other costs for a total of \$1,927.29 spent for these street lighting fixtures in the Capps Hollow Subdivision during the 2019 Fiscal Year; and

WHEREAS, the basis for assessment will be 100% of the property owner's share of the total costs to operate these street lighting fixtures during the 2019 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets within the Capps Hollow Subdivision; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

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WHEREAS, the method of payment for each property owner's portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Capps Hollow Subdivision during the 2019 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 01, 2019 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Capps Hollow Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #66.

**PRELIMINARY ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
CARDINAL WOODS SUBDIVISION AND CARDINAL WOODS ESTATE
OPERATION COSTS FY 2019**

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and **WHEREAS**, twenty-four acorn street lighting fixtures have been installed and are being operated on streets within the Cardinal Woods Subdivision and Cardinal Woods Estate; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final Assessment

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Resolution on this project on October 20, 1998, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on the streets in the Cardinal Woods Subdivision and Cardinal Woods Estate, and providing that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating costs would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of \$4,133.64 to Duke Power Company for the monthly operation costs incurred for these street lighting fixtures in the Cardinal Woods Subdivision and Cardinal Woods Estate during the 2019 Fiscal Year and has incurred \$300 in legal and other costs for a total of \$4,630.63 spent for the operation of these acorn street lighting fixtures in the Cardinal Woods Subdivision and Cardinal Woods Estate during the 2019 Fiscal Year; and

WHEREAS, the basis for assessment will be 100% of the property owner's share of the total costs to operate these street lighting fixtures during the 2019 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on the streets in the Cardinal Woods Subdivision and Cardinal Woods Estate where the acorn street lighting fixtures are located; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the method of payment for each property owner's portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax records, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it.

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the acorn street lighting fixtures in the Cardinal Woods Subdivision and Cardinal Woods Estate during the 2019 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 01, 2019 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed,

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the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Cardinal Woods Subdivision and Cardinal Woods Estate at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #67.

**PRELIMINARY ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT HEARTHSTONE SUBDIVISION
OPERATION COSTS FY 2019**

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the special street lighting fixtures have been installed and are being operated on all of the streets in the Hearthstone Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on January 19, 1993, approving the project and requesting that Duke Power Company install and operate the street lighting fixtures on all streets in the Hearthstone Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of \$1,981.27 to Duke Power Company for charges incurred for the operation of these street lights in the Hearthstone Subdivision during the 2019 Fiscal Year plus \$300 in legal and other costs for a total of \$2,281.27 spent for the operation of these street lights in the Hearthstone Subdivision during the 2019 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner's share of the total cost of the operation of these street lights during the 2019 Fiscal Year, plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

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WHEREAS, the method of payment for each property owner’s portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it.

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Hearthstone Subdivision during the 2019 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 01, 2019 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Hearthstone Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #68.

**PRELIMINARY ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
McGINNIS VILLAGE SUBDIVISION
OPERATION COSTS FY 2019**

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the economical traditional street lighting fixtures have been installed and are being operated on all of the streets in the McGinnis Village Subdivision; and

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WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final Assessment Resolution on this project on October 5, 1999, approving the project and requesting that Duke Power Company install and operate the economical traditional street lighting fixtures on all of the streets in the McGinnis Village Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and the operating costs would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of \$2,618.84 to Duke Power Company for charges incurred for the operation of these street lighting fixtures on said streets in the McGinnis Village Subdivision during the 2019 Fiscal Year plus \$300 in legal and other costs for a total of \$2,918.84 spent for the operation of these street lighting fixtures in the McGinnis Village Subdivision during the 2019 Fiscal Year; and

WHEREAS, the basis for assessment will be 100% of the property owner's share of the total costs to operate these street lighting fixtures during the 2019 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on the streets in the McGinnis Subdivision within Mecklenburg County; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the method of payment for each property owner's portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it.

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the McGinnis Village Subdivision during the 2019 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 01, 2019 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be

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published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the McGinnis Village Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #69.

**PRELIMINARY ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
MOUNTAIN POINT SUBDIVISION
OPERATION COSTS FY 2019**

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the acorn street lighting fixtures have been installed and are being operated on all of the streets in the Mountain Point Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on February 3, 1998, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on all streets in the Mountain Point Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of \$5,350.88 to Duke Power Company for charges incurred for the operation of these street lights in the Mountain Point Subdivision during the 2019 Fiscal Year plus \$300 in legal and other costs for a total of \$5,650.88 spent for the operation of the street lights in the Mountain Point Subdivision during the 2019 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner's share of the total cost to operate the street lights, during the 2019 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per

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annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the method of payment for each property owner's portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it.

