

The Board of Commissioners for the County of Cabarrus met in regular session in the Commissioners' Meeting Room at the Cabarrus County Governmental Center in Concord, North Carolina at 6:30 p.m. on Monday, August 15, 2022.

Public access to the meeting could also be obtained through the following means:

live broadcast at 6:30 p.m. on Channel 22
<https://www.youtube.com/cabarruscounty>
<https://www.cabarruscounty.us/cabcotv>

Present - Chairman: Stephen M. Morris
Vice Chairman: F. Blake Kiger
Commissioners: Diane R. Honeycutt
Lynn W. Shue
Barbara C. Strang

Also present were Mike Downs, County Manager; Richard M. Koch, County Attorney; Rodney Harris, Deputy County Manager; and Lauren Linker, Clerk to the Board.

Chairman Morris called the meeting to order at 6:30 p.m.

Pastor Tim Newton from Christian Fellowship Foursquare Church delivered the invocation.

Chairman Morris led the Pledge of Allegiance.

(A) APPROVAL OR CORRECTION OF MINUTES

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board approved the minutes of the July 5, 2022 (Work Session) as presented.

(B) APPROVAL OF THE AGENDA

Chairman Morris reviewed the following changes to the agenda.

Additions:

Recognitions and Presentations

C-1 BOC - Youth Leadership Recognition

New Business

G-2 DHS - Approval of FY23 Energy Programs Outreach Plan

G-4 Planning and Development - Purchase of ROW on Trinity Church Road Property

G-5 Procurement - Carry Forward FY 2022 Purchase Orders and Contracts to FY 2023

Closed Session

K-1 Closed Session - Pending Litigation and Economic Development

Moved to New Business:

New Business

G-1 County Manager - FY 22 Funding Re-appropriations

Moved to September Work Session:

Discussion Items for Action

BOC - NCACC County Legislative Goals

UPON MOTION of Commissioner Shue, seconded by Commissioner Honeycutt and unanimously carried, the Board approved the agenda as amended.

(C) RECOGNITIONS AND PRESENTATIONS

(C-1) BOC - Youth Leadership Recognition

Chairman Morris recognized the inaugural Youth Leadership class. He expressed appreciation to all who participated in the six-week program.

A video showing the students and an overview of the program was viewed.

Owais Kamran and Ethan Wolff, both from Central Cabarrus High School, were present at the Board meeting and shared their experiences.

Commissioner Honeycutt expressed appreciation to County staff for their efforts and participation in the class.

(C-2) DHS - Child Support Awareness Proclamation

Jay White, Department of Social Services Attorney, presented an overview of child support collections in Cabarrus County.

Susan Dillon, Child Support Manager, read the proclamation aloud.

UPON MOTION of Commissioner Strang, seconded by Commissioner Shue and unanimously carried, the Board adopted the proclamation.

Proclamation No. 2022-14

CHILD SUPPORT AWARENESS MONTH
IN CABARRUS COUNTY

PROCLAMATION

WHEREAS, children are entitled to financial support from their parents and Cabarrus County continues to improve its efforts with child support collections; and

WHEREAS, in SFY2022, over \$12.3 million in child support was collected from parents of children whose cases are managed by Cabarrus County Child Support Services; and

WHEREAS, there are nearly 5,000 active child support cases in Cabarrus County, working to ensure that approximately 5,600 children receive financial support from their parents; and

WHEREAS, children who do not receive adequate financial and emotional support from both parents may experience greater difficulty in becoming healthy, happy, and productive citizens; and

WHEREAS, many concerned and dedicated judges, district attorneys, clerks of court, sheriffs' personnel, and child support professionals work to establish and enforce child support orders for Cabarrus County's children, one of our State's most vital resources:

NOW, THEREFORE, BE IT RESOLVED, that the Cabarrus County Board of Commissioners does hereby proclaim the month of August as

CHILD SUPPORT AWARENESS MONTH IN CABARRUS COUNTY

Adopted this 15th day of August, 2022

/s/ Stephen M. Morris
Stephen M. Morris, Chairman
Cabarrus County Board of Commissioners

(C-3) DHS - Economic Services Appreciation Month Proclamation

Michelle Sturgill, Economic Services Program Administrator, Debbie Kendall, Income Maintenance Program Manager, and Diana Martin, Income Maintenance Program Manager, read the proclamation aloud.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Honeycutt and unanimously carried, the Board adopted the proclamation.

