



TOWN OF CORNELIUS
Cornelius Town Hall - Assembly Room

**BOARD OF
COMMISSIONERS**

August 1, 2022

Agenda

PRE-MEETING - 4:30 PM

- Closed Session pursuant to NCGS 143-318.11(a)(6)
- Agenda Review

TOWN BOARD - 6:00 PM

1. **CALL TO ORDER**
 - A. Mayor for the Day - Grace Ross
2. **DETERMINATION OF QUORUM**
3. **APPROVAL OF AGENDA**
4. **MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**
5. **RULES FOR PUBLIC HEARINGS AND PUBLIC COMMENTS**
 - A. Adopted Rules
6. **CITIZEN CONCERNS/COMMENTS**
7. **PRESENTATIONS**
 - A. Duke Energy Lake Management
8. **CONSIDERATION OF APPROVAL**
 - A. Street Acceptance - Poole Place
 - B. Appointment of Planning Board Chair
 - C. Resolution Declaring Surplus Property
 - D. Management Services Agreement - Cornelius Community Development Corporation
 - E. Proclamation to Rescind COVID-19 State of Emergency
9. **CONSENT AGENDA**
 - A. Approve Minutes - Closed Session
 - B. Approve Minutes - Regular Meeting
 - C. Ratifying the Updated Charter of Centralina Regional Council
 - D. Annual Settlement of the Tax Collector and Order of Collection for FY2022
10. **MAYOR/COMMISSIONERS/MANAGER REPORTS**
11. **COMMISSIONER CONCERNS**
12. **ADJOURNMENT**

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: August 1, 2022

To: Mayor and Board of Commissioners

From: Andrew Grant, Town Manager

Action Requested:

Hold a Closed Session pursuant to NCGS 143-318.11(a)(6).

Manager's Recommendation:

Hold a Closed Session.

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: August 1, 2022

To: Mayor and Board of Commissioners

From: Andrew Grant, Town Manager

Action Requested:

Please sign up to speak before the meeting on the sign-up sheet located near the entrance to the board room.

Please be aware that all meetings of the Board of Commissioners are recorded and streamed live on the internet.

The Board will allocate up to 1 hour during each meeting to hear general Public Comments.

The Board will allocate up to 1 hour for each public hearing on the Agenda.

1. Provide your name and address before you begin your comments.
2. Comments are limited to 4 minutes.
3. Comments are to be directed to the entire board and not to individuals.
4. You may yield your comments to another speaker present at the meeting so that one speaker may address the board for up to 8 minutes.
5. A designated spokesperson for a group of three or more may be allocated 10 minutes to speak. At least three members of the group must be present and names and addresses of those members present must be submitted to the Town Clerk before the meeting begins.
6. Presentations by applicants seeking to rezone property are limited to 10 minutes. (Staff presentations and applicant time spent responding to questions from the Board is not subject to the 10-minute limit).
7. You must be civil in your language and presentation and act within reasonable standards of courtesy.
8. Use of slander, name-calling, personal attacks or threatening speech or behavior is prohibited.
9. The audience must maintain order and decorum in their conduct. Please refrain from applause, comments or disruptive speaking during the meeting.
10. The Mayor or a majority of the Board may suspend these rules at their discretion.
11. Failure to abide by these rules after receiving notice by the Mayor may result in 1) termination of your comment period and/or 2) your removal from the meeting.

Manager's Recommendation:

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: August 1, 2022

To: Mayor and Board of Commissioners

From: Andrew Grant, Town Manager


Action Requested:

Duke Energy representatives will give a presentation on lake level management.

Manager's Recommendation:

Receive presentation.

ATTACHMENTS:

Name:	Description:	Type:
 Duke_Energy_Presentation_to_Cornelius_8.1.2022.pdf	Duke Energy Lake Levels	Presentation

Meeting with the Town of Cornelius, NC

Catawba-Wateree Hydro Project Management of the Project and Lake Noman

PRESENTED BY:

Jeff Lineberger, PE, Director, Water Strategy and Hydro Licensing

Ed Bruce, PE, Lead Engineer, Water Strategy and Hydro Licensing

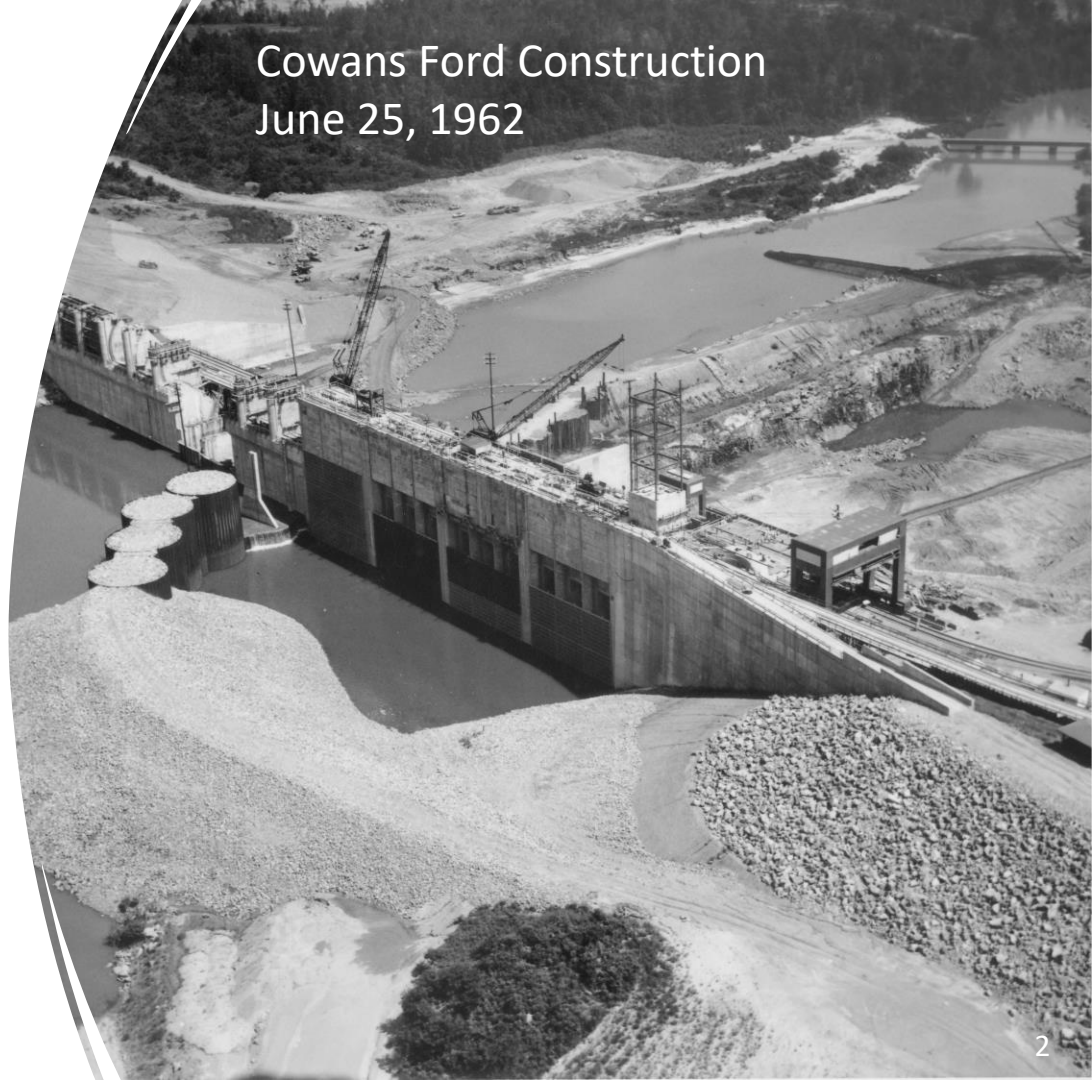
Duke Energy



Cowans Ford Construction
June 25, 1962

What We Will Cover

- Overview of the Catawba-Wateree Hydroelectric Project
- How water movement is managed
- Catawba-Wateree System Operations
 - Normal operations
 - Operations during droughts
 - Operations during high water events
 - How to get Lake Information



Catawba-Wateree River – A Hard Working River

➤ First river in US comprehensively planned/developed for electricity production (lakes built 1904 – 1963)

- 11 lakes; 79,895 surface acres; 1795 shoreline miles
- 255 billion gallons of usable water storage

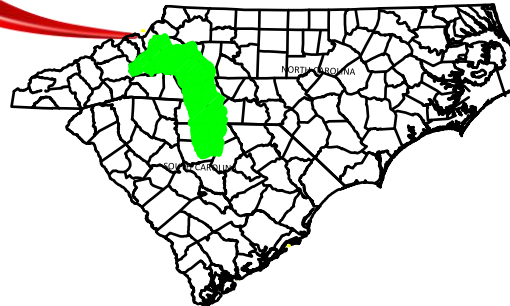
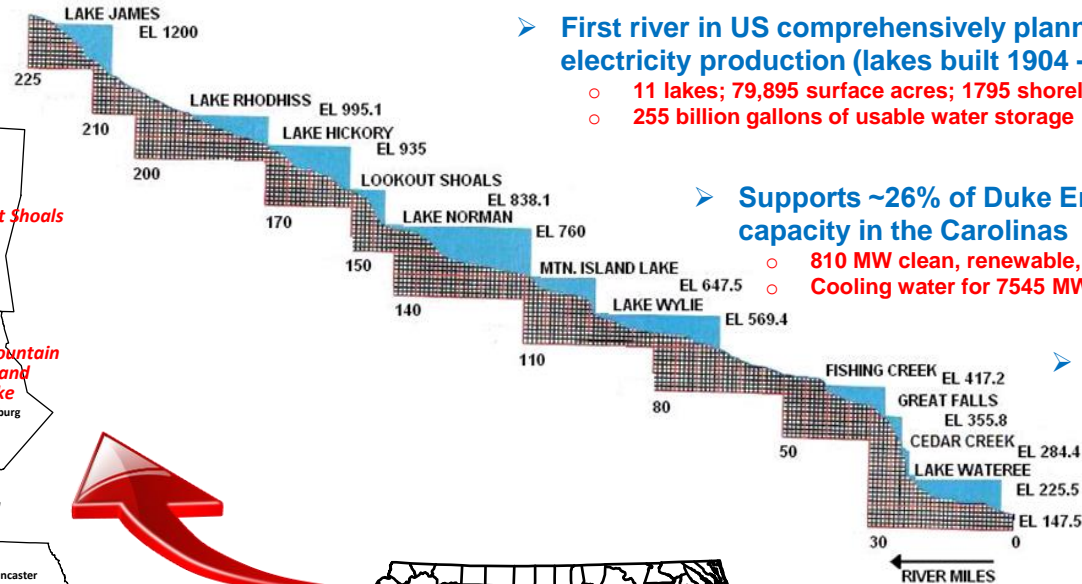
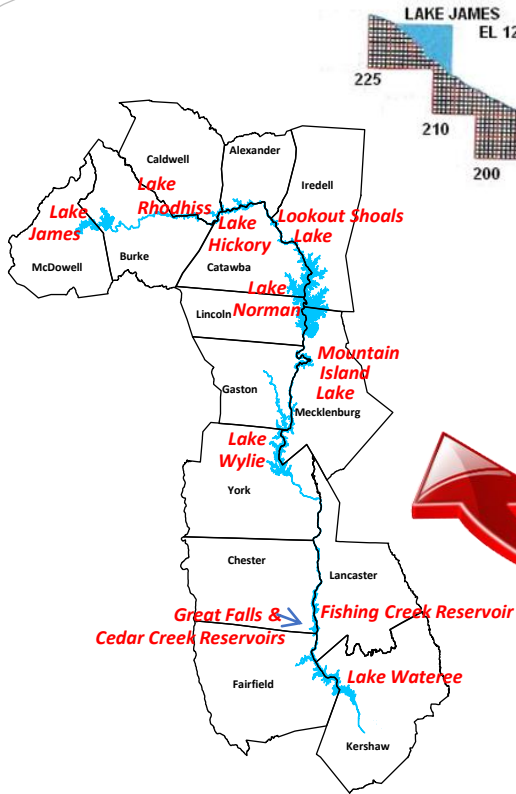
➤ Supports ~26% of Duke Energy's generating capacity in the Carolinas

- 810 MW clean, renewable, flexible hydropower
- Cooling water for 7545 MW coal/nuclear

➤ Fully integrated into the river community

- Drinking water for ~2 million people
- Industrial water supply
- 16+ million recreation visits/year
- 25,000+ lake neighbors

* EL = Full Pond Elevation in feet Above Mean Sea Level



**Eleven Lakes Are
Operated as One System**

Hydro Operations Planning

Hydro Operators create a weekly plan for operation of each hydro station that must account for:

- License requirements
- Inflow
- System Energy Demand

The Federal Energy Regulatory Commission (FERC) License Requirements

Normal Conditions

- Seasonal Operating Ranges for each Lake
- Aquatic flows – both continuous flow releases and Minimum Average Daily Flow (MADF) releases
- Recreation flow releases
- Water Quality Standards

Drought Conditions

Low Inflow Protocol (LIP)

- Seasonal operating ranges are adjusted
- Minimum flow releases are gradually reduced
- Recreation flow releases are reduced or eliminated

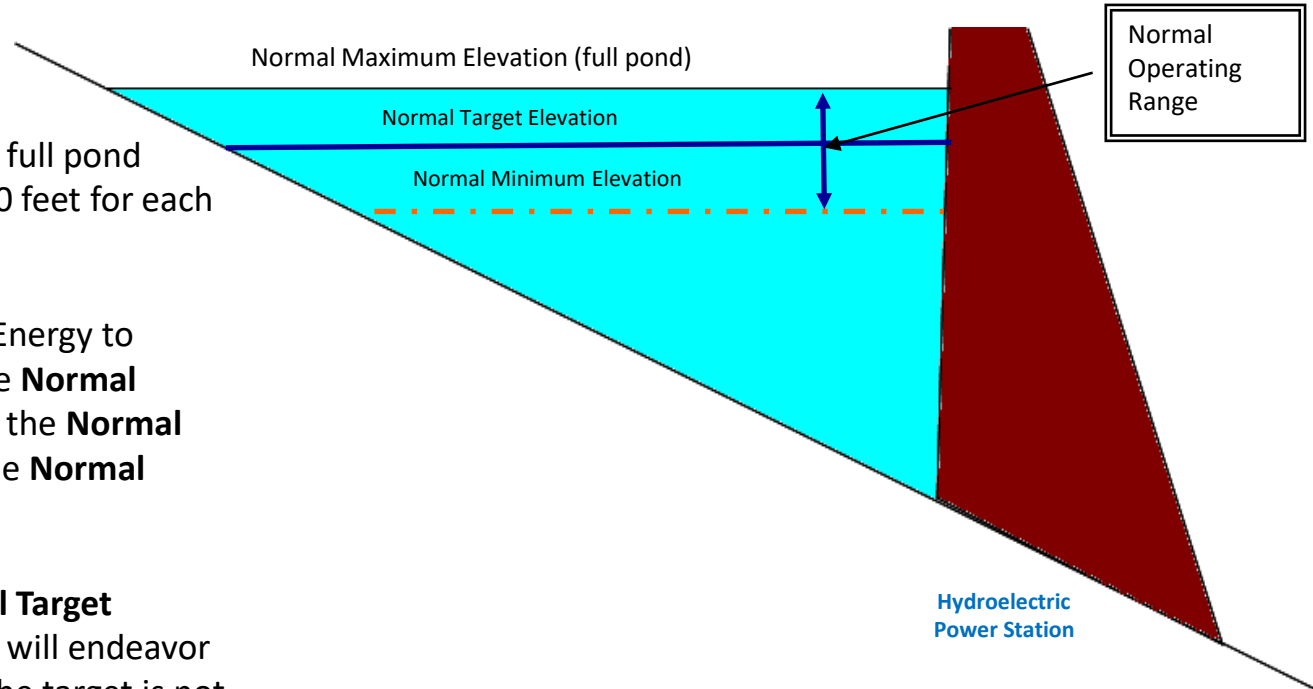
Abnormal or Emergency Conditions

Maintenance and Emergency Protocol (MEP)