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the acorn street lighting fixtures in the Mountain Point Subdivision during the 2019 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 01, 2019 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Mountain Point Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #70.

**PRELIMINARY ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
MOUNTAIN POINT ESTATES SUBDIVISION
OPERATION COSTS FY 2019**

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

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WHEREAS, the acorn street lighting fixtures have been installed and are being operated on all of the streets in the Mountain Point Estates Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on February 1, 2000, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on all streets in the Mountain Point Estates Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of \$1,838.42 to Duke Power Company for charges incurred for the operation of these street lights in the Mountain Point Estates Subdivision during the 2019 Fiscal Year plus \$300 in legal and other costs for a total of \$2,138.42 spent for the operation of the street lights in the Mountain Point Estates Subdivision during the 2019 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner's share of the total cost to operate the street lights, during the 2019 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the method of payment for each property owner's portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it.

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the acorn street lighting fixtures in the Mountain Point Estates Subdivision during the 2019 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 01, 2019 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be

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published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Mountain Point Estates Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #71.

**PRELIMINARY ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
ROYAL OAKS SUBDIVISION
OPERATION COSTS FY 2019**

WHEREAS, the Mecklenburg Board of County Commissioners has adopted street lighting assessment program pursuant to North Carolina law; and

WHEREAS, twenty-four acorn street lighting fixtures have been installed and are being operated on the streets within the Royal Oaks Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on February 6, 1996, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on the streets in the Royal Oaks Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating costs would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of \$2,434.24 to Duke Power Company for the monthly operation costs incurred for these street lighting fixtures in the Royal Oaks Subdivision during the 2019 Fiscal Year and has incurred \$300 in legal and other costs for a total of \$2,734.24 spent for operation of these street lighting fixtures in the Royal Oaks Subdivision during the 2019 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner's share of the total cost to operate these street lighting fixtures during the 2019 Fiscal Year, plus other costs as described in Section 153A-193 of General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

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WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the method of payment for each property owner's portion of the cost of the said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it.

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the acorn street lighting fixtures in the Royal Oaks Subdivision during the 2019 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 01, 2019 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Royal Oaks Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #72.

**PRELIMINARY ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
SPICEWOOD SUBDIVISION
OPERATION COSTS FY 2019**

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WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the special street lighting fixtures have been installed and are being operated on all of the streets in the Spicewood Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on October 5, 1992, approving the project and requesting that Duke Power Company install and operate the street lights on all streets in the Spicewood Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of \$1,514.90 to Duke Power Company for charges incurred for the operation of these streetlights in the Spicewood Subdivision during the 2019 Fiscal Year plus \$300 in legal and other costs for a total of \$1,814.90 spent for the operation of the street lights in the Spicewood Subdivision during the 2019 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner's share of the total cost to operate the street lights during the 2019 Fiscal Year, plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the method of payment for each property owner's portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it.

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the special street lighting fixtures in the Spicewood Subdivision during the 2019 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 01, 2019 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary

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Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Spicewood Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #73.

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

19-5628 GRANT RENEWAL APPLICATION – SAFETY AND JUSTICE CHALLENGE (CRIMINAL JUSTICE SERVICES)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, and Scarborough voting yes, to approve the submission of a grant application for private funding in the amount of \$2,000,000 to the MacArthur Foundation; and if awarded, recognize, receive and appropriate such funds in the General Fund for the grant period.

Note: The Safety and Justice Challenge is a MacArthur Foundation initiative to reduce overincarceration by changing the way America thinks about and uses jails. Launched in February 2015, the initiative features a network of 52 sites that are working to create fairer, more effective local justice systems. Jurisdictions in the network are focused on two primary goals: achieving their jail population reduction targets and reducing racial and ethnic disparities. The MacArthur Foundation will be investing in two-year renewal grants for jurisdictions that have: 1) Demonstrated the commitment of local political leaders and system stakeholders to the goals of the Safety and Justice Challenge; 2) Made considerable progress on reducing their jail population; 3) Identified and implemented data-driven strategies to target drivers of incarceration and inequity for people of color; 4) Demonstrated a commitment to making their local justice system fairer and more effective by engaging the local community; and 5}

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Committed to developing routines for measuring the impact of their jail population and disparities reduction strategies and produced data demonstrating their progress. The strategies the Mecklenburg County Safety and Justice Challenge Core Team will propose are: 1) Create a more meaningful first appearance process to release inmates earlier, 2) Seek funding for an electronic file system in the District Attorney's Office, 3) Create a new case management plan for the court process, 4) Assess additional lethality instruments and create release options in Domestic Violence cases, and 5) Expand upon existing work within the jurisdiction to address behavioral health issues among justice involved populations.