Proclamation No. 2022-15

ECONOMIC SERVICES APPRECIATION MONTH
IN CABARRUS COUNTY

A PROCLAMATION

WHEREAS, individuals, families and children are entitled to public assistance services and support they may be eligible for; and

WHEREAS, Food and Nutrition Services is a USDA federal food assistance program that provides low-income families the food they need for a nutritionally adequate diet; and

WHEREAS, over the last two years during the Federal Public Health Emergency, Cabarrus County FNS eligibility staff have assisted with maximum Food & Nutrition benefit allotments to address food insecurity during the pandemic in the amount of \$138,607,759 and Pandemic EBT benefits to over twenty thousand school-age children in Cabarrus County with receiving additional food benefits in excess of \$20 million; and

WHEREAS, Medicaid and NC Health Choice is dedicated to providing access to physical and behavioral health care and services to improve the health and well-being of over 2.1 million North Carolinians; and

WHEREAS, Cabarrus County Department of Human Services' Medicaid eligibility staff consistently passed the State Medicaid Report Card for twelve consecutive months; and

WHEREAS, in SFY2022, Cabarrus County Department of Human Services' Economic Services eligibility staff processed over 15,500 Medicaid applications and 10,200 Food and Nutrition Services applications meeting federal and state timeliness requirements in both programs while experiencing staff shortages; and

WHEREAS, there are currently 52,575 active Medicaid recipients and 24,801 active Food & Nutrition Services recipients in Cabarrus County; and

WHEREAS, Economic Services staff in Cabarrus County work to ensure individuals, families and children receive access to medical care and financial support for food and nutrition services; and

NOW, THEREFORE, BE IT RESOLVED, that the Cabarrus County Board of Commissioners does hereby proclaim the month of August as

ECONOMIC SERVICES APPRECIATION MONTH IN CABARRUS COUNTY

Adopted this 15th day of August 2022.

/s/ Stephen M. Morris
Stephen M. Morris, Chairman
Cabarrus County Board of Commissioners

(D) INFORMAL COMMENTS

Chairman Morris opened the meeting for Informal Public Comments at 6:58 p.m. He stated each speaker would be limited to three minutes.

Jerry Anderson, resident of 133 Kennedy Avenue in Kannapolis, commented on a Department of Human Services matter.

Jeeter Anderson, resident of 133 Kennedy Avenue in Kannapolis, commented on a Department of Human Services matter.

David Valder and Lance Gebel, residents of 8681 Mauney Road in Mount Pleasant, commented on their services for composting (Crown Town Compost).

Roland Jordan, resident at 134 Lore Street in Concord, commented on citizens, the detention center, and educational matters.

Alexis Farmer, resident of 2643 Norfolk Avenue in Charlotte, provided information regarding PACE of the Southern Piedmont. She commented on programs for older adults in Cabarrus County through their programs.

There was no one else to address the Board, therefore Chairman Morris closed that portion of the meeting.

(E) OLD BUSINESS

None.

(F) CONSENT

(F-1) Active Living and Parks - Fees and Charges Policy Change

The current Fee and Charge Policy on Camping and Cabin stays at Camp Spencer Park states no more than 14-day continual stay with a 7-day break before being able to reserve again. Over the years there have been a few times where the patrons rented a tent site or cabin for 14 days, stayed out 7, and came back for 14 more.