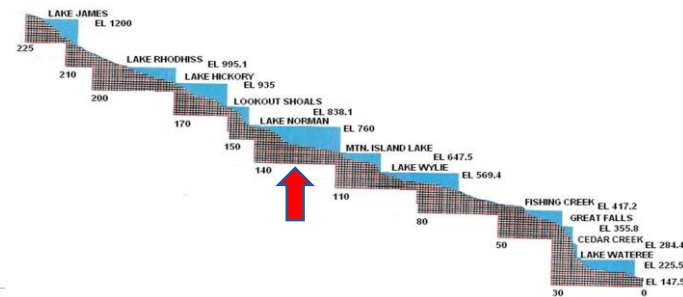
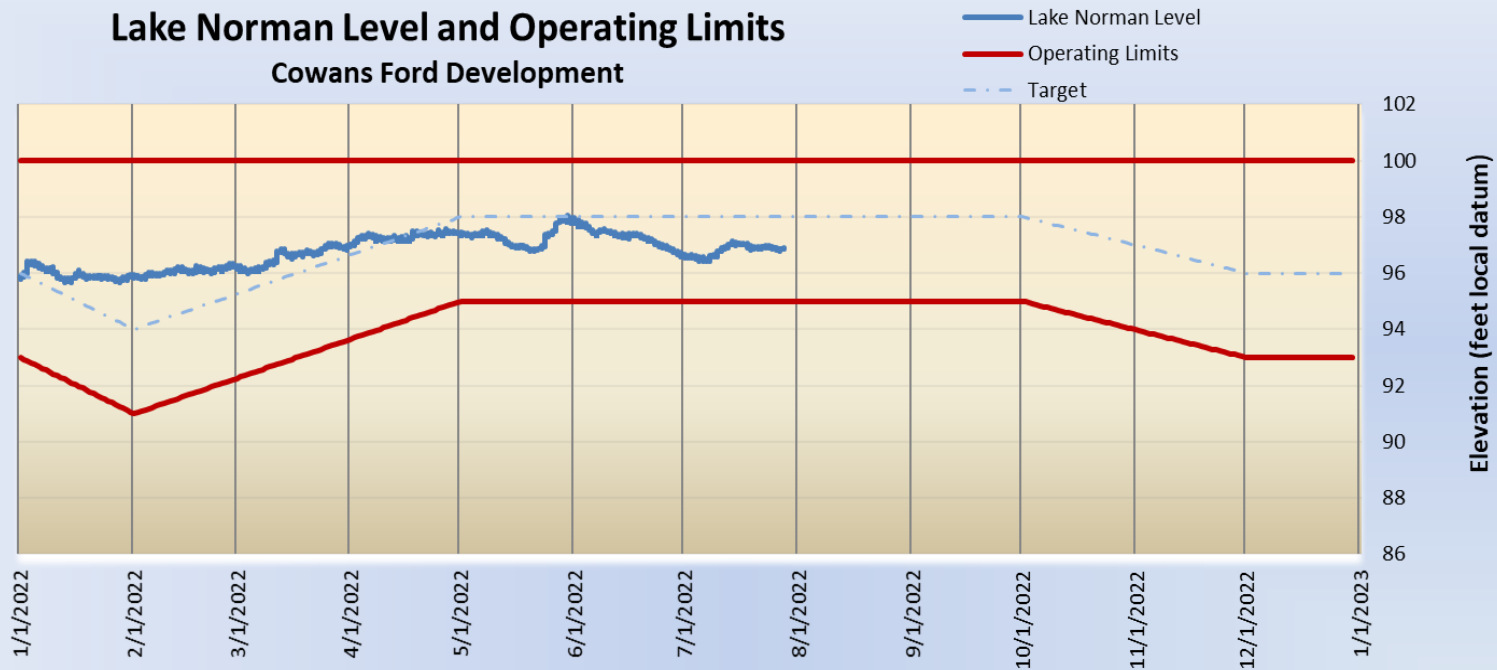
- High Water Events
- Grid Emergencies
- Unexpected or Planned Hydro Station Outages
- Emergency River Access

Normal Operations

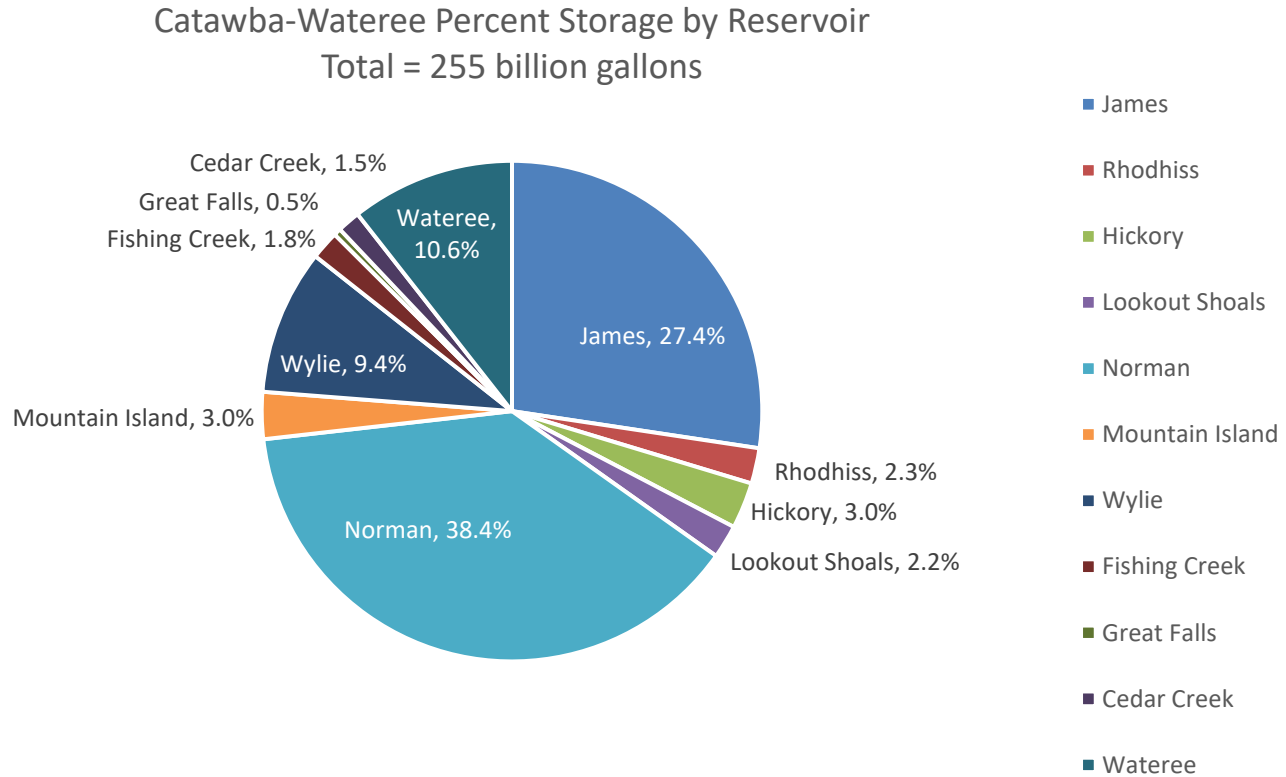
- Duke Energy has adopted a full pond elevation reference of 100.0 feet for each of its lakes
- The License requires Duke Energy to operate the lakes within the **Normal Operating Range** (between the **Normal Maximum Elevation** and the **Normal Minimum Elevation**)
- Each lake also has a **Normal Target Elevation** that Duke Energy will endeavor in good faith to meet, but the target is not a firm license compliance requirement



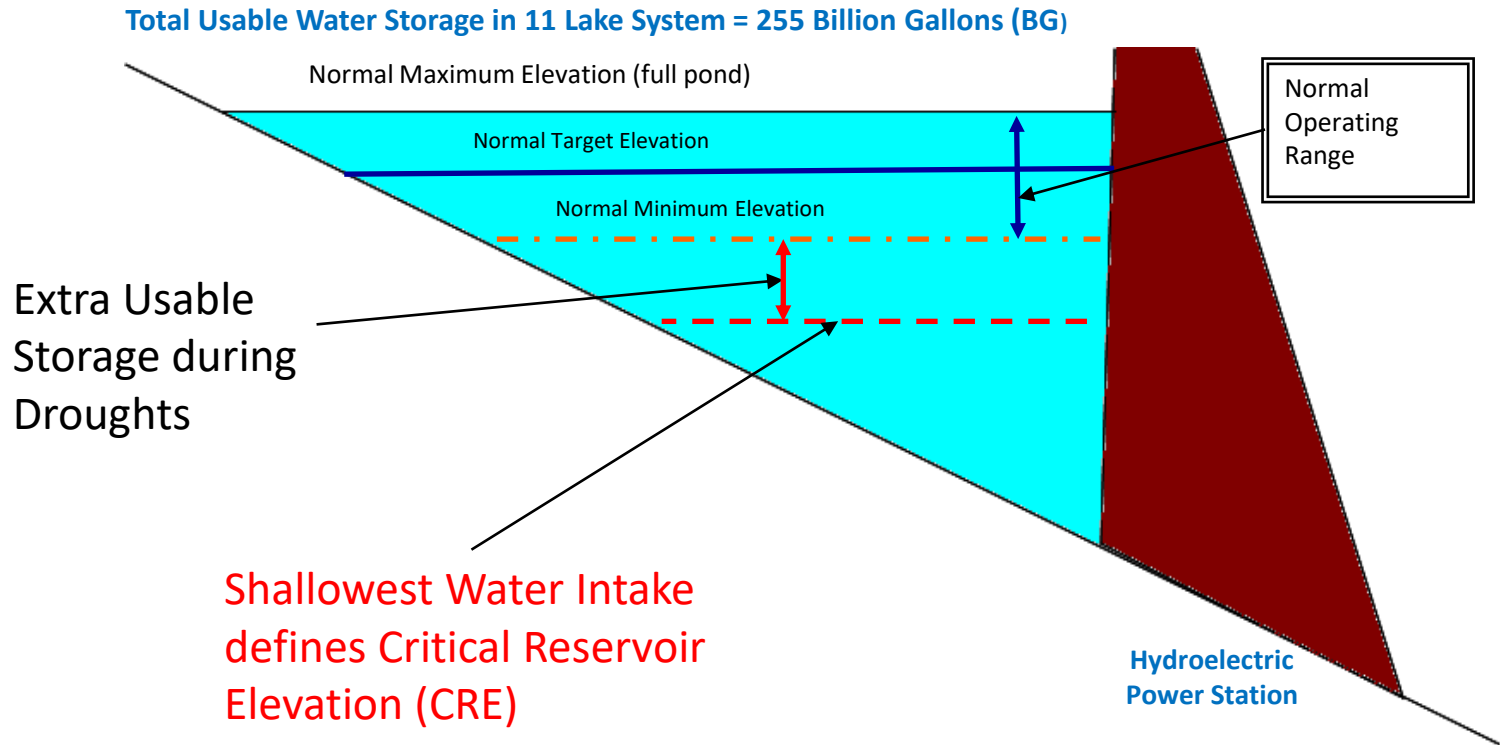
Lake Norman Level and Operating Limits Cowans Ford Development



Catawba-Wateree Percent of Usable Storage by Reservoir



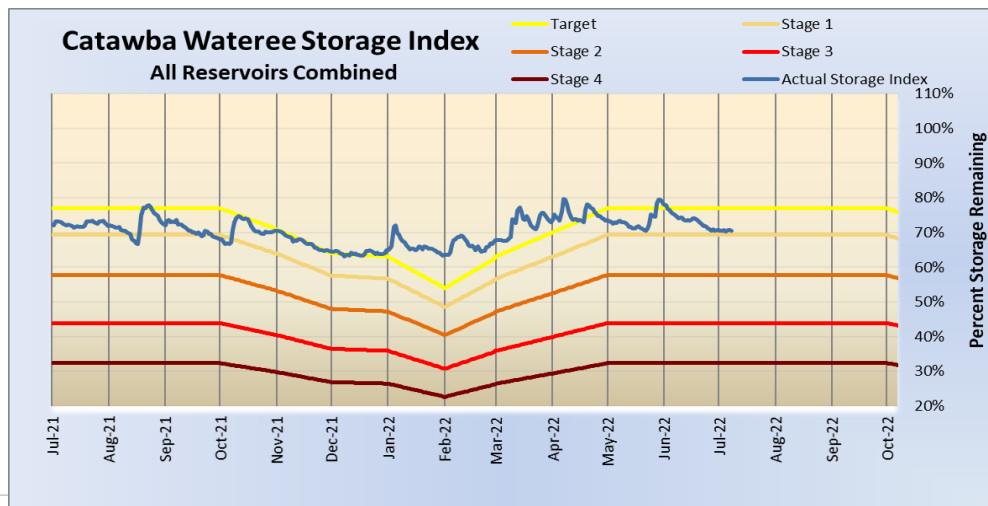
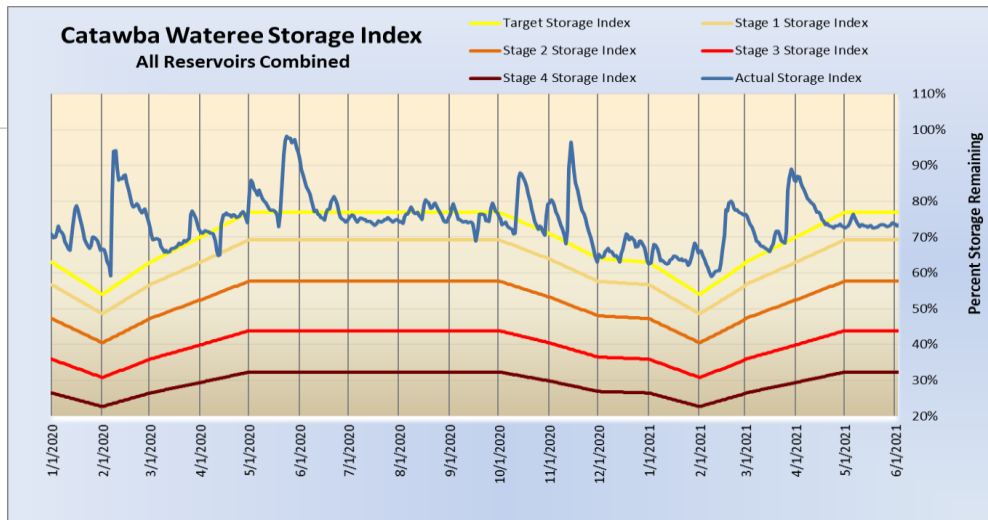
Protect and Enhance Usable Storage in Lakes



Catawba-Wataree River Basin - Drought Indicators

The Low Inflow Protocol (LIP) designates 5 stages of drought in the Catawba-Wataree River Basin as determined by the following indicators:

1. **How much total remaining usable water is in the reservoirs** - Volume of water between current reservoir elevations and each reservoir's Critical Reservoir Elevation
2. **How much water is flowing into the reservoirs** - As measured by 4 tributary US Geological Survey (USGS) streamflow gages
3. **Reports from U.S. Drought Monitor**, a government index indicating areas experiencing drought and the severity, specific to the Catawba-Wataree River Basin



Catawba-Wataree River Basin – LIP Actions

Purpose – Slow rate of water storage loss to buy time for return to more rainfall

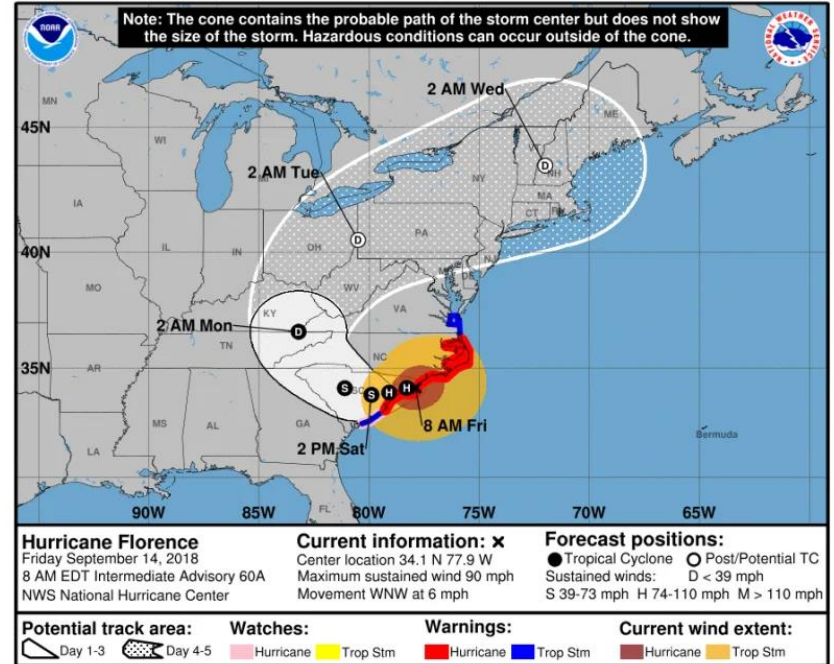
Stage	Action Summary
0	Licensee - Activate Catawba-Wataree Drought Management Advisory Group (CW-DMAG).
1	Licensee - Reduce downstream, bypass, recreation flows and Normal Minimum Elevations. Public Water Suppliers (PWS) – Voluntary water use restrictions, 2 day/wk irrigation, reduce vehicle washing; water reduction goal of 3-5%. Other Large Water Intake (LWI) Owners – Notify employees and customers and request voluntary cutbacks.
2	Licensee – Further reduce flows and Normal Minimum Elevations. Eliminate recreation flows. PWS – Mandatory water use restrictions, 2 day/wk irrigation, eliminate vehicle washing; water reduction goal of 5-10%. Other LWI Owners – Notify employees and customers and request voluntary cutbacks.
3	Licensee - Reduce downstream and bypass flows to critical flows, and further reduce Normal Minimum Elevations. PWS – Mandatory water use restrictions, 1 day/wk irrigation, limit other outdoor water uses; water reduction goal of 10-20%. Other LWI Owners – Notify employees and customers and request voluntary cutbacks.
4	Licensee – Maintain downstream and bypass flows at critical flows and reduce Normal Minimum Elevations to critical elevations. PWS – Restrict all outdoor water use, implement emergency restrictions; water reduction goal of 20-30%. Other LWI Owners – Notify employees and customers and request voluntary cutbacks.