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

19-5632 APPOINTMENT OF REVIEW OFFICERS

Motion was made by Commissioner Leake, seconded by Commissioner Jerrell and carried 7-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez- McDowell, and Scarborough voting yes, 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 Jeu Moua, Keith Schell, and Jessica Almaraz .

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

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:

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Jeu Moua, and Keith Schell from the City of Charlotte Engineering Department and Jessica Almaraz from the City of Charlotte Planning Department are hereby designated as Review Officers in addition to those persons so designated in the Resolution of September 16, 1997, and other appointees as amended on prior occasions; thus, the Resolution is accordingly amended to add these names.

Resolution recorded in full in Minute/Ordinance Book 48-A, Document #74.

19-5634 NAMING APPLICATION – PICKLEBALL COURTS AT CLARKS CREEK COMMUNITY PARK TO "JOHN STEVENS PICKLEBALL CENTER"

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, and Scarborough voting yes, to:

1. Acknowledge receipt of an application, submitted by Bill and Kathy Cooper, along with Rich Cho, Gillian Stevens, Peter Popovich and Rodney Allman, to name the pickleball courts at Clarks Creek Community Park to "John Stevens Pickleball Center"; and
2. Schedule a public hearing on October 1, 2019 at 6:30 p.m. to receive public comment on the proposed naming and direct the Clerk to the Board to publish the notice of public hearing as required.

Note: John Stevens was a stalwart of North Carolina pickleball. A great ambassador for the sport. He worked to spread the word of pickleball to communities throughout North Carolina and was involved in conducting exhibitions to teach and showcase pickleball to people of all ages. John also spearheaded the effort to have Mecklenburg County Park and Recreation include pickleball lines on the tennis courts at Tuckaseegee Park in 2016. These outdoor pickleball courts were the first of its kind in the Charlotte area and are used regularly by players of all skill levels. He was also instrumental in persuading Park and Recreation to build the eight dedicated pickleball courts at the new Clarks Creek Community Park; the first of its kind in the greater Charlotte area. The application shares much more of John's involvement and positions held in organizations, as well as, his many awards and honors.

This naming was endorsed by the North Park Region Advisory Council and by the Park and Recreation Commission.

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

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19-5635 REGISTER OF DEEDS AUTOMATION ENHANCEMENT AND PRESERVATION SPECIAL REVENUE FUND

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell, and Scarborough voting yes, to recognize and appropriate \$800,000 in fee revenue in the Register of Deeds Automation Enhancement and Preservation Special Revenue Fund for automation and enhancements.

Note: This fund was established pursuant to NCGS §161-11.3, effective January 2, 2002, to provide new automation and/or preservation of the historical record collection at the Register of Deeds' Office by setting aside 10% of all fees collected by the Register of Deeds and Vital Records offices. By this action, the Board recognized, and appropriated revenue held in this fund for annual software and maintenance fees for the land records software and database at the Register of Deeds and Vital Records Offices, and also to be used to provide for preservation and enhancements of the Register of Deeds' Historical Record Collection.

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

19-5636 GENERAL OBLIGATION BONDS RESOLUTION

RESOLUTION AUTHORIZING ISSUANCE OF BONDS

Commissioner Vilma D. Leake moved adoption of the following resolution and the motion was seconded by Commissioner Ella B. Scarborough.

WHEREAS, the bond orders hereinafter described have taken effect, and it is desirable to make provision for the issuance of bonds authorized thereby;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Mecklenburg, North Carolina (the "Issuer"), as follows:

1. Pursuant to and in accordance with the community college facilities bond order adopted by the Board of Commissioners on September 3, 2013, the Issuer shall issue its bonds in the aggregate principal amount of \$60,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from the date of issuance of the bonds.

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2. Pursuant to and in accordance with the school facilities bond order adopted by the Board of Commissioners on September 5, 2017, the Issuer shall issue its bonds in the aggregate principal amount of \$140,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from the date of issuance of the bonds.