Fees were increased 2 years ago to: Tent sites - \$15.00 and Cabin \$50.00 per night.

There have been times recently where the site was rented for 13 days, they leave for one day, and come back for an additional 13-day stay. The cycle continues as the Policy does not prohibit this.

There have been some issues with a few reservations where the Sheriff's Office and Department of Human Services have been notified. Both went to the Park and talked with the patrons about specific rules and regulations and other opportunities for lodging.

New guidelines for the current Fees and Charges Policy have been recommended that would only allow 2 Extended Stays in a 30-day period. Extended Stay is defined as more than 2 days up to 7 days. There would be a 7-day break between a stay of the same family/patron, regardless of who paid for the stay.

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger and unanimously carried, the Board approved changing the language of the Active Living and Parks Department Fees and Charges Policy to reflect the definition of an Extended Stay in a Cabin or Tent Site as more than 2 days and up to 7 days with a 7-day break between stays.

(F-2) Appointments - Industrial Facilities and Pollution Control Financing Authority

An application to serve on the Industrial Facilities and Pollution Control Financing Authority has been received from Kevin Johnson. Mr. Johnson is recommended to fill the vacancy on the Authority.

The Authority meets on an as-needed basis and the County Attorney serves as the contact for this Authority.

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger and unanimously carried, the Board appointed Kevin Johnson to the Industrial Facilities and Pollution Control Financing Authority for a six-year term ending August 31, 2028.

(F-3) Appointments - Mental Health Advisory Board

Mental Health Advisory Board member Justin Brines' term ended June 30, 2022. Mr. Brines serves as the Emergency Medical Services representative and would like to serve another term.

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger and unanimously carried, the Board reappointed Justin Brines to the Mental Health Advisory Board as the Emergency Medical Services representative for a three-year term ending June 30, 2025.

(F-4) Appointments - Planning and Zoning Commission

There are three Planning and Zoning Commission members with terms ending on August 31, 2022. All three members are interested in remaining on the Planning and Zoning Commission and would like to be considered for reappointment.

Staff respectfully requests the following reappointments be considered by the Board of Commissioners:

- Reappoint Andrew Nance to a three-year term ending August 31, 2025. Mr. Nance is an At-large representative.
- Reappoint Charles Paxton to a three-year term ending August 31, 2025. Mr. Paxton is the Harrisburg area representative.
- Reappoint Jeffrey Corley to a three-year term ending August 31, 2025. Mr. Corley is the Central area representative. Mr. Corley has served on the Commission since 2016. An exception to the length of service provision of the Appointment Policy will be needed for him.

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger and unanimously carried, the Board reappointed Andrew Nance (At-large), Charles Paxton (Harrisburg), and Jeffrey Corley (Central), to the Planning and Zoning Commission for three-year terms ending August 31, 2025, including an exception to the length of service provision of the Appointment Policy for Mr. Corley.

(F-5) Appointments (Removals) - Early Childhood Task Force Advisory Board

Early Childhood Task Force Advisory Board member Connie Pilkinton has resigned from the committee. It is requested to remove her name from the roster.

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger and unanimously carried, the Board removed Connie Pilkinton from the Early Childhood Task Force Advisory Board roster and thanked her for her service.

(F-6) DHS - Emergency Rental Assistance Program

Staff presented a brief presentation on the status of the Emergency Rental Assistance Program (ERAP) at the work session and a request for consideration to "pause" the intake of new applications.

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger and unanimously carried, the Board approved to pause the intake of new Emergency Rental Assistant Program applications.

(F-7) DHS - Family Caregiver Support Program Grant

The North Carolina Family Caregiver Support Program (FCSP) was created in 2000 to support family and informal (unpaid) caregivers to care for their loved ones at home for as long as possible. It is well known that caregiving places a heavy emotional, physical, and financial load on the caregiver. Many caregivers over time become vulnerable and their own health begins to decline. In response to these caregiving issues, this program was developed to coordinate with other community-based services to support those caring for a loved one. The purpose is to reduce caregiver stress and depression so they can care for their loved one longer, avoiding more expensive long-term care alternatives.