Dealing With the Extremes – High Inflows

Floods - Every storm is unique

Fundamentals of Duke Energy Hydro Operations:

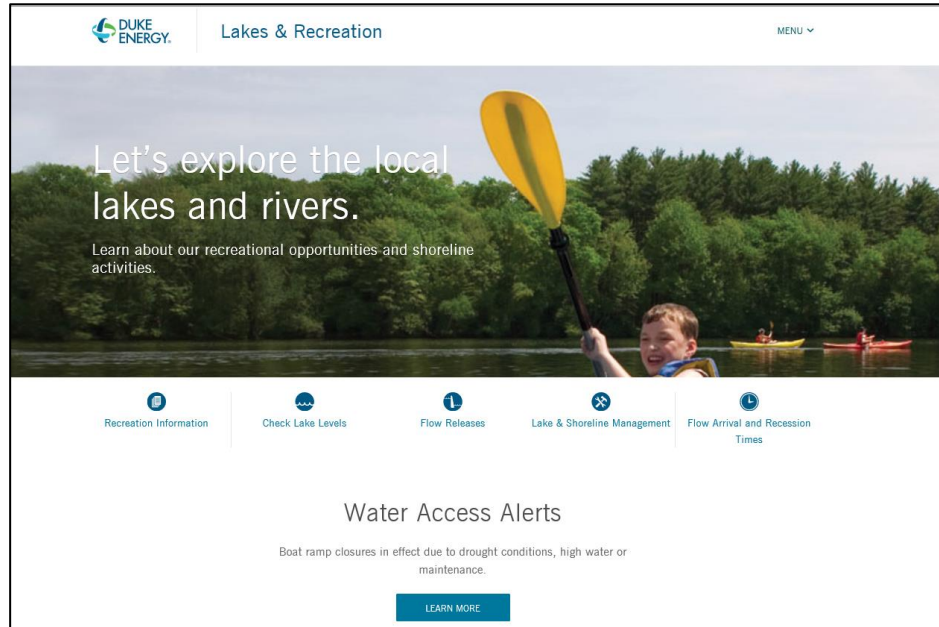
- Work closely with Duke Energy meteorology
- Proactively move water to create additional storage if forecasts and models support it
- Activate Hydro Emergency Action Plans when lakes reach certain levels
- Coordinate with local emergency management officials on their notifications and electrical disconnects
- Communicate conditions and lake levels with the public



Lake Level and Scheduled Flow Release Information

Duke Energy Lake Information Line
800-829-5253

Duke Energy Lakes and Recreation Website
<https://www.duke-energy.com/lakes>



The advertisement features a hand holding a smartphone displaying the "Duke Energy Lake View" app interface. The app screen shows various icons for lake levels, flow releases, alerts, and settings. The background is a blue, wavy pattern representing water.

Duke Energy's Lake View app

Real-time lake levels, flow releases, alerts and more.
Look into our lakes with the Lake View app. Whether you're boating, fishing or maintaining property along Duke Energy's waterways, Lake View can help keep you safe and informed.

- 🌊 Lake levels
- 📡 Flow release info
- 📢 Alerts and special messages
- 📍 Duke Energy lakes and river basins, including:
 - Catawba-Watersee
 - Keowee-Toxaway
 - Pigeon River
 - Yadkin-Pee Dee
 - Nantahala Area

Download the app today!

Download on the App Store
GET IT ON Google Play

DUKE ENERGY
BUILDING A SMARTER ENERGY FUTURE

©2019 Duke Energy Corporation 191028 5/19

Free Lake View Mobile App

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: August 1, 2022

To: Mayor and Board of Commissioners

From: Becky Partin, Senior Planner

Action Requested:





Adopt a Resolution accepting Poole Place Drive, Psalms Street, and Lynn Lane in the Poole Place subdivision for Town maintenance.

The streets meet the requirements established in Section 94.17 - Requirements for Adoption of Street Acceptance Resolution.

Manager's Recommendation:

Adopt a Resolution accepting Poole Place Drive, Psalms Street, and Lynn Lane in the Poole Place subdivision.

ATTACHMENTS:

Name:	Description:	Type:
 Resolution.pdf	Resolution for Street Acceptance - Poole Place	Resolution Letter
 44-161.pdf	Recorded Plat 44-161	Backup Material
 49-823.pdf	Recorded Plat 49-823	Backup Material
 52-511.pdf	Recorded Plat 52-511	Backup Material

**TOWN OF CORNELIUS
RESOLUTION TO ADOPT CERTAIN
STREETS FOR MAINTENANCE**

WHEREAS, Cornelius is a rapidly growing community and is desirous of providing the most effective and efficient governmental services to its residents; and

WHEREAS, Cornelius has been requested by Habitat for Humanity of the Charlotte Region to accept the streets located in the Poole Place Subdivision that are currently maintained by said developer; and

WHEREAS, the streets are identified in the attached Exhibit #1 map and a request by the developer, Habitat for Humanity of the Charlotte Region, is attached as Exhibit #2; and

WHEREAS, the Town of Cornelius is desirous of accepting Poole Place Drive, Psalms Street, and Lynn Lane for maintenance.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS that the Town of Cornelius does hereby accept for maintenance Poole Place Drive, Psalms Street, and Lynn Lane.

Adopted this 1st day of August 2022.

Woody Washam, Jr., Mayor

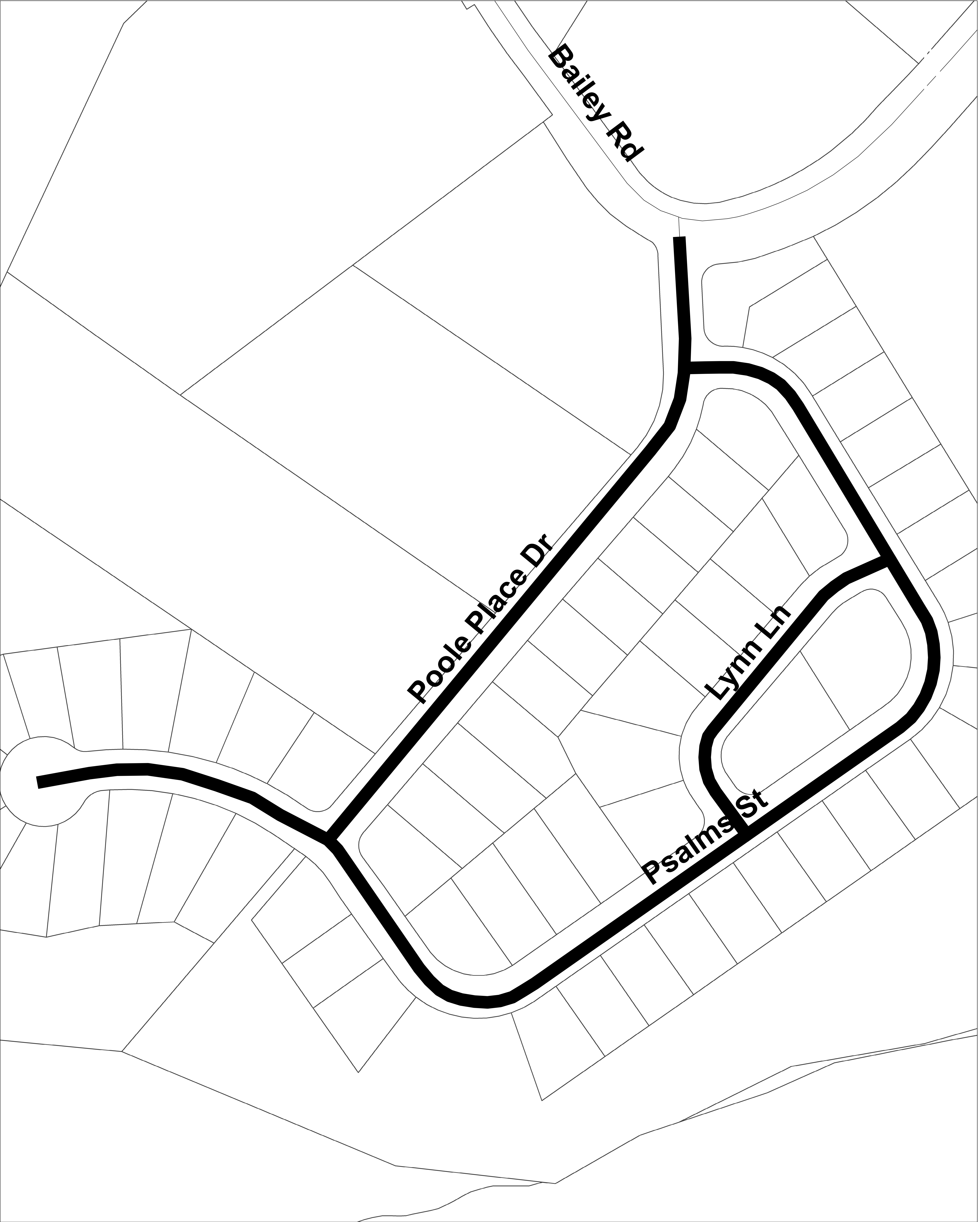
ATTEST:

Lori A. Harrell, Town Clerk

APPROVED AS TO FORM:

Town Attorney

Exhibit #1





3815 Latrobe Drive
Charlotte, NC 28211

704.376.2054

habitatCLRegion.org

7/11/2022

Andrew Grant
Town Manager
Town of Cornelius
P.O. Box 399
Cornelius, NC 28031

Re: Application for Street Acceptance

Dear Mr. Grant:

I hereby certify, as the owner, that to the best of my knowledge the improvements in Poole Place have been constructed in accordance with the construction documents and are shown on a record map filed in the Mecklenburg County Register of Deeds Office in map book 49, page 823, map book 44, page 161, and map book 52, page 511. All work must conform to the construction standards as identified in the Charlotte-Mecklenburg Land Development Standards Manual and the Town of Cornelius Land Development Code.

I, therefore, request that the following streets in Poole Place be considered for maintenance acceptance by the Town of Cornelius. I understand that acceptance of said streets shall be made only by the Town of Cornelius Board of Commissioners in accordance with the Town's street acceptance policy.

Street Name	From	To	Length (in feet)
Psalms Street	Poole Place Drive	Cul-de-sac	1776
Lynn Lane	Psalms Street	Psalms Street	407
Poole Place Drive	Bailey Road	Psalms Street	840

(if additional space is required, continue on back)


 Signature of Owner *PRESIDENT & CEO*

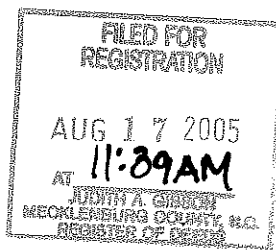
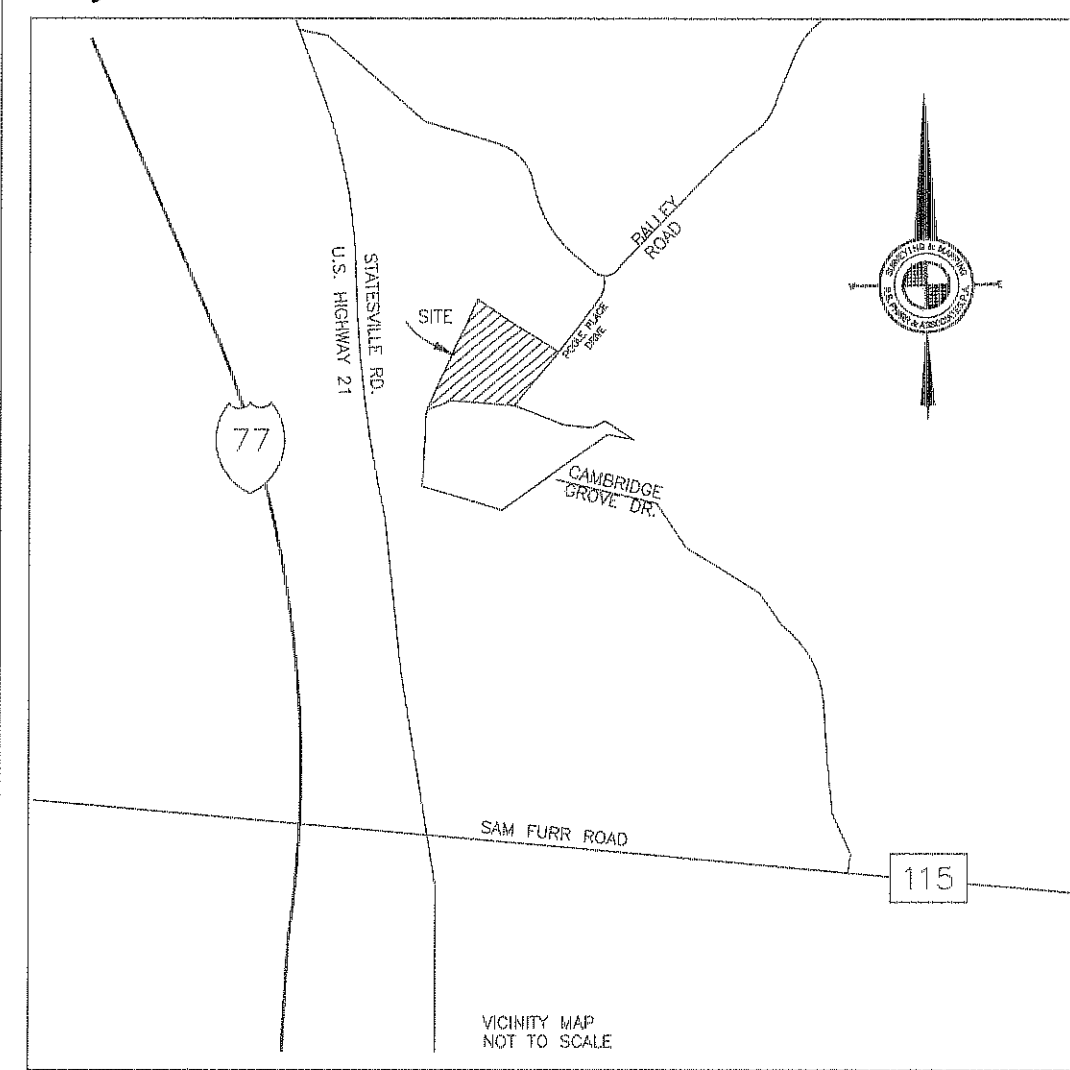
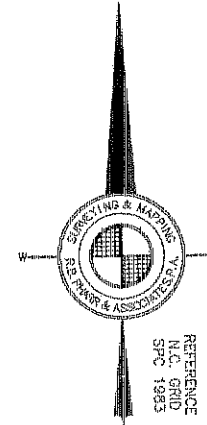
lbelcher@habitatCLRegion.org
 E-mail Address

704-716-7075
 Phone Number

3816 Latrobe Dr. Charlotte NC 28211
 Mailing Address (street number, street name, city, state, zip)

#2005158348

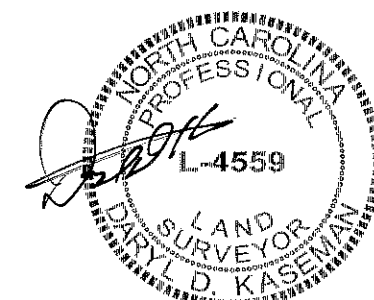
MAP BOOK 44 PAGE 161

DATE: AUGUST 15TH, 2005
SCALE: 1" = 60'
ACAD FILE: 61670AA PLAT SHOWING
HABITAT FOR HUMANITY, MAP 1, REVISEDTOWN OF CORNELIUS (OWNER)
P.O. BOX 339
CORNELIUS, NORTH CAROLINADEWEES TOWNSHIP,
TOWN OF CORNELIUS, MECKLENBURG COUNTY, NORTH CAROLINAR.B. PHARR & ASSOCIATES, P.A.
PO BOX 1234
#19801 S. MAIN STREET
CORNELIUS, NORTH CAROLINA 28031
TELEPHONE 704-895-17300' 60' 120' 180' 240'
BAR SCALE: 1" = 60'BAILEY ROAD
S.R.#2415LEGEND
E.I.P. = EXISTING IRON PIPE
E.I.R. = EXISTING IRON ROD
N.I.R. = NEW IRON ROD
R/W = RIGHT OF WAY
C/L = CENTER LINE
SQ.FT. = SQUARE FOOTNOTE:
1. IRON PINS AT ALL PROPERTY CORNERS
UNLESS OTHERWISE NOTED.THE TOWN OF CORNELIUS ZONING
CURRENT ZONING: NEIGHBORHOOD RESIDENTIAL (NR)
MINIMUM SETBACK REQUIREMENTS
FRONT SETBACK 25 FOOT
REAR SETBACK 25 FEET
SIDE SETBACK 8 FOOT
ACCESSORY STRUCTURE SETBACKS
SIDE SETBACK 5 FOOT
REAR SETBACK 5 FEETREFERENCES
DEED BOOK 14684, PAGE 300
DEED BOOK 14684, PAGE 305
TAX NUMBER 005-032-02
TAX NUMBER 005-032-15
MAP BOOK 42, PAGE 599CERTIFIED TO BE A TRUE AND CORRECT
COPY OF THE ORIGINAL MAP RECORDED
IN BOOK _____ PAGE _____
DATE: _____
JUDITH A. GIBSON, REGISTER OF DEEDS
BY: _____ DEPUTY