3. The bonds to be issued pursuant to the bond orders described in the preceding paragraphs 1 and 2 shall be issued as one consolidated bond issue in the principal amount of \$200,000,000 and designated "General Obligation Public Improvement Bonds, Series 2019" (the "Bonds"). The Board of Commissioners has ascertained and hereby determines that the average period of usefulness declared in the preceding paragraphs 1 and 2 is not less than 40 years computed from the date of the Bonds. The Bonds shall be dated their date of issuance, and shall bear interest from their date at a rate or rates that shall be determined upon the public sale of the Bonds, and interest shall be payable on March 1, 2020, and semi-annually thereafter on September 1 and March 1. The Bonds shall mature annually on March 1, as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2021	\$10,000,000	2031	\$10,000,000
2022	\$10,000,000	2032	\$10,000,000
2023	\$10,000,000	2033	\$10,000,000
2024	\$10,000,000	2034	\$10,000,000
2025	\$10,000,000	2035	\$10,000,000
2026	\$10,000,000	2036	\$10,000,000
2027	\$10,000,000	2037	\$10,000,000
2028	\$10,000,000	2038	\$10,000,000
2029	\$10,000,000	2039	\$10,000,000
2030	\$10,000,000	2040	\$10,000,000

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated on an interest payment date, in which event it shall bear interest from that interest payment date, or (b) authenticated prior to the first interest payment date, in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

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The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. Debt service will be payable to the owners of Bonds shown on the records of the hereinafter designated Bond Registrar of the Issuer on the record date, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding a debt service payment date.

4. The Bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of The Depository Trust Company, New York, New York ("DTC") or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the Bonds in the principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on and principal of the Bonds will be payable at the times described above, in clearinghouse funds to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of those participants and other nominees of beneficial owners. The Issuer will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) the Issuer determines that continuation of the book entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Issuer will discontinue the book entry system with DTC in a manner consistent with DTC's rules and procedures. If the Issuer fails to arrange for another qualified securities depository to replace DTC, the Issuer will authenticate and deliver replacement Bonds in the form of fully registered certificates in denominations of \$5,000 or integral multiples thereof.

5. The Bonds shall bear the manual or facsimile signatures of the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners of the Issuer, and the official seal or a facsimile of the official seal of the Issuer shall be impressed or imprinted, as the case may be, on the Bonds.

The certificate of the Local Government Commission of North Carolina to be endorsed on all Bonds shall bear the manual or facsimile signature of the Secretary of that Commission or of a representative designated by that Secretary, and the certificate of authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as provided below.

In case any officer of the Issuer or the Local Government Commission of North Carolina

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whose manual or facsimile signature appears on any Bonds shall cease to be that officer before the delivery of those Bonds, that manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until delivery, and any Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of the Bond shall be the proper officers to sign the Bond although at the date of the Bond those persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it has been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

6. The Bonds and the endorsements thereon shall be in substantially the following form:

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to issuer or its agent for registration of transfer, exchange, or payment and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

NO. R- _____ \$ _____

United States of America
State of North Carolina

COUNTY OF MECKLENBURG

GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND, SERIES 2019

INTEREST RATE	MATURITY DATE	DATE OF BOND	CUSIP
	March 1, ____	September 26, 2019	584002

REGISTERED OWNER: CEDE & CO.

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PRINCIPAL SUM: _____ DOLLARS

The County of Mecklenburg (the "County"), a county of the State of North Carolina, acknowledges itself indebted and for value received hereby promises to pay to the registered owner named above, on the date specified above, upon surrender hereof, at the office of the Director of Finance of the County, 700 East Fourth Street, Charlotte, NC 28202 (the "Bond Registrar"), the principal sum shown above and to pay to the registered owner hereof, by check mailed to the registered owner at its address as it appears on the bond registration books of the County, interest on that principal sum from the date of this bond or from the September 1 or March 1 next preceding the date of authentication to which interest shall have been paid, unless the date of authentication is a September 1 or March 1 to which interest shall have been paid, in which case from that date, interest to the maturity hereof being payable on March 1, 2020, and semi-annually thereafter on September 1 and March 1 of each year, at the rate per annum specified above, until payment of the principal sum. The interest so payable on any interest payment date will be paid to the person in whose name this bond is registered at the close of business on the record date for that interest, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding that interest payment date. Both the principal of and the interest on this bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof.

This bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act of the State of North Carolina, as amended, bond orders adopted by the Board of Commissioners of the County on September 3, 2013 and September 5, 2017 (the "Bond Orders") and a resolution adopted by that Board (the "Resolution") providing for the issuance of this bond. The issuance of this bond and the contracting of the indebtedness evidenced hereby have been approved by a majority of the qualified voters of the County, voting at elections held in the County.

The bonds maturing on and after March 1, 2030, shall be subject to redemption prior to their stated maturities at the option of the County on or after March 1, 2029, in whole or in part at any time at a redemption price equal to 100% of the principal amount of each bond to be redeemed, together with accrued interest thereon to the redemption date. If less than all the bonds are called for redemption, the County shall determine the maturities and the amounts thereof of the bonds to be redeemed. If less than all the bonds of any one maturity are called for redemption, the bonds of such maturity to be redeemed shall be selected by lot; provided, however, that the portion of any bond to be redeemed shall be in the principal amount of \$5,000 or an integral multiple thereof and that, in selecting bonds for redemption, the Bond Registrar shall treat each bond as representing that number of bonds which is obtained by dividing the principal amount of such bond by \$5,000. For so long as a book-entry system is used for determining beneficial ownership of the bonds, if less than all of the bonds within a maturity are to be redeemed, The Depository Trust Company ("DTC") shall determine by lot the amount of interest of each Direct Participant in the bonds to be redeemed.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any bonds to be redeemed, whether such redemption be in whole or in part, the County shall cause a notice of

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redemption to be mailed, postage prepaid, to DTC or its nominee. On the date fixed for redemption, that notice having been given, the bonds or portions thereof so called for redemption shall be due and payable at the redemption price provided for the redemption of those bonds or portions thereof on that date and, if moneys for payment of the redemption price and the accrued interest are held by the Bond Registrar as provided in the Resolution, interest on the bonds or the portions thereof so called for redemption shall cease to accrue. If a portion of this bond shall be called for redemption, a new bond or bonds in principal amount equal to the unredeemed portion hereof will be issued to DTC or its nominee upon the surrender hereof.

The notice of redemption may state that the County retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the County gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any bonds as to which redemption has been rescinded shall remain outstanding.

The bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of DTC or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the bonds in principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of participants and other nominees of beneficial owners. The County will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

The Bond Registrar shall keep at its office the books of the County for the registration of transfer of bonds. The transfer of this bond may be registered only upon those books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall deliver in exchange for this bond a new bond or bonds, registered in the name of the transferee, in authorized denominations, in an aggregate principal amount equal to the unredeemed principal amount of this bond, of the same maturity and bearing interest at the same rate.

The Bond Registrar shall not be required to exchange or register the transfer of any bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of bonds or any portion thereof and ending at the close of business on the day of such mailing or of any bond called for redemption in whole or in part pursuant to the Resolution.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this bond, exist, have been performed and have happened, and that the amount of this bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by said Constitution or

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statutes. The faith and credit of the County are hereby pledged to the punctual payment of the principal of and interest on this bond in accordance with its terms.

This bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Bond Orders or the Resolution until this bond shall have been endorsed by the authorized representative of the Local Government Commission of North Carolina and authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, the County has caused this bond [to be manually signed by] [to bear the facsimile signatures of] the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and [a facsimile of] its official seal to be [imprinted] [impressed] hereon, and this bond to be dated September 26, 2019.

Chairman of the Board of Commissioners

(SEAL)

Clerk to the Board of Commissioners

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

Secretary,
Local Government Commission

CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds of the issue designated herein and issued under the provisions of the within-mentioned Bond Orders and Resolution.

COUNTY OF MECKLENBURG
DIRECTOR OF FINANCE, as Bond Registrar

SEPTEMBER 4, 2019

By: _____
Authorized Signature

Date of Authentication: September __, 2019

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

_____ the within Bond and irrevocably appoints _____ attorney-in-fact, to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without any alteration whatsoever.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.