The FY23 FCSP allocation for Cabarrus County was not received from the Centralina Area Agency on Aging until June 2022. Therefore, the FY22 allocation of \$51,386.00 was used when developing the FY23 county budget. The actual FY23 allocation is \$58,941.00, which is an increase of \$7,555.00. The additional funds will be used to provide temporary respite to more caregivers as well as more training opportunities and personal care and nutritional supplies. There is not a county match required for this grant.

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger and unanimously carried, the Board adopted the budget amendment.

Date:8/15/2022

Amount:7,555.00

Dept. Head:Karen Calhoun

Department:DHS

☐ Internal Transfer Within Department

☐ Transfer Between Departments/Funds

☒ Supplemental Request

Request to increase Revenue and Expenditures for the Family Caregiver Support Program for FY23 due to the increase of grant funding authorized for Cabarrus. Total grant amount is \$58, 941.00. The grant will be utilized for staff's salary and operating expenses to perform the functions of the program. There is NO County match.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	00165760-6244	Caregiver Grant	51,386.00	7,555.00		58,941.00
001	9	00195760-9445-FCSPR	Purchase Services	9,225.00	4,987.00		14,212.00
001	9	00195760-9417-CGSP	Dept of Aging Grants	4,126.00	2,568.00		6,694.00

(F-8) Finance - State Fiscal Recovery Funds

Public libraries in North Carolina suffered adverse economic impacts due to the COVID-19 Pandemic. Federal assistance was awarded to the State Library of NC. The State Budget Act appropriated the funds as financial assistance that can be used for materials, salaries, equipment and operating. The funds will be budgeted in circulation stock at this time. There is no County match.

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger and unanimously carried, the Board accepted the grant award and adopted the associated budget amendment.

Date:August 15, 2022

Amount:126,545.00

Dept. Head:Suzanne Burgess for Jim Howden

Department:Library

☐ Internal Transfer Within Department

☐ Transfer Between Departments/Funds

☒ Supplemental Request

Cabarrus County Public Library has been awarded the State Fiscal Recovery Fund Directed Grant. The State Budget Act appropriated the funds as financial assistance and Cabarrus County Library was selected in the 2021 Appropriations Act to receive funds. The funds can be used for library project costs, such as materials, salaries, equipment and operating. This budget amendment budgets State Aid revenue and expenditures for circulation materials. Funds will be allocated on a quarterly basis and there is no County match.							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	8240-6331-SFRF	STATE AID - STATE FISCAL RECOVERY FUND	-	126,545.00	-	126,545.00
001	9	8240-9302	CIRCULATION STOCK	510,958.00	126,545.00	-	637,503.00

(F-9) Finance - Update of Approved Institutions

The current Investment Policy and a list of approved institutions is included for your information as a reference. No changes have been made to the Investment Policy which was last updated and approved by the Board of Commissioners on November 18, 2019.

BB&T and SunTrust customers converted to TRUIST products and digital platforms early 2022; therefore, the following changes have been made to the approved institutions list which was last updated and approved by the Board of Commissioners June 15, 2020:

- Remove SUNTRUST as an official depository
- Remove BB&T as an official depository and investment institution
- Add TRUIST as an official depository
- The account numbers did not change.

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger and unanimously carried, the Board approved the Institution List.

(F-10) Human Resources - Structure and Comp Projects

Departments utilized Catapult to review department structure, position job descriptions, titles and a market compensation comparison. Results of this work was shared at the work session, along with recommendations.

UPON MOTION Commissioner Honeycutt, seconded by Vice Chairman Kiger and unanimously carried, the Board approved and implemented recommendations presented to the board at the work session concerning both the Human Resources and Information Technology departments.