CURVE TABLE				
CURVE	RADIUS	LENGTH	CHORD DIRECTION	CHORD
C1	291.82'	47.90'	N60°33'19"W	47.85'
C2	291.82'	74.32'	N72°33'13"W	74.12'
C3	291.82'	70.51'	N86°46'18"W	70.34'
C4	291.82'	8.89'	S83°26'03"W	8.89'
C5	25.00'	24.74'	S56°12'59"W	23.74'
C6	50.00'	38.38'	N49°51'40"E	37.44'
C7	50.00'	35.89'	S87°35'02"E	35.13'
C8	50.00'	30.35'	S49°37'31"E	29.89'
C9	50.00'	30.31'	S14°51'51"E	29.85'
C10	50.00'	30.34'	S19°53'17"W	29.88'
C11	50.00'	30.42'	S54°42'05"W	29.95'
C12	50.00'	49.52'	N79°29'55"W	47.52'
C13	25.00'	2.73'	S54°15'03"E	2.72'
C14	25.00'	17.32'	S77°13'16"E	16.98'
C15	336.62'	37.17'	S86°05'38"W	37.15'
C16	336.62'	50.42'	N86°27'22"W	50.38'
C17	336.62'	54.52'	N77°31'50"W	54.45'
C18	336.62'	61.30'	N67°40'48"W	61.21'
C19	336.62'	38.88'	N59°09'35"W	38.86'
C20	20.00'	29.23'	N82°16'33"E	26.70'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N55°51'10"W	14.67
L2	S55°51'10"E	27.66

AREA TABLE	
LOT	SQUARE FOOT AND ACRE
1	7,093 SQ. FT. OR 0.1628 ACRE
2	7,069 SQ. FT. OR 0.1623 ACRE
3	8,288 SQ. FT. OR 0.1903 ACRE
4	8,341 SQ. FT. OR 0.1915 ACRE
5	7,370 SQ. FT. OR 0.1692 ACRE
6	5,347 SQ. FT. OR 0.1227 ACRE
7	6,904 SQ. FT. OR 0.1585 ACRE
8	8,517 SQ. FT. OR 0.1955 ACRE
9	8,518 SQ. FT. OR 0.1955 ACRE
10	7,750 SQ. FT. OR 0.1779 ACRE
11	7,455 SQ. FT. OR 0.1711 ACRE
12	7,819 SQ. FT. OR 0.1795 ACRE
13	8,392 SQ. FT. OR 0.1927 ACRE
14	8,110 SQ. FT. OR 0.1862 ACRE
15	8,708 SQ. FT. OR 0.1999 ACRE
LOTS TOTAL 115,681 SQ. FT. OR 2.6558 ACRES	
ROAD R/W 19,766 SQ. FT. OR 0.4538 ACRES	
GREENWAY 165,380 SQ. FT. OR 3.7966 ACRES	
TOTAL AREA 300,827 SQ. FT. OR 6.9060 ACRES	

I, DARYL D. KASEMAN CERTIFY THAT THIS MAP
WAS DRAWN UNDER MY SUPERVISION FROM AN
ACTUAL SURVEY MADE UNDER MY SUPERVISION,
DEED DESCRIPTION RECORDED IN BOOK 14684,
PAGE 300; IS 1:10,000 OR GREATER; THAT THE
BOUNDARIES NOT SURVEYED ARE SHOWN AS
BROKEN LINES. THIS MAP WAS PREPARED IN
ACCORDANCE WITH GENERAL STATUTE 47-30 AS
AMENDED.
WITNESS MY HAND AND SEAL THIS 15TH DAY
OF AUGUST A.D., 2005Daryl D. Kaseman
N.C. PROFESSIONAL LAND SURVEYOR
L-4559
LICENSE NUMBERNOTE:
THIS SURVEY CREATES A SUBDIVISION OF LAND
WITHIN THE AREA OF A COUNTY OR MUNICIPALITY
THAT HAS AN ORDINANCE THAT REGULATES PARCELS
OF LAND.Daryl D. Kaseman
N.C. PROFESSIONAL LAND SURVEYORFLOOD CERTIFICATION
THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT
LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON
MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT
AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED
FEBRUARY 4TH, 2004.
F.I.R.M. COMMUNITY PANEL NUMBER 370486 0005 ANOTE:
PIPE SYSTEMS AND/OR CHANNELS LOCATED WITHIN PUBLIC
DRAINAGE EASEMENTS ARE THE RESPONSIBILITY OF THE
INDIVIDUAL PROPERTY OWNER.

CERTIFICATION OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN
AND DESCRIBED HEREON, WHICH IS LOCATED IN THE SUBDIVISION
JURISDICTION OF THE TOWN OF CORNELIUS AND THAT I HEREBY
ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT.
ESTABLISH MINIMUM BUILDING SETBACK LINES, PRESERVE
AND PROTECT ALL SIGNIFICANT TREES OVER 18" IN DIAMETER
IN THE TREE AND ROOT PROTECTION AREA, PLANT SUPPLEMENTARY
TREES IF REQUIRED, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS
AND OTHER SITES AND EASEMENTS, TO PUBLIC OR PRIVATE USES AS NOTED.
FURTHERMORE, I DEDICATE ALL SANITARY SEWER, STORM SEWER
AND WATER LINES THAT ARE LOCATED IN PUBLIC UTILITY EASEMENTS
OR RIGHTS-OF-WAY TO THE TOWN OF CORNELIUS AND THE CHARLOTTE-
MECKLENBURG UTILITY DEPARTMENT.8/15/05
DATE
Anthony Roberts, Town Manager
OWNERN.C. GRID COORDINATES
NORTHING 624,386.13 US FEET - SPC 83
EASTING 1,442,711.10 US FEET - SPC 83
ELEVATION = 722.64 US FEET - NGVD 29

COMBINED GRID FACTOR IS 0.99984672

N.C. GRID COORDINATES
NORTHING 624,386.13 US FEET - SPC 83
EASTING 1,444,606.99 US FEET - SPC 838/16/05
DATE
Ophelia J. Howell
COUNTY STAFF, MECKLENBURG COUNTYI HEREBY CERTIFY THAT ALL STREETS, UTILITIES, AND OTHER REQUIRED
IMPROVEMENTS HAVE BEEN INSTALLED IN AN ACCEPTABLE MANNER AND
ACCORDING TO TOWN SPECIFICATIONS AND STANDARDS OR THAT GUARANTEES
OF THE INSTALLATION OF THE REQUIRED IMPROVEMENTS IN AN AMOUNT
AND MANNER SATISFACTORY TO THE TOWN OF CORNELIUS HAS BEEN RECEIVED.WATERSHED CERTIFICATION
I CERTIFY THAT THIS PLAT IS NOT WITHIN A DESIGNATED PUBLIC WATER
SUPPLY WATERSHED.8/17/05
DATE
Karen W. Floyd
WATERSHED ADMINISTRATOR, TOWN OF CORNELIUSNOTE:
THE SOLE PURPOSE OF THIS MAP IS TO CHANGE
THE STREET NAME FROM NOBLE OAKS DRIVE TO
PSALMS STREET, AS RECORDED IN MAP BOOK 42, PAGE 599
THIS PLAT SUPERCEDES PREVIOUSLY RECORDED MAP8/17/05
DATE
Karen W. Floyd
REVIEW OFFICER
8/17/05
DATE
Karen W. Floyd
REVIEW OFFICERI HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON
HAS BEEN FOUND TO COMPLY WITH THE LAND DEVELOPMENT CODE
FOR CORNELIUS, NORTH CAROLINA, AND THAT THIS PLAT HAS BEEN
APPROVED BY THE TOWN OF CORNELIUS FOR RECORDING IN THE
OFFICE OF THE REGISTER OF DEEDS OF MECKLENBURG COUNTY. I
FURTHER CERTIFY THAT THE BOARD OF COMMISSIONERS ONLY ACCEPTS
THE DEDICATION OF THE PUBLIC PARKS SHOWN THEREON, IF SUCH
PARKS ARE LOCATED WITHIN THE CORPORATE LIMITS OF CORNELIUS,
BUT ASSUMES NO RESPONSIBILITY TO OPEN OR MAINTAIN THE SAME
UNTIL, IN THE OPINION OF THE BOARD OF COMMISSIONERS, IT IS IN
PUBLIC INTEREST TO DO SO.8/17/05
DATE
Karen W. Floyd
PLANNING DIRECTOR, CORNELIUS, NORTH CAROLINACREW: _____
DRAWN: _____
TOM KFILE NO. LN - 769
JOB NO. 61670A

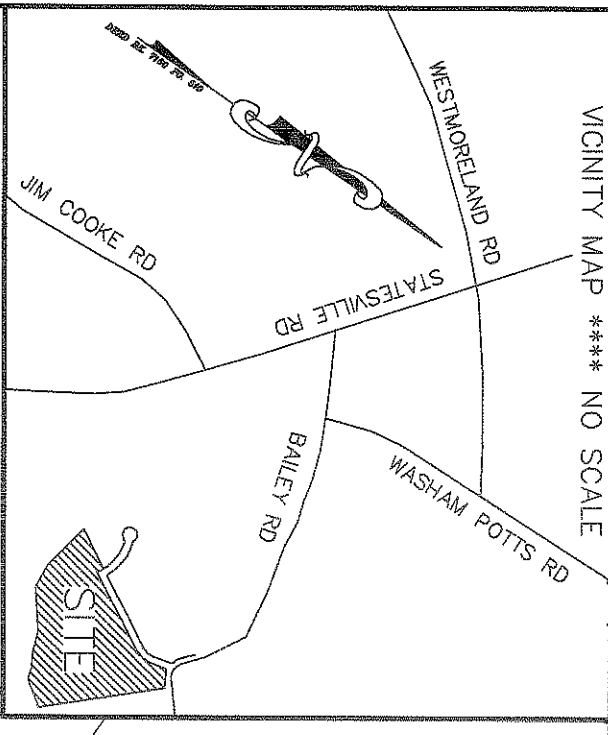
260802215

49

823

VICINITY MAP **** NO SCALE

MAP BOOK



FILED FOR
REGISTRATION
FEB 08 2008
1:49 PM
MECKLENBURG COUNTY, NC

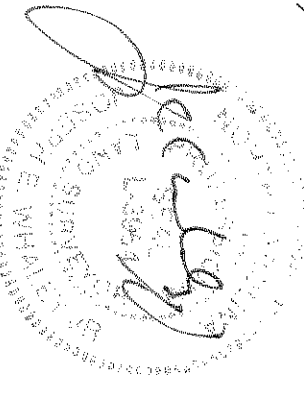
NOW OR FORMERLY
RATHMAN CONSTRUCTION INC.
DB 14455 PG 86
TAX ID #005-032-11
ZONING: NR

NOW OR FORMERLY
RATHMAN CONSTRUCTION INC.
DB 14455 PG 89
TAX ID #005-032-08
ZONING: NR

NOW OR FORMERLY
STEPHEN BROTHERTON
DB 04470 PG 216
TAX ID #005-351-01
ZONING: NR

T.L. BROTHERTON INC.
DB 8882 PG 830

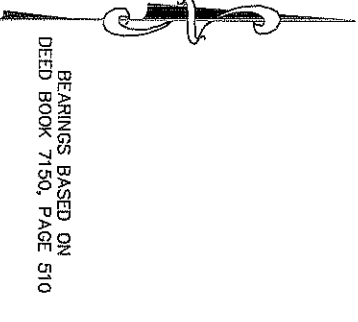
WILLIAM K. DAVIS
NOTARY PUBLIC
Mecklenburg County, NC



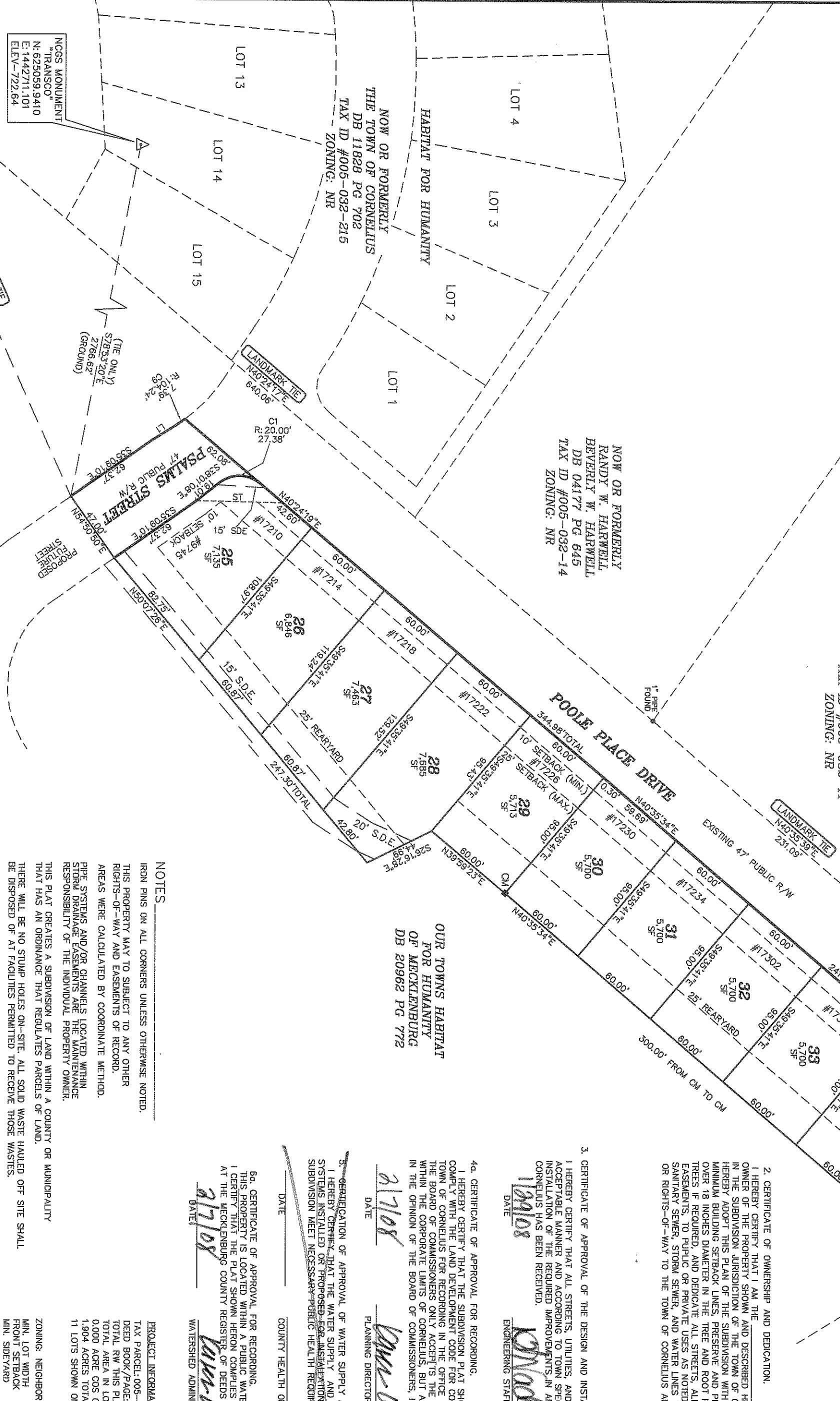
1. CERTIFICATE OF SURVEY AND ACCURACY.
I, JOSEPH E. WHALEY JR., STATE THAT THIS PLAT WAS
DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY
IN BOOK 14572, PAGE 394, THAT THE RATIO OF PRECISION
AS CALCULATED IS IN EXCESS OF 1:10,000 WITH A MAXIMUM FIELD
ERROR OF ANGULAR CLOSURE OF 7 1/2 SEC. PER ANGLE.
I, JOSEPH E. WHALEY JR., STATE THAT THIS PLAT IS A
SUBDIVISION OF LAND WITHIN THE AREA OF MECKLENBURG COUNTY,
AN ORDINANCE THAT REGULATES PARCELS OF LAND, THAT THIS
PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED,
WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND
SEAL THIS 21 DAY OF DEC A.D. 2007.