7. The Bonds maturing on and after March 1, 2030 shall be subject to redemption prior to their stated maturities at the option of the Issuer on or after March 1, 2029, in whole or in part at any time at a redemption price equal to 100% of the principal amount of each Bond to be redeemed, together with accrued interest thereon to the redemption date. If less than all the Bonds are called for redemption, the Issuer shall determine the maturities and the amounts thereof of the Bonds to be redeemed. If less than all the Bonds of any one maturity are called for redemption, the Bonds of such maturity to be redeemed shall be selected by lot; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or an integral multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar shall treat each Bond as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. For so long as a book-entry system is used for

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determining beneficial ownership of the Bonds, if less than all of the Bonds within a maturity are to be redeemed, The Depository Trust Company (“DTC”) shall determine by lot the amount of interest of each Direct Participant in the Bonds to be redeemed.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether the redemption be in whole or in part, the Issuer shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. Each notice shall identify the Bonds or portions thereof to be redeemed by reference to their numbers and shall set forth the date designated for redemption, the redemption price to be paid and the maturities of the Bonds to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall also state that on or after the redemption date, upon surrender of the Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of the Bond will be issued.

The notice of redemption may state that the Issuer retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the Issuer gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any Bonds as to which redemption has been rescinded shall remain outstanding.

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay the principal of the Bonds or portions thereof called for redemption, as well as the interest accruing thereon to the redemption date.

On the date fixed for redemption, notice having been given in the manner and under the conditions provided above, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to the redemption date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, are held by the Bond Registrar in trust for the registered owners of Bonds or portions thereof called for redemption, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his attorney or legal representative shall present and surrender that Bond to the Bond Registrar for payment of the principal amount thereof so called for redemption and the Bond Registrar shall authenticate and deliver to or upon the order of such registered owner or his legal representative,

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without charge therefor, for the unredeemed portion of the principal amount of the Bond so surrendered, a Bond or Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

8. Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

The transfer of any Bond may be registered only on the registration books of the Issuer upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for the Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of the Bond so surrendered, of the same maturity, and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The Issuer or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to the exchange or registration of transfer, but no other charge shall be made for exchanging or registering the transfer of Bonds under this resolution. The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of that mailing or of any Bond called for redemption in whole or in part pursuant to this Section.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or redemption price of any Bond and the interest on any Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon that Bond including the interest thereon, to the extent of the sum or sums so paid.

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The Issuer shall appoint such registrars, transfer agents, depositaries or other agents and make such other arrangements as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to commercial standards then applicable and for the timely payment of principal and interest with respect to the Bonds. The Director of Finance of the Issuer is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively, the "Bond Registrar"), subject to the right of the governing body of the Issuer to appoint another Bond Registrar, and as such shall keep at his office as Director of Finance, 700 East Fourth Street, Charlotte, NC 28202, the books of the Issuer for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

9. The actions of the Director of Finance of the Issuer and others in applying to the Local Government Commission of North Carolina to advertise and sell the Bonds and the action of the Local Government Commission of North Carolina in asking for sealed and electronic bids for the Bonds by publishing notices and printing and distributing the Preliminary Official Statement and the Official Statement relating to the Bonds are hereby ratified and approved. That Preliminary Official Statement is hereby approved, and the Chairman of the Board of Commissioners, the County Manager and the Director of Finance of the Issuer are each hereby authorized to approve changes in the Preliminary Official Statement, to approve the Official Statement, and to execute the Official Statement for and on behalf of the Issuer. The Preliminary Official Statement is deemed to be a final official statement within the meaning of Rule 15c2-12 of the Securities and Exchange Commission, except for the omission of certain pricing and other information to be specified in the Official Statement.

10. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and the Director of Finance of the Issuer are hereby authorized and directed to cause the Bonds to be prepared and, when they shall have been duly sold by the Local Government Commission, to execute the Bonds and have the Bonds endorsed and authenticated as provided herein and to deliver the Bonds to the purchaser or purchasers to whom they may be sold by the Local Government Commission.

11. The Issuer covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), to the extent required to preserve the exclusion from gross income of interest on the Bonds for federal income tax purposes.

12. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners, the Director of Finance and other officers of the Issuer are hereby authorized and directed to execute and deliver for and on behalf of the Issuer any and all financing statements, certificates, documents or other papers and to perform any and all acts they may deem necessary or appropriate in order to carry out the intent of this resolution and the matters herein authorized.

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13. The Issuer hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide to the Municipal Securities Rulemaking Board (“MSRB”):

(a) by not later than seven months from the end of each fiscal year of the Issuer, audited financial statements of the Issuer for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the Issuer are not available by seven months from the end of such fiscal year, unaudited financial statements of the Issuer for such fiscal year to be replaced subsequently by audited financial statements of the Issuer to be delivered within 15 days after such audited financial statements become available for distribution.