(F-11) Planning and Development - Soil and Water Conservation District Board - Streamflow Rehabilitation Assistance Program

The Soil and Water Conservation District Board received a funding offer from the NC Department of Agriculture for their Streamflow Rehabilitation Assistance Program. The Streamflow Rehabilitation Assistance Program allocates money for projects that protect and restore the integrity of drainage infrastructure. Improving the integrity of drainage structures supports goals of both the County Commissioners and the Soil and Water Conservation District Board by improving the quality of life for county citizens. Removing stream blockages from our creeks will prevent flooding and loss of land due to erosion of the streambanks. The Soil and Water Conservation District Board have selected stretches on Irish Buffalo and Cold Water Creek for stream debris removal if approved. Any contracts or cooperative agreements associated with successful grant applications will be submitted to the county for approval.

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger and unanimously carried, the Board approved the contract between Cabarrus County and North Carolina Department of Agriculture and Consumer Services- Division of Soil and Water Conservation; and authorized the County Manager to execute the contract on behalf of Cabarrus County, subject to review or revisions by the County Attorney. By the same motion, the Board adopted the associated budget amendment.

Date:	8/15/2022	Amount:	258,798.00
Dept. Head:	Daniel McClellan	Department:	Soil and Water
<input type="checkbox"/> Internal Transfer Within Department		<input type="checkbox"/> Transfer Between Departments/Funds	
		<input checked="" type="checkbox"/> Supplemental Request	
New Soil and Wter grant (StreamFlow Rehabilitation Program). No local match requirement. Funds will be used for Purchased Services to write 2 or 3 contracts with contractors.			

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
460	6	3270-6365-StRAP	Soil & Water Grants-StRAP	-	258,798.00		258,798.00
460	9	3270-9445-StRAP	Purchased Services-StRAP	-	258,798.00		258,798.00

(F-12) Procurement Office - Uniform Guidance for Federal Procurement

The Federal Government has given local governmental entities permission to increase the micro-purchasing threshold from \$10,000 to as much as \$50,000. Currently the State of North Carolina has a minimum purchasing threshold of \$30,000. The county is requesting approval to increase its federal micro-purchasing threshold limit to match that of the State of North Carolina's.

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger and unanimously carried, the Board approved an increase of the federal micro-purchasing threshold to \$30,000 and adopted the resolution.

Resolution No. 2022-24

RESOLUTION AUTHORIZING INCREASE IN MICRO-PURCHASE THRESHOLD

WHEREAS, from time to time, Cabarrus County purchases goods and services using federal funding subject to the procurement standards in 2 C.F.R. Part 200, Subpart D;

WHEREAS, the County's procurement of such goods and services is subject to the Purchasing Policy and Procedures, as amended on November 26, 2018;

WHEREAS, the County is a non-federal entity under the definition set forth in 2 C.F.R. § 200.1;

WHEREAS, pursuant to 2 C.F.R. § 200.320(a)(1)(ii), a non-federal entity may award micro-purchases without soliciting competitive price or rate quotations if the non-federal entity considers the price to be reasonable based on research, experience, purchase history or other information and documents that the non-federal entity files accordingly;

WHEREAS, pursuant to 2 C.F.R. § 200.320(a)(1)(iii), a non-federal entity is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures;

WHEREAS, pursuant to 2 C.F.R. § 200.320(a)(1)(iv), a non-federal entity may self-certify on an annual basis a micro-purchase threshold not to exceed \$50,000 and maintain documentation to be made available to a federal awarding agency and auditors in accordance with 2 C.F.R. § 200.334;

WHEREAS, pursuant to 2 C.F.R. § 200.320(a)(1)(iv), such self-certification must include (1) a justification for the threshold, (2) a clear identification of the threshold, and (3) supporting documentation, which, for public institutions, may be a "higher threshold consistent with State law";