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG
I, WILLIAM K. DAVIS, DO HEREBY CERTIFY THAT
JOSEPH E. WHALEY JR., PERSONALLY APPEARED
BEFORE ME THIS DAY AND ACKNOWLEDGED THE DUE EXECUTION OF
THIS CERTIFICATE, BUSINESS AT HAND AND (WHERE AN OFFICIAL
SEAL IS REQUIRED) DAY OF FEB A.D. 2008 (YEAR)
OFFICIAL SEAL
MY COMMISSION EXPIRES 4-02-2011

JOSEPH E. WHALEY JR.
2/2/08
DATE



BEARINGS BASED ON
DEED BOOK 7150, PAGE 910



CURVE TABLE		
CURVE	RADIUS	LENGTH
C1	20.00	27.28
C2	171.00	59.81
C3	171.00	29.67
C4	20.00	26.14
C5	66.50	73.36
C6	171.00	46.40
C7	10.00	30.81
C8	10.00	30.81
C9	104.24	7.38

LANDMARK
N 82° 21' 13\"

LEGEND
AC - ACRES
COS - COMMON OPEN SPACE
CM - CONCRETE CONTROL MONUMENT
MB - MAP BOOK
R/W - RIGHT-OF-WAY
SDE - STORM DRAINAGE EASEMENT
ST - 35X35 SIGHT TRIANGLE

NOTES
IRON PINS ON ALL CORNERS UNLESS OTHERWISE NOTED.
THIS PROPERTY MAY BE SUBJECT TO ANY OTHER
RIGHTS-OF-WAY AND EASEMENTS OF RECORD.
AREAS WERE CALCULATED BY COORDINATE METHOD.
PERMANENT SYSTEMS AND/OR CHANNELS LOCATED WITHIN
STORM DRAINAGE EASEMENTS ARE NOT PERMITTED.
STORM WATER FLOW OR SYSTEM MAINTENANCE ARE ALSO PROHIBITED.
SITE WILL COMPLY WITH CORNELIUS STREET LIGHTING POLICY.
SIGNAGE WILL BE PERMITTED SEPARATELY IN ACCORDANCE WITH
CHAPTER 10 OF THE LAND DEVELOPMENT CODE.
PROPERTY NOT LOCATED WITHIN A REGULATED
PUBLIC WATER SUPPLY WATERSHED.
TYPE 'D' CANOPY STREET TREES TO BE PLACED EVERY 40' O.C.
TYPE 'E' YARD TREES REQUIRED PER SECTION 9.4.2E

PROJECT INFORMATION
TAX ID #005-032-161718
DEED BOOK 14572, PAGE 394
TOTAL AREA IN LOTS - 0.273 ACRE
TOTAL AREA COS ON THIS PLAT - 0.028 ACRE
TOTAL ACRE COS ON THIS PLAT - 0.000 ACRE
11 LOTS SHOWN ON THIS PLAT

PROJECT INFORMATION
TAX ID #005-032-161718
DEED BOOK 14572, PAGE 394
TOTAL AREA IN LOTS - 0.273 ACRE
TOTAL AREA COS ON THIS PLAT - 0.028 ACRE
TOTAL ACRE COS ON THIS PLAT - 0.000 ACRE
11 LOTS SHOWN ON THIS PLAT

DATE 2/1/08
PLANNING DIRECTOR, CORNELIUS, NORTH CAROLINA
DATE 2/1/08
PLANNING DIRECTOR, CORNELIUS, NORTH CAROLINA

DATE 2/1/08
PLANNING DIRECTOR, CORNELIUS, NORTH CAROLINA
DATE 2/1/08
PLANNING DIRECTOR, CORNELIUS, NORTH CAROLINA

DATE 2/1/08
PLANNING DIRECTOR, CORNELIUS, NORTH CAROLINA
DATE 2/1/08
PLANNING DIRECTOR, CORNELIUS, NORTH CAROLINA

DATE 2/1/08
PLANNING DIRECTOR, CORNELIUS, NORTH CAROLINA
DATE 2/1/08
PLANNING DIRECTOR, CORNELIUS, NORTH CAROLINA

DATE 2/1/08
PLANNING DIRECTOR, CORNELIUS, NORTH CAROLINA
DATE 2/1/08
PLANNING DIRECTOR, CORNELIUS, NORTH CAROLINA

DATE 2/1/08
PLANNING DIRECTOR, CORNELIUS, NORTH CAROLINA
DATE 2/1/08
PLANNING DIRECTOR, CORNELIUS, NORTH CAROLINA

DATE 2/1/08
PLANNING DIRECTOR, CORNELIUS, NORTH CAROLINA
DATE 2/1/08
PLANNING DIRECTOR, CORNELIUS, NORTH CAROLINA

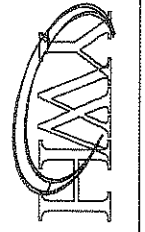
DATE 2/1/08
PLANNING DIRECTOR, CORNELIUS, NORTH CAROLINA
DATE 2/1/08
PLANNING DIRECTOR, CORNELIUS, NORTH CAROLINA

DATE 2/1/08
PLANNING DIRECTOR, CORNELIUS, NORTH CAROLINA
DATE 2/1/08
PLANNING DIRECTOR, CORNELIUS, NORTH CAROLINA

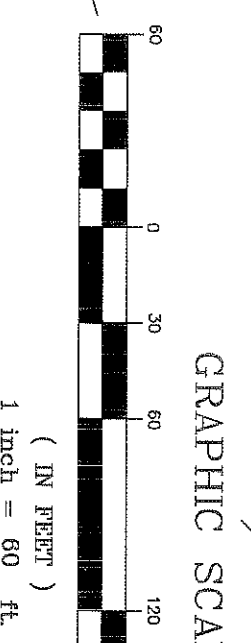
DATE 2/1/08
PLANNING DIRECTOR, CORNELIUS, NORTH CAROLINA
DATE 2/1/08
PLANNING DIRECTOR, CORNELIUS, NORTH CAROLINA

SHEET TITLE
RECORD PLAT - 1.904 ACRES

PROJECT
HABITAT FOR HUMANTY AKA POOLE PLACE PHASE 2 MAP 1
TOWN OF CORNELIUS, MECKLENBURG CO., N.C.
OWNER: OUR TOWNS HABITAT FOR HUMANTY

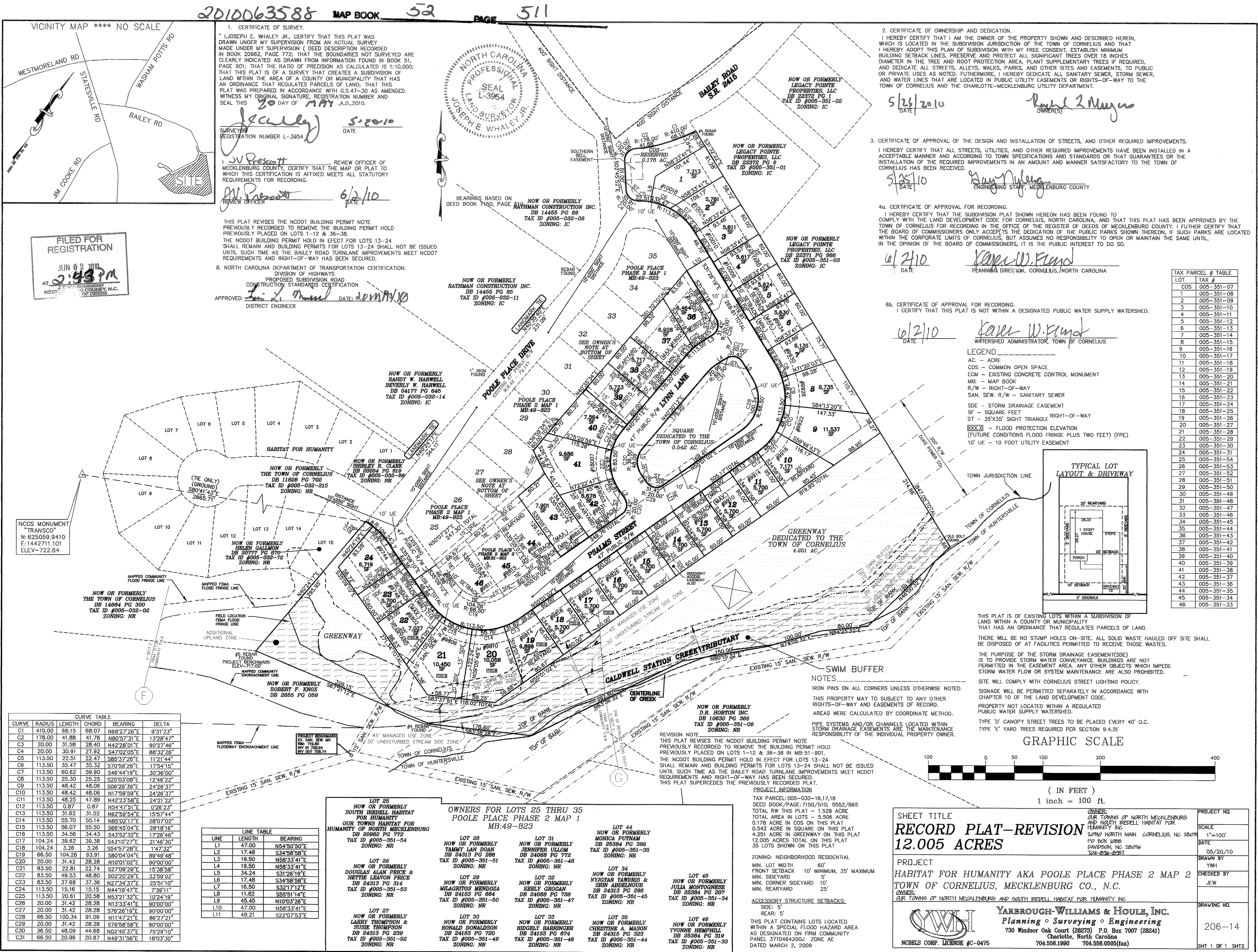


YARBROUGH-WILLIAMS & HOULI, INC.
Planning & Surveying & Engineering
750 Windsor Oak Court (28270) P.O. Box 7007 (28241)
Charlotte, NC 28207
704.556.1180 704.556.0505(fax)



PROJECT N.L.
SCALE
DATE
BY
CHECKED BY
DATE

DATE 12/17/07
BY YWH
CHECKED BY LEW
DATE 1/1/08



REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: August 1, 2022

To: Mayor and Board of Commissioners
From: Wayne Herron, Deputy Town Manager

Action Requested:

Susan Johnson is recommended to be appointed as the Chair of the Planning Board for the coming year.

Susan is a native of the Charlotte and Lake Norman area and her expertise in residential real estate and knowledge of the area is what sets her apart in the real estate world. She began her career in the banking industry after graduating from University of North Carolina at Chapel Hill in 1996. In 2003, she graduated with a Masters Degree in Organizational Communications. In 2005, she chose to refocus her marketing, technology, and communications expertise from banking into the residential real estate industry.

Her first service to the Town and its citizens was in 2012, as she was appointed to the Town's Land Development Code Advisory Board.

Susan has served on the Planning Board for eight (8) years. In 2016, she was appointed to the Planning Board as an alternate. In 2017, Susan was promoted to a full Planning Board member where she has served up to today.

Manager's Recommendation:

Appoint Susan Johnson as Planning Board Chair for the coming year.

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: August 1, 2022

To: Mayor and Board of Commissioners

From: Tyler Beardsley, Assistant Town Manager


Action Requested:

The Town owns property that is either in need of repairs or is past its useful life. North Carolina General Statute 160A-270(c) allows municipalities to dispose of Town owned items through auction. The Town uses the website GovDeals.com to host the auctions.

Manager's Recommendation:

Approve a Resolution declaring property surplus.

ATTACHMENTS:

Name:	Description:	Type:
 RES-Surplus_Property_8-1-22_(1).pdf	Surplus Property	Resolution Letter

A RESOLUTION DECLARING SURPLUS PROPERTY

WHEREAS, it has been determined by the Board of Commissioners that certain property owned by the Town of Cornelius is dilapidated and in need of repair or replacement; and

WHEREAS, it has been determined that the cost of repair is beyond the value of the piece of equipment; and

WHEREAS, the Board of Commissioners is desirous of disposing of the property; and

WHEREAS, North Carolina General Statue 160a-270(c) enables municipalities to conduct auctions of real or personal property electronically by authorizing the establishment of an electronic auction services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Cornelius that the attached as Exhibit A of property shall be declared surplus property and vehicles and equipment sold via GovDeals online auction service.

NOW, THEREFORE, IT IS FURTHER RESOLVED that the Town Manager is hereby authorized to dispose of said items in accordance with law.

Adopted this 1st day of August 2022.

SEAL

Woody Washam Jr., Mayor

ATTEST:

APPROVED AS TO FORM:

Lori A. Harrell, Town Clerk

Town Attorney

Year	Make	Model	VIN	Ending Mileage
2012	Dodge	Charger	2C3CDXAT4CH180588	104850
2012	Ford	F-250	1FT7X2A6XCEB17942	104595
2013	Hyundai	Sonata	5NPEB4AC9DH555960	159600
2014	Ford	Intercep SUV AWD	1FM5K8ARXEGB44533	100403
2015	Ford	Intercep SUV AWD	1FM5K8AR6FGA88169	100495
2013	Ford	Intercep SUV FWD	1FM5K7AR4DGB28272	122221
2014	Ford	Intercep SUV AWD	1FM5K8AR1EGB44534	106500
2014	Ford	Intercep SUV AWD	1FM5K8AR3EGB44535	100077
2011	Dodge	Minivan	2D4RN4DG1BR652757	102302
2006	Toyota	Tundra	5TBET34176S516632	130104
1988	Reid	Pole Trailer	11RP25102J1011313	-
1984	Case	480F Backhoe	JJG000475	-
1999	GMC	3500 Pickup	1GDKC34F1XF032636	116194

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: August 1, 2022

To: Mayor and Board of Commissioners
From: Wayne Herron, Deputy Town Manager


Action Requested:

The Cornelius Community Development Corporation was awarded \$70,000 in the FY23 Town Budget for affordable housing services. The next step is for the Town to approve the management services agreement.

Manager's Recommendation:

Approve the Management Services Agreement and provide the authority to the Town Manager and Town Attorney to finalize the terms and execute the agreement.

ATTACHMENTS:

Name:	Description:	Type:
 MANAGEMENT_SERVICES_AGREEMENT.pdf	CDC Management Services Agreement	Backup Material

MANAGEMENT SERVICES AGREEMENT

This MANAGEMENT SERVICES AGREEMENT (“**Agreement**”) is dated July 30, 2022 (“**Effective Date**”), and is between The Town of Cornelius, a North Carolina Municipal Corporation (“**Town**”), and the Cornelius Community Development Corporation, Inc. a North Carolina not for profit corporation (“**CDC**”) (Town CDC each a “**Party**” and together the “**Parties**”).

STATEMENT OF PURPOSE

Town wishes to enter into this Agreement for the purpose of engaging CDC as the Town’s exclusive provider of Affordable Housing Services as determined by the Town and defined in the North Carolina General Statutes. CDC desires to provide the services to the Town.

AGREEMENT

For the consideration setforth in this Agreement, the Parties hereto agree as follows:

1. **Controlling Principles:**

- a. CDC recognizes that the Services that are the subject of this Agreement are and shall always be conducted for the public good and in a manner that complies with any and all laws, rules and regulations that may apply to the Services.
- b. CDC will, at all times, conduct their activities in a non-discriminatory manner and pursuant to policies established by the Town and as required by statute.
- c. CDC will, at all times, conduct themselves in a manner that complies with the terms and conditions of any Installment Financing Agreements; Municipal Bond requirements or any other financing arrangement of the Town.
- d. CDC understands that it **DOES NOT** have the right nor the authority to make a binding obligation on behalf of the Town except as may be specifically delegated in this Agreement or in subsequent action of the Town.

2. **Funding Period.** The funding period of this AGREEMENT begins on the Effective Date and terminates on June 30, 2023 (the “**Funding Period**”).

3. **Services.** During the Funding Period, CDC shall be primarily responsible for instituting, managing and implementing those activities that support the Town’s Affordable Housing initiatives including 1) assist low-income citizens of Cornelius with regard to housing needs; 2) develop and implement affordable and workforce housing initiatives within the Town’s jurisdiction; (the “**Services**”) and 3) investigate, apply for and receive grants and other sources of funding to support and supplement the Services within the Town of Cornelius.

4. **Budget, Management Fees, Reporting Requirements and Finances.**

a. **Budget, and Management Fees.**

- i. **Budget.** CDC has prepared and submitted to the Town a proposed operating budget for the Services for the Funding Period (the “Budget”). The Town has reviewed the Budget and has determined to pay CDC a management fee in the amount of seventy thousand dollars (\$70,000) as consideration for the Services, such lump sum payment to be paid within 30 days of the execution of this Agreement (the “Management Fee”).

- b. **Semi-Annual Reporting Requirements.** At the second regular meeting of the Board of Commissioners of the Town of Cornelius in the month of January, CDC shall provide to the Board a progress report to include an update on programs, services; demographic information on the participants; other relevant information; and a financial report demonstrating current year budget to actual financial results along with a narrative forecasting year-end results. If there is only one regular Cornelius Board of Commissioners meeting in the month of January, then the report shall be made at that meeting, regardless of when it occurs. A written report shall be provided to the Town concurrently with the in-person report.