(b) by not later than seven months from the end of each fiscal year of the Issuer, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under heading “The County - Debt Information and - Tax Information” in the Official Statement relating to the Bonds (excluding any information on overlapping or underlying units) and (ii) the combined budget of the Issuer for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:

- (1) principal and interest payment delinquencies;
- (2) non-payment related default, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on any credit enhancements reflecting financial difficulties;
- (5) substitution of any credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;

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- (7) modification to the rights of the beneficial owners of the Bonds, if material;
- (8) bond calls, if material, and tender offers;
- (9) defeasances;
- (10) release, substitution or sale of any property securing repayment of the Bonds, if material;
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership or similar event of the Issuer;
- (13) the consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) appointment of a successor or additional trustee or the change of name of a trustee, if material;
- (15) incurrence of a financial obligation (as defined below) of the Issuer, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the Issuer, any of which affect security holders, if material; and
- (16) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the Issuer, any of which reflect financial difficulties: and

(d) in a timely manner, notice of a failure of the Issuer to provide required annual financial information described in (a) or (b) above on or before the date specified.

The Issuer shall provide the documents referred to above to the MSRB in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB. The Issuer may discharge its undertaking described above by transmitting the documents referred to above to any entity and by any method authorized by the U.S. Securities and Exchange Commission.

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For the purposes hereof, “financial obligation” means a debt obligation, a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or a guarantee of either. The term “financial obligation” shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with Rule 15c2-12.

If the Issuer fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The Issuer reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the Issuer, provided that:

- (a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the Issuer;
- (b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 (“Rule 15c2-12”) as of the date of the Official Statement relating to the Bonds, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and
- (c) any such modification does not materially impair the interest of the beneficial owners, as determined either by parties unaffiliated with the Issuer (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of this bond resolution, as it may be amended from time to time, at the time of the amendment.

Any annual financial information containing modified operating data or financial information shall explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

The motion was adopted by the following vote:

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AYES: Commissioners Patricia “Pat” Cotham, George Dunlap, Susan B. Harden, Mark Jerrell, Vilma D. Leake, Susan Rodriguez-McDowell, and Ella B. Scarborough

NAYS: None

Extracts/Resolution recorded in full in Minute/Ordinance Book 48-A, Document #75.

Commissioner Powell returned to the dais.

19-5637 BUDGET AMENDMENT - DSS (INCREASE/DECREASE)

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

1. Recognize, receive and appropriate to the General Fund an increase of \$50,341 in Federal funding from Centralina Council of Governments (COG) for the Home and Community Care Block Grant;
2. Recognize, receive and appropriate to the General Fund an increase of \$600 in "Other" funding from Centralina Council of Governments (COG); and
3. Recognize and approve a decrease to the General Fund of \$1,556 in State funding for the Family Caregiver Support Grant.

Note: 1. Annually, the Department of Social Services (DSS) submits for Board approval of the Home and Community Care Block Grant {HCCBG} funding plan (also referred to as the County Aging Plan). There was an increase of funding for FY20 and Board approval is required before the budget can be adjusted. The following services are provided with this grant: In-Home Aide Services, Transportation Services, Congregate Meals, Home Delivered Meals, Senior Center Operations, Adult Day Care/Day Health and Consumer Directed Services. The additional required match is included in the DSS Fiscal Year 2020 operating budget.

2. The Department of Social Services Senior Nutrition Program was awarded funds from the 2019 Older Americans Month Contest. The purpose of the contest was to connect youth and seniors through letters and help bridge the gap between generations.

3. The Family Caregiver Support Grant provides services for family members caring for individuals aged 60 or older with Alzheimer's disease or a related brain disorder and grandparents or relative caregivers providing support for grandchildren . Matching funds are

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not required.

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

Commissioner Fuller returned to the dais.

CLOSED SESSION

19-5647 CLOSED SESSION – BUSINESS LOCATION AND EXPANSION

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 go into Closed Session to discuss Business Location and Expansion.

The Board went into Closed Session at 9:58 p.m. and came back into Open Session at 10:21 p.m.

ADJOURNMENT

Motion was made by Commissioner Fuller, seconded by Commissioner Scarborough 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 10:23 p.m.

Janice S. Paige, Clerk

George Dunlap, Chair