WHEREAS, G.S. 143-129(a) and G.S. 143-131(a) require the County to conduct a competitive bidding process for the purchase of (1) "apparatus, supplies, materials, or equipment" where the cost of such purchase is equal to or greater than \$30,000, and (2) "construction or repair work" where the cost of such purchase is greater than or equal to \$30,000;

WHEREAS, North Carolina law does not require a unit of local government to competitively bid for purchase of services other than services subject to the qualifications-based selection process set forth in Article 30 of Chapter 143 of the North Carolina General Statutes (the "Mini-Brooks Act");

WHEREAS, G.S. 143-64.32 permits units of local government to exercise, in writing, an exemption to the qualifications-based selection process for services subject to the Mini-Brooks Act for particular projects where the aggregate cost of such services do not exceed \$50,000; and

WHEREAS, pursuant to 2 C.F.R. § 200.320(a)(1)(iv), the Board of Commissioners of Cabarrus County now desires to adopt higher micro-purchase thresholds than those identified in 48 C.F.R. § 2.101.

NOW, THEREFORE BE IT RESOLVED by the Cabarrus County Board of Commissioners:

- 1. In accordance with 2 C.F.R. § 200.320(a)(1)(iv) and the applicable provisions of North Carolina law, the Cabarrus County hereby self-certifies the following micro-purchase thresholds, each of which is a "higher threshold consistent with State law" under 2 C.F.R. § 200.320(a)(1)(iv)(C) for the reasons set forth in the recitals to this resolution.
- 2. The self-certification made herein shall be effective for Fiscal Year 2023 but shall not be applicable to federal financial assistance awards issued prior to November 12, 2020.
- 3. If Cabarrus County receives funding from a federal grantor agency that adopts a threshold more restrictive than those contained herein, the County shall comply with the more restrictive threshold when expending such funds.
- 4. The County shall maintain documentation to be made available to a federal awarding agency, any pass-through entity, and auditors in accordance with 2 C.F.R. § 200.334.
- 5. The County Manager is hereby authorized to revise the *Purchasing Policy and Procedures* to reflect the increased micro-purchase thresholds specified herein, and to take all such actions, individually and collectively, to carry into effect the purpose and intent of the foregoing resolution.

ADOPTED this 15th day of August 2022.

/s/ Stephen M. Morris
Stephen M. Morris, Chairman
Cabarrus County Board of Commissioners

Attest:

/s/ Lauren Linker
Clerk to the Board

(F-13) Register of Deeds - Refund of Excise Tax

The Costner Law Firm recorded a general warranty deed in Cabarrus County on June 30, 2022 in book 16096 at page 183 and paid excise tax of \$640.00. Said law firm subsequently recorded an affidavit of error in Book16106 at page 50 which recited that the correct excise amount was \$630.00. Said law firm is now requesting a refund of overpayment of excise tax in the sum of \$10.00.

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger and unanimously carried, the Board, in compliance with NCGS 105-228.37, authorized a refund to the Costner Law Firm in the amount of \$10.00.

(F-14) Sheriff's Office - Acceptance of Bike Safe Grant Award

The Bike Safe grant award funds educational opportunities for motorcycle enthusiasts to learn better driving habits. This grant has no county match requirement for dispersal of the funding.

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger and unanimously carried, the Board accepted the grant award and adopted the associated budget amendment and resolution.

Date:8/15/2022

Amount:5,000.00

Dept. Head:Sheriff Van W. Shaw

Department:2110 - Sheriff's Office

☐ Internal Transfer Within Department

☐ Transfer Between Departments/Funds

☒ Supplemental Request

PURPOSE: In Fiscal Year 2023, the Cabarrus County Sheriff's Office applied for a Grant and expects to receive funding through the Governor's Highway Safety Program (GHSP) for use by the agency in promoting motorcycle safety thorough education and training. This is a one-time allocation with no county match required. All funding should be used for the purpose of the Bike Safe program adminisitered by the GHSP.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	2110-6606-GHSP	Governor's Highway Safety Program Grant (revenue)	-	5,000.00		5,000.00
001	9	2110-9333-GHSP	Governor's Highway Safety Program Grant (expense)		5,000.00		5,000.00