- c. **Annual Reporting Requirements.** CDC shall submit to the Town an independently prepared audit of its finances and a Final Report to the Town no later than October 1 of the Town’s fiscal year following the Funding Period. The Final Report shall summarize all expenditures made and all funding sources contributed to the operating budget of CDC. The Final Report shall also include a summary of the prior year’s Services provided to Cornelius citizens and communities. CDC shall present the Final Report to the Board of Commissioners at a regular meeting of the Board no later than November 1 of the following fiscal year.

- d. CDC shall retain and keep safe financial and other records that corroborate the information contained in the Semi-Annual Reports, audit and Final Report (invoices, receipts, pay vouchers, etc.) for a period of no less than five years. The Town shall have the authority to review these financial records from time to time.

- e. The Town may consider proposed Operating Budgets, Service Narratives, semi-annual reports, audits, and Final Reports when determining future funding for CDC. Additionally, the Town may request additional information from CDC including but not limited to a comprehensive annual application prior to making future funding decisions.

5. **Marketing and Use of Town Logos.**

- a. The Town may permit the CDC to use Town logos and other marketing materials (“Town Logos”) during the Funding Period. The CDC agree that they will only use Town Logos in the form and manner approved by the Town from time to time, and will not use any other trademark or service mark in combination with Town Logos without the Town’s prior written approval.
- b. The CDC represent, warrant, and agree that any use of the Town’s Logos shall not be derogatory to, critical of, or otherwise reflect unfavorably on the Town or any of its officers, members, agents, employees, affiliates, or elected officials.
- c. Any logos, marketing materials, donor lists, surveys or research results, data bases, membership lists, strategic planning documents, fund raising plans and strategy documents, and/or any other documentation, in whatever form, developed by the Association while performing its obligations hereunder shall be and remain the property of the Town and not be used by the CDC for any other purpose, either during the current or future Funding Periods or following the termination of this Agreement.

6. **Insurance.** The CDC shall maintain workers compensation insurance on all of its employees according to North Carolina law, and will provide the Town with a valid Certificate of Insurance showing proof of said insurance. In addition, the CDC will maintain a general liability policy with a minimum liability limit of \$1,000,000. The general liability policy shall include coverage for employee dishonesty, theft or embezzlement, and include director and officer’s liability coverage. The Town shall be named as an additional insured on the policy and the CDC will provide the Town with a Certificate of Insurance demonstrating the same.

7. **Indemnification.**

- a. The CDC will indemnify and save harmless the Town, officers, employees and agents from and against all liabilities, claims, costs, damages, expenses, losses and attorney’s fees arising from or alleged to have arisen from any act or omission of the CDC, or any of their officers, directors, employees, volunteers, agents or assigns arising out of or in connection with the performance of the Services.
- b. To the extent permitted by law, Town will indemnify and hold harmless the CDC, their officers, directors and employees from and against any and all liabilities, claims, costs, damages, expenses, losses and attorney’s fees arising from or alleged to have arisen from any act or omission of Town or any of its employees arising out of or in connection with the performance of their duties under the Agreement.

8. **Material Failure to Perform.** The Town shall have no obligation to pay the Management Fee or any remaining portion thereof should CDC fail to provide required financial and other reporting or should CDC materially fail to comply with the Service

Narrative including but not limited to a material failure to meet operating budget projections and/or programming goals. In the event of such material failure, CDC shall return the full amount of the Management Fee already paid to Town.

9. **Operation Deficits.** The Town shall not be responsible for nor liable for operating deficits of CDC.
10. **Town Credit.** CDC agrees to include the following credit on its website and in all promotion, publicity and printed programs during the Funding Period:

[CDC] is supported by the Town of Cornelius

11. **Independent Contractor.** The relationship of the Town and the CDC under this Agreement is that of independent contractors and nothing herein or in any related document or representation shall be construed to create or imply any relationship of employment, joint venture, agency, partnership, or any other relationship other than that of independent contractors. The Parties acknowledge and agree that each is engaged in a separate and independent business and neither shall state, represent or imply any interest in or control over the business of the other.
12. **Notices.** All notices, consents, waivers, and other communications under this Agreement must be in writing and will be deemed to have been duly given when (a) delivered by hand (with written confirmation of receipt), or (b) when received by the addressee, if sent by a nationally recognized overnight delivery service (receipt requested), in each case to the appropriate address set forth below (or to such other address as a Party may designate by notice to the other Party):

To Town:

Town of Cornelius
21455 Catawba Avenue
Cornelius, NC 28031

Attention: Town Manager

To CDC:

13. **Severability and Duration.** If any provision of this Agreement is deemed or declared illegal, unenforceable or invalid, such provision will be read out of this Agreement, and will not affect the validity of any other provision or give rise to any cause of action of the parties against the other, and the remainder of this Agreement will be valid and enforced to the fullest extent permitted by law.

14. **Waiver.** Any waiver at any given time of any term or condition of this Agreement, or the failure to take action with respect to any breach of any such term or condition, will not be deemed to be a waiver of the term or condition with regard to any subsequent breach of the term or condition, or of any other term or condition of the Agreement.
15. **Modifications.** This Agreement may be modified, altered or amended only by written agreement executed by Town and CDC.
16. **Governing Law.** This Agreement shall be governed in all respects, including as to validity, interpretation and effect, by the internal laws of the state of North Carolina, without giving effect to the conflict of laws and rules thereof. The language in all parts of this Agreement will be, in all cases, construed according to its fair meaning and not strictly for or against Town or CDC.
17. **Waiver of Jury Trial.** The Parties waive trial by jury in any action, proceeding or counterclaim brought by or against the other with respect to any matter arising out of or in connection with this Agreement.
18. **Relationship.** The parties agree that neither any provision of this Agreement nor any act of the parties shall be deemed to create any joint venture relationship or other partnership agreement between Grantee and Town.
19. **Time of the Essence.** Time is of the essence for each of the provisions of this Agreement.
20. **Performance of Government Function.** Nothing contained in this Agreement shall be deemed or construed to estop, limit, or impair Town from exercising or performing any regulatory, legislative, governmental or other powers or functions.

THIS AGREEMENT may be executed in one or more counterparts, each of which will be deemed to be an original copy of this Agreement and all of which, when taken together, will be deemed to constitute one and the same agreement. The exchange of copies of this Agreement and of signature pages by facsimile or PDF shall constitute effective execution and delivery of this Agreement as to the Parties and may be used in lieu of the original Agreement for all purposes. Signatures of the Parties transmitted by facsimile or PDF shall be deemed to be their original signatures for all purposes.

Town of Cornelius

CDC

By: _____
Andrew Grant
Title: Town Manager

By: _____
Name: _____
Title: _____

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: August 1, 2022

To: Mayor and Board of Commissioners

From: Andrew Grant, Town Manager

Action Requested:

On March 10, 2020, Governor Cooper proclaimed a State of Emergency on behalf of the State in response to the Coronavirus (COVID-19) pandemic.

On March 13, 2020, Mecklenburg County declared a State of Emergency on behalf of the County which included the Town of Cornelius.


On March 16, 2020, Mayor Washam proclaimed a State of Emergency in the Town of Cornelius. The declared States of Emergency remain in effect until rescinded.

On July 11, 2022, Governor Cooper announced his intention to rescind the State of Emergency on behalf of the State on August 15, 2022; Mecklenburg County will rescind its State of Emergency on August 15, 2022; therefore, the Town of Cornelius will rescind its State of Emergency effective August 15, 2022.

Manager's Recommendation:

Approve a Proclamation rescinding the COVID-19 pandemic State of Emergency for Cornelius effective August 15, 2022.

ATTACHMENTS:

Name:	Description:	Type:
 Rescind_State_of_Emergency.docx	State of Emergency Rescinding	Backup Material

TOWN OF CORNELIUS
PROCLAMATION RESCINDING STATE OF EMERGENCY and TERMINATING
RESTRICTIONS/PROHIBITIONS ENACTED THEREUNDER

WHEREAS, on March 10, 2020, the Governor of the State of North Carolina proclaimed a State of Emergency on behalf of the State in response to the Coronavirus (COVID-19) pandemic; and

WHEREAS, on March 13, 2020, Mecklenburg County declared a State of Emergency on behalf of the County in response to the Coronavirus (COVID-19) pandemic which proclamation is in effect for the Town of Cornelius by request of the Town's chief elected official until rescinded by the issuing authorities; and

WHEREAS, on March 16, 2020, the Mayor of the Town of Cornelius, pursuant to NCGS 166A.22 and Town of Cornelius Code of Ordinances 19.22 proclaimed a State of Emergency in the Town of Cornelius in response to the Coronavirus (COVID-19) pandemic, such State of Emergency to be in effect until rescinded; and

WHEREAS, on July 11, 2022, the Governor announced that he intended to rescind the State of Emergency on behalf of the State on August 15, 2022; and

WHEREAS, on July 8, 2022, the North Carolina General Assembly enacted G.S. 166A-19.31(e1) which requires municipalities to take certain steps to inform the State and the public in the event a local State of Emergency issued pursuant to G.S. 166A-19.22 is rescinded; and

WHEREAS, the Mayor and Board of Commissioners of the Town of Cornelius seek to rescind the States of Emergency declared in response to the Coronavirus (COVID-19) pandemic to which the Town of Cornelius is a party and to terminate all restrictions/prohibitions implemented under those States of Emergency.

NOW THEREFORE, the Mayor and Board of Commissioners of the Town of Cornelius hereby proclaim as follows:

1. The State of Emergency in the Town of Cornelius is hereby **RESCINDED** and the restrictions/prohibitions implemented under that State of Emergency are hereby **TERMINATED**.
2. The Mayor shall execute documentation provided by Mecklenburg County to rescind the State of Emergency in Mecklenburg County and to terminate restrictions/prohibitions implemented under the County's State of Emergency.

3. Town Manager is directed to conspicuously post notice on the Town's website stating that the State of Emergency declared by the Town of Cornelius in response to the Coronavirus (COVID-19) pandemic is **RESCINDED** and the restrictions/prohibitions implemented under the Town's State of Emergency are terminated. Town Manager is further directed to submit the same notice to the North Carolina Department of Public Safety WebEOC critical incident management system.

This Proclamation shall become effective August 15, 2022.

Woody Washam, Jr., Mayor

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of the Town of Cornelius on this 1st day of August 2022.

Lori Harrell, Town Clerk

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: August 1, 2022

To: Mayor and Board of Commissioners

From: Lori Harrell, Town Clerk

Action Requested:

Review the minutes from July 18th - Closed Session.

Manager's Recommendation:

Approve minutes.

ATTACHMENTS:

Name:	Description:	Type:
 07-18-22_Closed_Session.pdf	Closed Session Minutes	Backup Material

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: August 1, 2022

To: Mayor and Board of Commissioners

From: Lori Harrell, Town Clerk

Action Requested:

Review the minutes from July 18th - Regular Meeting.

Manager's Recommendation:

Approve minutes.

ATTACHMENTS:

Name:	Description:	Type:
 07-18-22_Regular_Meeting.pdf	Regular Meeting Minutes	Backup Material



BOARD OF COMMISSIONERS

July 18, 2022
MINUTES

PRE-MEETING – 5:00PM

- ❖ Closed Session pursuant to NCGS 143-318.11(a)(5) PID #00753114
Mayor Washam called for a motion to go in to Closed Session.

Commissioner Sansbury made a motion to go into Closed Session at 5:03PM pursuant to NCGS 143-318.11(a)(5) for PID #00753114. Commissioner Bilodeau seconded the motion and it passed unanimously, 5-0.

Upon return from Closed Session at 5:18PM, the Pre-Meeting continued.

- ❖ Bailey's Glen Condos Agreement for Park Amenities
Deputy Manager Herron gave an overview of the 2014 approval conditions to construct 132 condominium units in Bailey's Glen and the issues identified with Conditions 5a and 5d. He asked the Board to provide additional direction regarding an acceptable term to negotiate for Condition 5a. The Board consensus is to follow the guidelines of Condition 5a as approved in order to construct the condos.
- ❖ Agenda Review
Manager Grant gave an overview of the 6PM agenda.

REGULAR MEETING – 6:00PM

1. CALL TO ORDER
Mayor Washam called the meeting to order at 6:02PM.
2. DETERMINATION OF QUORUM
All commissioners were present for the meeting.
3. APPROVAL OF AGENDA
Commissioner Osborne made a motion to approve the agenda as presented. Commissioner Gilroy seconded the motion and it passed unanimously, 5-0.
4. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE
Bill Sykes led the pledge after a moment of silence was observed.
5. RULES FOR PUBLIC HEARINGS AND PUBLIC COMMENTS
 - A. Adopted Rules
Mayor Washam gave an overview of the adopted rules for public hearings and public comments.
6. CITIZEN CONCERNS/COMMENTS
No concerns were expressed.

7. PRESENTATION

A. Employee Recognition

Manager Grant introduced and welcomed newly sworn Officers Vincent DiGerolamo, Mychal Moore, and Michael Ruballo, as well as congratulated Officer Matthew Bonestell for earning his Intermediate Law Enforcement Certificate and Corporal John Lineberger for earning his Advanced Law Enforcement Certificate. The Board welcomed the new officers and congratulated the other two on their recent certifications.

B. CMS Update

CMS Interim Superintendent Hugh Hattabaugh, the North Learning Community Superintendent Dr. Tangela Williams and Chief of Staff Dr. Crystal Hill provided the Board with a CMS update.

Dr. Williams stated that she is happy to be serving the northern community schools and looks forward to working with the Town in the future. She introduced Dr. Laura Rosenbach, the Executive Director for the North Learning Community.

Superintendent Hattabaugh gave an overview of the challenges throughout the district and the four essential goals established by the CMS Board of Education. The challenges for the district include 3rd Grade reading due to the pandemic and remote learning; college career ready scores; career technical education; ensuring that resources are appropriate to all schools in supporting the principals and teachers in their endeavors to increase student achievement; and recruitment and retention of teachers.

Commissioner Gilroy asked what the school district is doing to address the security within the schools and the safety of the children. Superintendent Hattabaugh explained that audits of school safety and operation procedures are currently being reviewed to ensure what happened in Uvalde, Texas does not occur within any CMS school.

Commissioner Bilodeau thanked the CMS group for their update. He asked if anything is being done to address the overcrowding of schools in North Mecklenburg. Superintendent Hattabaugh stated that the CMS Planning group is assessing the schools to address upgrades, repairs and replacements within the district that will be part of a Bond Referendum in 2023. Cornelius Elementary has ranked high for building a new school.

8. PRESENTATIONS AND PUBLIC COMMENT

A. REZ 02-22 Hyundai of LKN

Deputy Manager Herron gave the staff presentation for a request from TT of Lake Norman ST, LLC to amend a previously approved rezoning plan for an auto sales and service use consisting of approximately 6 acres located at 19926 Chartown Drive. The property is currently zoned *Highway Commercial – Conditional District (HC-CD)*. The proposed amendment will combine the previously approved two future buildings into one future building and bring the total building area to

55,052sqft. The applicant held the required community meeting on June 29th and no citizens came for the community meeting.

Deputy Manager Herron stated that Payton Woody with Woodbine Design is present to answer any questions the Board may have about the project.

Commissioner Furcht asked what is going to happen to the existing dealership building. Mr. Woody stated that it will remain a dealership of a different brand.

Commissioner Sansbury asked if the building was going to be a 1-story or 2-story. Patrick Swift with Penney Design Group stated that the proposed building is 1-story with rooftop parking across 75% of the building.

Commissioner Osborne asked if Life Fellowship Church had any concerns regarding the driveway proximity. Mr. Woody stated that he did not believe a discussion has occurred. Commissioner Osborne asked if both driveways will be used as ingress and egress. Mr. Woody stated that the existing driveway will be used for car haulers and inventory, and the new driveway will be used for sales and service customers. Commissioner Osborne asked how much traffic is anticipated daily. Mr. Woody stated that the traffic volume is not high, but he could provide the Board with an approximate car count at a later date.

Mayor Washam invited the public to speak, and the following comments were made.

Mark Porter, the Director of Operations for Life Fellowship Church located at 20010 Chartown Drive, stated that the church looks forward to working with the dealership as their neighbor and want to make sure that there are no driveway issues between the two entities.

Commissioner Sansbury asked if there were any concerns with emergency access and the driveways. Deputy Manager Herron explained that the original approved plan had a TIA (traffic impact analysis) done and it did look at the one entrance. The additional square footage to this amendment does not change the results of the original TIA that took into account the improvements along Chartwell Drive, Liverpool Parkway, and West Catawba. Mr. Woody identified the customer parking of approximately 20 spaces and reiterated that the use is not a high trip generator for traffic.

B. REZ 10-21 Atrium Hospital

Deputy Manager Herron gave the staff presentation for a request from the Charlotte-Mecklenburg Hospital Authority to rezone approximately 28.85 acres of a 97-acre parcel to construct a 140-bed hospital (322,000sqft.) and a medical office building (144,000sqft.) in two phases. Phase 1 (2024 buildout) will include 200,000sqft. (38 hospital beds) and 72,000sqft. of medical office space. Phase 2 (2030 buildout) will add 122,000sqft. to the hospital with 102 more beds and an additional 72,000sqft. of medical office space. The proposed height of the hospital towers is 6 stories. Deputy Manager Herron gave an overview of the area roadway projects that may include an Exit 27. A community meeting was held on June 30th at 6:00pm.

Deputy Manager Herron stated that the Atrium design team is present to answer any questions the Board may have about the project.

Bill Leonard, the Facility Executive for Atrium Health University City, gave a brief overview of the proposed hospital that has been approved by the State. The hospital will create 282 new jobs that will serve the residents of Cornelius and the Lake Norman region.

Nathan Tidd with Kimley Horn and Associates gave an overview of the hospital campus and phasing of the project. Commissioner Osborne asked if the building expansion is proposed to go up instead of out. Mr. Tidd stated that the request is to go up to 6 stories in Phase 1 and 2. Commissioner Osborne asked if the first request is for one building or both. Mr. Tidd stated that the request is for Phase 1 with an interior tower. Commissioner Osborne asked if there were any future expansions anticipated. Mr. Tidd stated that there are options for additional phases, but it is way beyond this rezoning request.

Mayor Washam asked what the multi-year buildout plan looks like. Mr. Leonard explained that the development is modeled for up to 250 beds to be available.

Commissioner Sansbury thanked the Atrium team for partnering with Cornelius. He asked if the CON allows for a certain number of beds. Mr. Leonard explained that the State approved Certificate of Need (CON) is specific to a certain number of licensed beds. Mayor Washam asked if beds can be shifted within the County system. Mr. Leonard stated that shifting beds within the County is permissible.

Commissioner Furcht stated that EMS services is an ongoing challenge in the area and asked if there were any strategies in improving the EMS services with the new hospital. Mr. Leonard stated that Atrium works along with Medic to ensure adequate response times, so it is presumed that the new hospital will help improve those services due to the transport distance being closer.

Commissioner Bilodeau stressed the importance of the facility being in Cornelius and encouraged the Atrium team to make sure that NCDOT is fully aware that Exit 27 is a must. Mr. Leonard stated that the campus will be a beautiful healthcare campus and they are committed to working with the Town and NCDOT throughout the process.

Commissioner Gilroy stated that this project is a big deal for Cornelius and thanked the Atrium team for their efforts in making it happen.

Mayor Washam stated that Atrium will make the difference in getting some of the transportation projects moved to the forefront.

Manager Grant thanked Atrium for their investment in the community and asked if the team had a specific location within the site for Fire Station #3. Mr. Tidd stated that has not been determined at this point due to the implications of noise and how it

impacts the patient's experience, but it is on the radar, as Atrium is working with staff on a future location for Fire Station #3.

Mayor Washam invited the public to speak, and the following comments were made.

Martha Jenkins, a Davidson resident, asked if the Town's fire trucks can reach a 6-story facility in an emergency. Manager Grant stated that the Cornelius Fire Department does have trucks that can reach 6 stories.

Mark McWilliams – 10125 Westmoreland Road, asked how many bays the new fire station will have. Manager Grant stated that has not been determined.

9. CONSIDERATION OF APPROVAL

A. Planning Board Appointments

Deputy Manager Herron gave an overview of the Planning Board appointment process and recommended appointments.

Commissioner Gilroy made a motion to approve the appointments of Rachel Bernard, Scott Higgins, Fred Westaway and Bill Sykes to the Planning Board. Commissioner Sansbury seconded the motion and it passed unanimously, 5-0.

B. FY23 Operating Budget Amendment

Manager Grant gave an overview of the carryforward budget amendment for capital related projects and items from the FY22 budget that included: \$38,423 for the fireboat; \$622,000 for the Town Center parking lots; \$28,000 for the Jetton Extension design; \$28,584 for the animal shelter garage; and \$83,000 to the Electric Fund for ElectriCities vehicles.

Commissioner Sansbury made a motion to approve Ordinance #2022-00797 to carryforward \$717,007 from the FY22 budget to the FY23 budget as presented. Commissioner Furcht seconded the motion and it passed unanimously, 5-0.

Ordinance #2022-00797 is hereby made part of the minutes by reference.

10. CONSENT AGENDA

A. Approve Minutes – Regular Meeting – June 20th (Approved 5-0)

Commissioner Sansbury made a motion to approve the Consent Agenda as presented. Commissioner Gilroy seconded the motion and it passed unanimously, 5-0.

11. MAYOR/COMMISSIONER/MANAGER REPORTS

Commissioner Bilodeau reported on the following:

- Congratulated Dave Yochum and team on their 18th year of Big Day at the Lake event. There were 54 boats and 94 Bigs/Littles that participated.

Commissioner Osborne reported on the following:

- Attended the ribbon cutting for Carolina Factory.
- Chamber updates – Business Works will be held on July 21st and a ribbon cutting at Ivory Rehab will be held on July 21st.

- Growth Management Task Force meeting was held on July 14th to study the last quadrant of Town for land use.

Commissioner Sansbury reported on the following:

- Welcomed the newly appointed Planning Board members.
- Participated in the Big Day at the Lake event.
- Attended the Northern Regional Recreation Center grand opening.
- Attended the 100th anniversary celebration of the American Legion Post 86.
- The Neighborhood Advisory Committee (NAC) is coming together and leadership is transitioning over to the committee members.

Commissioner Furcht reported on the following:

- Welcomed the newly appointed Planning Board members.
- The next NAC meeting will be held on July 26th at 6PM. Andy Lax and Karen Tovar are co-chairing the committee.
- Participated in Big Day at the Lake.
- VLN updates – Lake Norman has been selected to host the Major League Fishing REDCREST IV tournament in March 2023, and the Top Gun Summer Softball Women's World Series will be held on July 22nd – 24th.
- Lake Norman Christmas Boat Parade will be held on December 17th.

Manager Grant reported on the following:

- Congratulations to the Senior League Baseball All-Stars for winning the NC State Championship.
- Heads Up Cornelius drawing contest entries are being accepted through August 12th. The 1st place winner will receive a \$50 Parks & Recreation voucher, a feature in the Town's newsletter and will assist in turning on the Christmas tree lights at Light Up Cornelius.
- Connecting Cornelius morning event will be held on Aug. 1st at H2 Public House featuring a CMS back-to-school update.
- National Night Out will be held on Aug. 2nd at Bailey Road Park (6PM-8PM).

Deputy Manager Herron reported on the following:

- Hwy. 21/Catawba Ave. dual roundabouts – utility relocations later part of 2022; construction 2023.
- Hwy. 115/Potts St. roundabout – utility relocations the later part of 2022; construction 2023.
- Torrence Chapel/W. Catawba triple roundabouts – utility relocations the later part of 2022; construction 2023-2024.
- Northcross Drive Extension – utility relocations the later part of 2022; construction 2023-2025.
- Hickory St./Hwy. 115 intersection signal – in design 2021, right-of-way and utility relocation in 2022-2023; signal installation 2024.
- Bailey Road Extension – right-of-way acquisition to begin in 2022; utility relocation the later part of 2022; construction 2023.
- I-77 shoulder hardening – construction 2024-2026; shoulder lanes will be operational at AM/PM peak hours.

- West Catawba Ave., Phase 2 – utility relocations 2021-2024; construction 2024-2026.
- NC73 improvements – construction 2027-2029.
- Hwy. 21 widening – currently out of the STIP; estimated construction 2031.
- Bailey Road flyover – currently out of the STIP; estimated construction 2032.

Asst. Manager Beardsley reported on the following:

- Gem Street extension construction is underway and is anticipated to be completed by the end of 2022.

Mayor Washam reported on the following:

- Attended the grand opening of the Northern Regional Recreation Center on June 24th.
- Participated in the Chamber's Zero K fundraiser held on June 24th at Lost Worlds Brewery.
- Attended the 100th anniversary celebration for the American Legion Post 86.
- Attended the Metro Mayors lunch with Governor Cooper on June 29th.
- Interviewed with Queen City News on June 30th for a weekly feature of Cornelius.
- Wednesdays with Woody was held on July 13th at OTPH.
- Participated in Big Day at the Lake and presented a Mayoral Proclamation for the day.
- Attended the Carolina Factory ribbon cutting on July 18th.

12. COMMISSIONER CONCERNS

A. Exit 28 Light Cycles

Commissioner Furcht expressed his continued concerns about the signalization at the DDI and asked staff to investigate options with NCDOT to fix them.

13. ADJOURNMENT

There being no further business to discuss, Commissioner Furcht made a motion to adjourn at 7:40PM. Commissioner Osborne seconded the motion and it passed unanimously, 5-0.

Approved this 1st day of August 2022.

ATTEST:

Woody Washam Jr., Mayor

Lori A. Harrell, Town Clerk

REQUEST FOR BOARD ACTION

 **Print**

Date of Meeting: August 1, 2022

To: Mayor and Board of Commissioners

From: Andrew Grant, Town Manager

Action Requested:




Cornelius is a member of Centralina Regional Council (Centralina), a council of governments serving the needs of the nine-county region that includes Anson, Cabarrus, Gaston, Lincoln, Iredell, Mecklenburg, Rowan, Stanly and Union counties

On February 9, 2022, the Centralina Board of Delegates adopted a Resolution amending the organization's Charter to add language prohibiting private entities from benefitting from or having an interest in the organization's earnings or assets. Therefore, each member government must endorse the Charter as Centralina's governing document.

Manager's Recommendation:

Approve a Resolution ratifying the Centralina's amended Charter.

ATTACHMENTS:

Name:	Description:	Type:
 Centralina_Charter_Ratification_Memo.pdf	Charter Amendment Memo	Backup Material
 Centralina_Charter_-_Amended_2-9-22.pdf	Amended Charter	Backup Material
 RES-COG_Charter_Ratification_.docx	COG Charter Ratification	Resolution Letter

MEMORANDUM

TO: Centralina Member Governments

FROM: Geraldine Gardner, Executive Director

DATE: June 17, 2022

RE: Request to Ratify Centralina Regional Council's Amended Charter

Earlier this year, Centralina management identified an unresolved issue with the organization's tax status. Legal counsel determined that Centralina qualifies for federal income tax exempt status because the organization performs an "essential government function" consistent with Internal Revenue Code Section 115(1), which specifies tax exemption for income derived from such a function. Specific sections of the Centralina Charter and Bylaws needed to be amended to prohibit any private party from benefitting from or having an interest in the organization's earnings and assets, however.

At the February 9th Centralina Board of Delegates meeting, the Board adopted a resolution to amend the Charter and Bylaws to resolve this issue. To finalize the Charter amendment process, the governing body of each Centralina member government must ratify the updated Charter.

At your governing body's upcoming July or August meeting, I ask that you include the attached resolution on your Consent Agenda. A copy of the amending resolution adopted by the Centralina Board of Delegates and the updated Charter are also attached for reference. Centralina staff are available if you have any questions about the process. Once your council or board has ratified the Charter, please send a copy of your adopted resolution to Connor Choka at cchoka@centralina.org.

We greatly appreciate your membership in Centralina and thank you for your support of this request.



CENTRALINA REGIONAL COUNCIL CHARTER RESOLUTION

WHEREAS, the undersigned governmental units of the State of North Carolina, together with the other county and municipal governmental units in North Carolina or a state adjoining North Carolina hereafter adopting concurrent Resolutions identical hereto, recognize that there is a need for such governmental units to consult among themselves to act in concert and to jointly exercise the powers of local government with reference to regional matters affecting health, safety, welfare, education, transportation, recreation, economic conditions, regional planning or regional development; now therefore, be it

RESOLVED, that pursuant to the General Statutes of North Carolina, Chapter 160A, Article 20, Parts 1 and 2, the following Resolution is hereby adopted for the establishment of a regional council of governments and for the joint exercise of any power, function, public enterprise, right, privilege or immunity of local government by and through this regional council and its member governmental units, all to the extent and in the manner authorized or permitted by Article 20 of Chapter 160A of the General Statutes of North Carolina entitled “Interlocal Cooperation”.

ITEM I

Short Title - Binding Effect: This Resolution shall be hereafter referred to as the “Charter” of the Centralina Regional Council; and said Charter, together with all amendments thereto, shall be binding upon and shall inure to the benefit of all governmental units who are now or hereafter become its members.

ITEM II

Name: The name of the regional council of governments hereby established shall be the **CENTRALINA REGIONAL COUNCIL** and shall be hereinafter referred to herein as the “Council.”

ITEM III

Membership:

- A. The initial membership of this Council of Governments shall consist of the following governmental units who are presently members of the Council and such additional units of local government admitted in accordance with the provisions of this Charter:

Albemarle	Harrisburg	Monroe
Anson County	Huntersville	Mooreville
Ansonville	Indian Trail	Morven
Badin	Iredell County	Mount Holly
Belmont	Kannapolis	Oakboro
Bessemer City	Kings Mountain	Pineville
Cabarrus County	Landis	Ranlo
Charlotte	Lincoln County	Richfield
Cherryville	Lincolnton	Salisbury
Cleveland	Locust	Spencer
Concord	Lowell	Stallings
Cornelius	Marshville	Stanley
Cramerton	Marvin	Stanly County
Dallas	Matthews	Statesville
Davidson	McAdenville	Troutman
East Spencer	Mecklenburg County	Union County
Faith	Midland	Wadesboro
Gaston County	Mineral Springs	Waxhaw
Gastonia	Mint Hill	Wingate
Granite Quarry	Misenheimer	

- B. Any municipal or county government which is not an initial member of the Council, including any municipal or county government in a state adjoining North Carolina (where permitted by the laws of said adjoining state) may join the Council by ratifying or adopting this Charter and upon the majority vote of the existing members. Notice of such application for admission shall be given each member in the manner prescribed by the Council Bylaws at least ten (10) days prior to the date of the meeting at which the vote is to be taken.
- C. All rights and privileges of membership in the Council shall be exercised on behalf of the member governments by their delegates to the Council; and “delegates” as used in this Charter shall, unless otherwise provided, include alternate delegates duly designated by a member government.

ITEM IV

Purpose and Functions: The Council hereby established shall be a voluntary organization of local governmental units organized and existing to (1) provide a framework within which matters affecting the health, safety, welfare, education, recreation, economic conditions, transportation, water quality and solid waste, regional planning or regional development of and for the citizens within the member governmental units may be studied and discussed, and concerning which solutions or recommendations are proposed; (2) to implement courses of action relating to the matters within contractual exercise by one unit for other units its jurisdiction through the joint exercise or of any power, function, right, privilege or immunity of local government; (3) to promote intergovernmental cooperation, communication and planning; and (4) to review, upon the request of state, federal or local governments, or agencies thereof, applications for grants or funds for projects affecting citizens within the members' jurisdictions.

ITEM V

Representation:

- A. Each member governmental unit shall be represented in the Council by one delegate or in the absence of such delegate by a designated alternate, if any. All delegates and alternates shall be elected members of the governing bodies of the member governmental units they represent. The delegates and alternates, as well as their successors, shall be selected by the member governments in any manner consistent with law and the regulations governing such body, and their names shall be certified to the Council in the manner prescribed by the Bylaws of the Council. Each governmental unit may designate any number of alternate delegates.
- B. The term of office of each delegate shall commence upon the selection and certification of the delegate to the Council by the respective member government; and such delegate shall continue to represent the member government until a successor delegate is certified, unless the delegate shall sooner resign, cease to be an elected member of said governing body, or be removed as a delegate by said governing body, in which case his term shall expire on the effective date of such event. Only an individual who has been duly appointed and certified to the Council as a delegate or alternate may be permitted to vote in any matter. The members shall also appoint and certify a successor to fill any vacancy created by the death, removal, resignation, or ineligibility of a delegate (but not an alternate), but an alternate may represent a member until such successor delegate is appointed and certified.

ITEM VI

Voting and Quorum Requirements:

- A. Except as provided in paragraph D of this Item, each member governmental unit shall be entitled to one vote on all matters coming before the Council or before any committee to which such member unit is duly appointed. All votes shall be cast by the delegate, or in his absence, by an alternate delegate of the member government.
- B. A quorum shall be present for the transaction of business of the Council at any meeting at which there is representation of either (a) a majority of all the member governmental units or (b) fifty percent (50%) of the county member governmental units and thirty percent (30%) of the total number of member municipal governmental units.
- C. The affirmative vote of a majority of representatives present at any meeting at which a quorum was present shall be required for any action or recommendation of the Council or any committee, unless this Charter or the Bylaws of the Council require a larger affirmative vote on particular matters. Voting shall be by voice, a show of hands or, upon the request of any three delegates, by a poll of the delegates.
- D. Any member governmental unit shall be entitled to request that any matter requiring a vote of the Council be considered by weighted voting in accordance with the following

procedures:

1. A request for weighted voting must be made after the motion is made and before any vote on the motion is taken.
2. The vote on any matter appearing on the written agenda for the meeting, and upon which weighted voting has been requested, must be taken at that meeting unless the vote is postponed by a two-thirds non-weighted vote of the delegates.
3. Each member governmental unit shall be entitled to cast one vote for each 50,000 residents of its jurisdiction (or portion thereof) as determined by the census used in assessing members' dues for the current fiscal year. A simple majority of the votes cast shall be required for passage of any motion unless the Charter or Bylaws require a larger affirmative vote on particular matters.
4. Anything contained in these weighted voting procedures to the contrary notwithstanding, if on any motion utilizing weighted voting any three (3) county member governments shall cast negative votes, the motion shall fail unless the motion would have carried without the use of weighted voting.
5. All votes on issues where weighted voting is requested shall be taken by a poll of the delegates.