Resolution No. 2022-25

WHEREAS, the Cabarrus County Sheriff’s Office (herein called the “Agency”) has completed an application contract for traffic safety funding; and that Cabarrus County Board of Commissioners (herein called the “Governing Body”) has thoroughly considered the problem identified and has reviewed the project as described in the contract;

THEREFORE, NOW BE IT RESOLVED BY THE IN OPEN MEETING ASSEMBLED IN THE CITY OF CONCORD, NORTH CAROLINA, THIS 15th DAY OF August, 2022, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Governing Body and the general public; and
2. That Captain Aaron Rankin is authorized to file, on behalf of the Governing Body, an application contract in the form prescribed by the Governor’s Highway Safety Program for federal funding in the amount of \$ 5,000.00 to be made to the Governing Body to assist in defraying the cost of the project described in the contract application; and
3. That the Governing Body has formally appropriated the cash contribution of \$0.00 as required by the project contract; and
4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and
5. That certified copies of this resolution be included as part of the contract referenced above; and
6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED in open meeting by /s/ Stephen M. Morris, Chairman

ATTESTED BY /s/ Lauren Linker

DATE: August 15, 2022

(F-15) Tax Administration - Refund and Release Reports - July 2022

The Release Report contains taxpayers’ names, bill numbers, valuations, tax amounts, along with the justifications for releasing the valuation/tax amounts for outstanding levies in accordance with N.C.G.S. 105-381. The Refund Report is a summary sheet which lists data from each refund request form, along with the justification for the refunds to the taxpayers in accordance with N.C.G.S. 105-381.

Note: Due to the transition of motor vehicles onto the new North Carolina Vehicle Tax System (NCVTS), motor vehicle-related refunds and releases will begin to be displayed on the new report generated by NCVTS.

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger and unanimously carried, the Board approved the July 2022 Refund and Release Reports as submitted, including the NCVTS Refund Report, and granted authority to the Tax Collector to process the refunds and releases. The report is hereby incorporated into the minutes by reference and is on file with the Clerk to the Board.

(G) NEW BUSINESS

(G-1) County Manager - FY 22 Funding Re-appropriations

Rosh Khatri, Budget Director, reported this request was presented to the Board at the August work session. Since then, two additional grants have been brought to our attention that need to be reappropriated. Both grants are reimbursement grants that have a grant contract expiration of December 31, 2022. Mr. Khatri advised the reappropriation list has been updated to include these two grants. These grants are the Blue Cross Blue Shield Home Improvement Grant in the amount \$12,987.95 and Duke Energy Helping Home in the amount of \$22,511.79. Mr. Khatri also responded to questions from the Board.

UPON MOTION of Commissioner Shue, seconded by Commissioner Strang and unanimously carried, the Board amended the Fiscal Year 2022-2023 Budget Ordinance to allow the carry-over of unspent funds as outlined on the attached re-appropriation list from the 2021-2022 Budget Ordinance and authorized the County Budget Director to prepare the associated Budget Amendment.

Department	Project / Grant	Account Information Org-Object-Proj FY22 GL Codes	Account Information Org-Object-Proj FY23 GL Codes	Account Description	Amount	Justification (including impact if funding is not carried forward)
GENERAL GOVERNMENT						
County Manager	Edge Factor Contract	00191210 9445	00191210 9445	Purchased Services	84,500.00	Edge Factor Premium Membership approved by BOC 6-20-2022
Communications & Outreach	Camera lease package	00191220 9331	1912209331	Minor Office Equipment & Furniture	2,100.00	Lens is on backorder. It is part of a package for which we have a PO and all other items have been received by the County.