ITEM VII

Withdrawal: Any member may withdraw from the Council at the end of any fiscal year, provided written notice of intent to withdraw is given to each of the other members at least six (6) months prior to the end of the fiscal year.

ITEM VIII

Powers and Duties of the Council: Within the limits of funds and personnel available, the Council:

- A. Shall have and may exercise, in accordance with its Charter and Bylaws, all of the powers which the General Assembly of North Carolina has authorized, and may hereafter from time to time authorize this Charter to confer upon the Council, including, but not limited to, all of the specific powers enumerate in Section 160A-475 (and any amendments thereto) of the General Statutes of North Carolina, which powers are incorporated herein by reference. Similarly, to the extent applicable, any powers authorized hereafter by the General Assembly of a state adjoining North Carolina may be exercised by the Council with respect to interstate activities or functions.
- B. Shall have, and may exercise, in addition to and not in limitation of the foregoing, the following powers:

1. To create such committees as it deems necessary to exercise the powers granted to the Council herein in dealing with problems or problem areas that do not involve all the members of the Council. At least one delegate from each member governmental unit affected by the problem or problem area to be dealt with by the committee is entitled to be a member of that committee. Any two or more member governmental units shall have the right to have a Council committee formed to exercise the powers of the Council with reference to any problem which affects the petitioning governmental units, unless the Council shall reasonably determine that the problem or problem area in question should be assigned to an existing committee, in which case the petitioning members shall be entitled to be represented on said committee. The subject matter over which any committee has jurisdiction to exercise the powers of the Council shall be specifically defined, but may be enlarged or restricted by the Council from time to time. Unless the right of a member to representation on any particular committee granted hereinabove is asserted, the Chairman of the Council shall designate the membership of all committees.
2. To accept, receive and disburse in furtherance of the duties, purposes, powers, and functions specified in this Charter all member assessments, funds, grants, and services made available by the State of North Carolina, any other state, or any agency thereof, the Federal Government and its agencies, any municipality or county or agency thereof, the Federal Government and its agencies, any municipality or county or other governmental or quasi- governmental unit or agency (whether or not a member of such Council) and private and civic sources. The Council may provide matching funds, grants, or services, received from any source, to or for any governmental or quasi-governmental agencies established by the Council or any two or more member governmental units in furtherance of the duties, purposes, powers, and functions herein contained. None of the powers contained in this subparagraph may be exercised by any committee except with respect to funds budgeted or appropriated for their use by the Council.
3. To meet with, consult with, contract with or act in concert with any county or municipality or any agency of any state, the federal government, any civic organization, or private organization in the furtherance of the purposes and objects within its jurisdiction.
4. To participate, as a unit of local government, in any undertaking with any other unit of local government, whether or not a member of the Council, for the joint exercise of governmental powers in accordance with and pursuant to the provisions of Chapter 160A, Article 20, Part 1 of the General Statutes of North Carolina (and any amendments thereto), entitled "Interlocal Cooperation".
5. To contract with any government entity or agency, or any other person, firm or corporation for goods and/or services when same have been authorized by budget appropriations or by special resolution of the Council appropriating available

funds; and to purchase and own such personal property, equipment, vehicles and furnishings as may be authorized or for which funds may be appropriated.

6. To adopt Bylaws containing such rules and regulations for the conduct of its business as it may deem necessary for the proper discharge of its duties and the performance of its functions, not inconsistent with the Charter or the laws of North Carolina.
7. To create agencies of the Council to act for and on behalf of the Council in the planning and development of particular programs which affect the health, safety, welfare, education, economic conditions or regional development of two or more member governmental units. Such agencies shall have such membership, staff, powers, duties and responsibilities as may be specified in the Council Resolutions pursuant to which such agency is established, consistent with the powers herein granted to the Council. Provided, however, such agency shall at all times be acting for and on behalf of, and shall be responsible to, the Council. The Council may appropriate funds for the use of agency programs which it has received from any source, including member assessments, provided such appropriation is made in accordance with this Charter.
8. To contract with other units of local government, as that term is defined in G.S. 160A- 460, to provide for administrative, planning, procurements or other services, including administration of grants from local, state and federal agencies, in order to promote and encourage interlocal cooperation authorized under G.S. 160A-461.

ITEM IX

Financial:

- A. The general operating expenses of the Council shall be paid from funds paid to the Council by each member governmental unit. The annual contribution of each member governmental unit shall be based upon the duly adopted budget for such year and shall be assessed on the basis of the population for each member. For the purpose of determining the current population of each governmental unit, the Council shall use either (1) the Population Estimates for North Carolina Municipalities and Counties prepared by the United States Bureau of the Census and the North Carolina Office of State Budget and Management and published from time to time or (2) the official 10-year census figures. The current population estimates are the most recent estimates available using either (1) or (2) above, on the date the annual dues for member governments is determined by the Council.
- B. All expenditures of the Council for special projects of the Council or any committee thereof or for performance of contractual services for non-member units of local government shall be made from revenues paid to the Council by the governmental units

directly involved in such projects. All such revenues shall be credited to a special revenue account and all expenditures made at the completion of any project or contract. In no case shall other general fund revenues be used to pay any special project costs which do not reasonably involve or benefit the entire Council. In the event payments made by other units of local government exceed or are less than the actual cost of a special project, the excess shall be refunded to and the deficit paid by the units of local governments affected thereby.

- C. The budget for the Council for each fiscal year and the assessment of each member shall be adopted by the affirmative vote of at least seventy-five percent (75%) of the representatives present at a meeting at which a quorum was present, provided notice of such vote has been given in accordance with the Bylaws, and provided further said notice is accompanied by a copy of the proposed budget and assessment.
- D. The budget for the Council and the assessment for each member governmental unit shall be adopted by the Council no later than April 15th of each year. Provided, the Council shall publish and deliver to the delegates a budget estimate, indicating each member governmental unit's estimated share thereof, on or before March 31st of each year, if the actual budget shall not have been adopted by that date.
- E. The budget, once adopted, may be amended by the affirmative vote of at least seventy-five percent (75%) of the representatives present at a meeting at which a quorum was present, provided notice of such vote has been given in accordance with the Bylaws, and provided, further, said notice shall state in detail the proposed terms of the amendment and the reasons therefor.
- F. The annual assessment for each member governmental unit shall be payable on or before August 1st of each year and shall be delinquent thereafter. Any member of the Council which becomes delinquent in the payment of its annual assessments shall lose all rights and privileges of Council membership during such a period of delinquency. Any new member shall pay the full annual assessment for the current fiscal year regardless of its date of admission.
- G. All revenues paid to the Council by member governmental units and all other sources whatsoever shall be deposited in the general fund of the Council, and separate revenue and expenditure accounts shall be maintained for each phase of operation of the Council to the extent required by sound accounting practices, to include, but not to be limited to, such accounts for the general operating expenses of the Council and each special project undertaken by the Council or any committee thereof.
- H. The general operating expenses of the Council shall include, but are not necessarily limited to: providing meeting and office space or other such physical facilities needed by the Council or any committee thereof; providing compensation for the director and other administrative personnel of the Council; providing the necessary legal and accounting or other professional services; providing furniture, equipment, vehicles and

supplies, paying special consultants, temporary employees and contractors duly authorized by the Council; reimbursing authorized expenses of Council employees.

- I. Unless the Council shall otherwise provided by resolution, any surplus funds in the general operating expense account at the close of any fiscal year shall be credited as additional revenue for budget purposes for the following fiscal year. All other funds shall be held and disbursed as otherwise herein provided or as directed by the contributing source.
- J. No private party may benefit from or have an interest in the Council's earnings and financial assets.

ITEM X

Compensation and Expenses of Delegates:

- A. Except for the Chairman of the Council, a delegate, and in his absence, an alternate delegate may receive, if the Bylaws so provide, up to \$40.00 for each regular or special meeting of the Council and Executive Committee attended, not to exceed \$500.00 during any fiscal year. Such Bylaws may also provide that actual travel expenses, not to exceed twenty-five cents (\$.25) per mile, may be paid to each delegate, and in his absence to one alternate delegate, for attending any meeting of the Council or any committee meeting. The Chairman of the Council shall receive \$200.00 per month as compensation for his services to the Council.
- B. For travel on any authorized business of the Council, other than to attend Council or committee meetings, delegates shall be reimbursed for their actual expenses, as approved by the Council.

ITEM XI

Severability: If any Item, paragraph, sentence or phase of this Charter shall be declared by any court of competent jurisdiction to be in violation of the laws of this State or, where applicable, of the laws of any other state, such provisions of this Charter shall be considered to be severable, as to the member or members affected, and the validity of the remaining portion of the Charter shall not be affected.

ITEM XII

Amendment of Charter and Dissolution of Council:

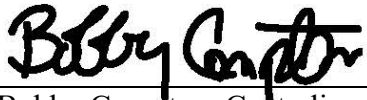
- A. The Council may formally recommend to the member governments a resolution to amend the Charter by affirmative vote of at least three-fourths of the representatives present at any meeting at which a quorum was present, provided notice of such vote has been given in accordance with the Bylaws. Said amendment shall become effective when the resolution has been duly adopted by three-fourths of the member governmental units.

- B. The Council may be dissolved at the end of any fiscal year only (1) upon adoption of a dissolution resolution by three-fourths of the governing bodies of all governmental units, or (2) the withdrawal from the Council of all but one of the member governmental units. Upon dissolution, the Council's financial assets will be distributed solely to those members who paid the latest annual assessment and in the same proportion. Any deficit shall be the responsibility of those member governments who would have received the net proceeds, and in the same proportions.

ITEM XIII

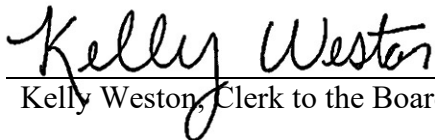
Effective Date: The effective date of this amended Charter shall be February 9, 2022, as to the current membership; and as to all subsequent members, this Charter shall be effective on the date of its adoption by the governing body of such governmental unit or the date such member's application was approved, whichever shall be later.

Amended January 1, 1972
Amended July 1, 1989
Amended February 9, 2022



Bobby Compton, Centralina Chair

Attested by:



Kelly Weston, Clerk to the Board

**A RESOLUTION RATIFYING THE UPDATED CHARTER OF
CENTRALINA REGIONAL COUNCIL**

WHEREAS, the Town of Cornelius is a member of Centralina Regional Council (Centralina), a council of governments serving the needs of the nine-county region that includes Anson, Cabarrus, Gaston, Lincoln, Iredell, Mecklenburg, Rowan, Stanly and Union counties; and

WHEREAS, on February 9, 2022, the Centralina Board of Delegates adopted a resolution amending the organization’s Charter to add language prohibiting private entities from benefitting from or having an interest in the organization’s earnings or assets; and

WHEREAS, each member government must endorse the Charter as Centralina’s governing document.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners that the Town of Cornelius hereby ratifies the amended Centralina Regional Council Charter.

This the 1st day of August 2022.

Woody Washam, Jr., Mayor

ATTEST:

APPROVED AS TO FORM:

Lori A. Harrell, Town Clerk

Town Attorney

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: August 1, 2022

To: Mayor and Board of Commissioners

From: Julie Niswonger, Finance Director

Action Requested:



NC General Statutes require that the Board receive an "Annual Settlement of the Tax Collector." The Town Board minutes are required to reflect the attached spreadsheet which documents to the Board the annual tax collection percentages of the current year levied taxes. As the report suggests, collection of real property taxes in the initial year of levy remain over 99.77%.

NC General Statute 105-321(b) states: Before delivering the tax receipts to the Tax Collector in any given year, the Board shall adopt and enter into the minutes an order directing the Tax Collector to collect taxes charged in the tax records and receipts.

Manager's Recommendation:

Accept the FY2022 Annual Settlement report and approve the Order of Collection for tax year 2022 (FY2023).

ATTACHMENTS:

Name:	Description:	Type:
 Tax_Collectors_Settlement_FY2022.pdf	Tax Collector Settlement	Backup Material
 Order_of_Collection_Tax_Year_2023.pdf	Order of Collection	Backup Material



MECKLENBURG COUNTY

Office of the Tax Collector

To: Andrew Grant, Cornelius Town Manager
From: Neal L. Dixon, Director/Tax Collector
Date: July 13, 2022
Subject: Tax Collector's Settlement for Fiscal Year 2022

Pursuant to the provisions of N.C.G.S. 105-373, this memorandum is the Tax Collector's report of settlement to the Cornelius Town Commission for Fiscal Year 2022 (tax year 2021).

The total FY 2022 Real Estate, Personal Property, and Registered Motor Vehicle Tax charged to the Tax Collector for collection was \$15,817,565.97.

<u>Net Levy</u>	<u>Collected</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
\$15,817,565.97	\$15,781,640.24	\$57,929.17	99.77%

At the end of FY 2022 there was 1 tax bill totaling \$32.76 under formal appeal with the Board of Equalization and Review or the Property Tax Commission. In addition, the Tax Collector was barred by the U.S. Bankruptcy Court from collecting 4 real estate, personal property, and registered motor vehicle tax bills totaling \$63.08. Even after these totals are removed from the net levy calculation, the collection percentage remains the same at 99.77%.

Reference is hereby made to reports in the Office of the Tax Collector that list the persons owning real property and personal property whose taxes for the preceding fiscal year remain unpaid and the principal amount owed by each person. These reports are available for inspection and review upon request. The Tax Collector has made diligent efforts to collect the taxes due from the persons listed by utilizing the remedies available to him for collection.

PEOPLE • PRIDE • PROGRESS • PARTNERSHIPS

Prior Year Collections

During FY 2022, the Tax Collector pursued collection of delinquent prior year taxes.

Real Estate and Personal Property Tax:

<u>Tax Year</u>	<u>Net Levy</u>	<u>Collected in FY 2022</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
2011	\$11,194,000.79	\$123.25	\$20,181.25	99.82%
2012	\$10,855,005.69	\$202.56	\$19,697.48	99.82%
2013	\$10,935,182.34	\$331.46	\$19,873.68	99.82%
2014	\$11,158,666.70	\$91.16	\$17,451.86	99.84%
2015	\$11,559,932.75	\$414.60	\$15,014.37	99.87%
2016	\$12,495,441.32	\$861.24	\$26,481.56	99.79%
2017	\$12,774,794.12	\$931.34	\$15,276.01	99.88%
2018	\$13,095,784.02	\$2,537.46	\$23,773.94	99.82%
2019	\$15,358,591.33	\$19,020.51	\$24,145.35	99.84%
2020	\$15,541,469.38	\$72,272.39	\$35,455.57	99.77%

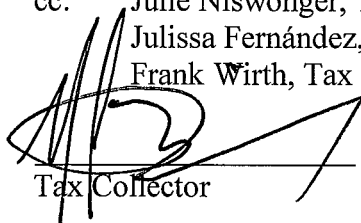
Registered Motor Vehicle Tax:

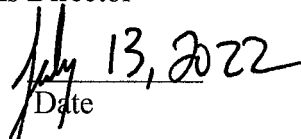
<u>Tax Year</u>	<u>Net Levy</u>	<u>Collected in FY 2022</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
2018	\$0.00	\$0.00	\$0.00	0.00%
2019	\$0.00	\$0.00	\$0.00	0.00%
2020	\$0.00	\$0.00	\$0.00	0.00%

Please contact me at Neal.Dixon@MecklenburgCountyNC.gov or 980-314-4488 if you have any questions or comments regarding this settlement report.

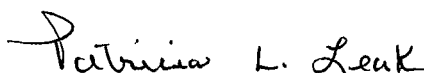
North Carolina General Statute 105-373(3) requires that this settlement be submitted to the governing board. The settlement shall be entered into the minutes of the governing body. Please ensure that this settlement is entered into the minutes of the governing body as required by statute.

cc: Julie Niswonger, Town of Cornelius Finance Director
 Julissa Fernández, Tax Operations Director
 Frank Wirth, Tax Collections Director

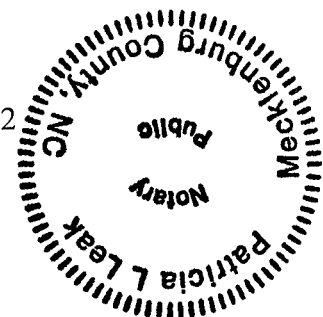

 Tax Collector


 Date

Sworn to and subscribed before me this 13th day of July, 2022


 Notary Public

My commission expires: June 4, 2023
 Date



ORDER OF COLLECTION

STATE OF NORTH CAROLINA

TOWN OF CORNELIUS

TO THE TAX COLLECTOR OF THE COUNTY OF MECKLENBURG COUNTY

GENERAL STATUTE 105-321(b)

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records, filed in the Office of the Tax Assessor and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the Town of Cornelius, and this order shall be a full and sufficient authority to direct, require and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

Witness my hand and official seal, this ____ day of _____, 2022.

Mayor, Town of Cornelius (SEAL)

Attest:

Clerk to the Board