[illegible]

Date: 8/15/2022

Amount: 3,569,901.47

Dept. Head: Rosh Khatri

Department: County Manager

☐ Internal Transfer Within Department

☐ Transfer Between Departments/Funds

☒ Supplemental Request

Funds budgeted in the prior fiscal year (FY22) need to be carried-over to the current fiscal year (FY23) for use. These funds were not used in FY22 for a variety of reasons. Carrying-over these funds from FY23 to FY23, through an appropriation of fund balance or revenue for reimbursement grants, is required to complete purchases as planned.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	1220-9331	Minor Office Equipment & Furniture	2,500.00	2,100.00		4,600.00
001	9	1220-9695	Marketing	171,195.00	800.00		171,995.00
001	6	1220-6901	Fund Balance Appropriated	-	2,900.00		2,900.00
001	9	1230-9605	Consultants	49,000.00	8,962.50		57,962.50
001	6	1230-6901	Fund Balance Appropriated	-	8,962.50		8,962.50
001	9	1510-9860	Equipment and Furniture	-	68,018.00		68,018.00
001	6	1510-6901	Fund Balance Appropriated	-	68,018.00		68,018.00
001	9	1810-942001	Telecommunications	737,680.00	80,000.00		817,680.00
001	9	1810-9342-DEPT	Minor Technology Equipment	76,000.00	240,000.00		316,000.00
001	9	1810-9342	Minor Technology Equipment	114,900.00	76,000.00		190,900.00
001	9	1810-9445	Purchase Services	1,151,045.00	55,000.00		1,206,045.00
001	9	1810-9605	Consulting	25,000.00	5,240.00		30,240.00
001	6	1810-6901	Fund Balance Appropriated	-	456,240.00		456,240.00
001	9	1910-9690	Board Directed Expenses	-	1,171,854.00		1,171,854.00
001	6	1910-6901	Fund Balance Appropriated	-	1,171,854.00		1,171,854.00
001	9	1940-9501	Bldg & Gmds Maint	1,100,000.00	7,000.00		1,107,000.00
001	6	19400-6901	Fund Balance Appropriated	-	7,000.00		7,000.00
001	9	1952-9606	Engineers	179,000.00	15,457.99		194,457.99
001	6	1952-6901	Fund Balance Appropriated	-	15,457.99		15,457.99
001	9	1955-9863	Vehicles	702,000.00	373,481.22		1,075,481.22
001	6	1955-6901	Fund Balance Appropriated	-	373,481.22		373,481.22
001	9	1953-9445	Service Contracts	134,600.00	16,000.00		150,600.00
001	6	1953-6901	Fund Balance Appropriated	-	16,000.00		16,000.00
420	9	8310-9820	Building Improvements	1,240,000.00	300,000.00		1,540,000.00
420	6	8310-6901	Fund Balance Appropriated	-	300,000.00		300,000.00
001	9	2110-9863	Motor Vehicles	1,317,000.00	189,258.35		1,506,258.35
001	9	2110-9860-BOMB	Motor Vehicles-BOMB	-	18,684.06		18,684.06
001	9	2110-9340	Uniforms	309,625.00	13,500.00		323,125.00
001	6	2110-6901	Fund Balance Appropriated	-	221,442.41		221,442.41
001	9	2130-9853	State Criminal Alien Asst. Grant	-	7,734.93		7,734.93
001	6	2130-6901	Fund Balance Appropriated	-	7,734.93		7,734.93
001	9	2140-9863	Motor Vehicles	99,000.00	41,659.58		140,659.58
001	6	2140-6901	Fund Balance Appropriated	-	41,659.58		41,659.58
001	9	2145-9605	Consultants	24,800.00	8,444.80		33,244.80
001	9	2145-9605	Consultants	24,800.00	8,005.23		32,805.23
001	6	2145-6901	Fund Balance Appropriated	-	16,450.03		16,450.03
001	9	2710 9482	EMPG	12,500.00	2,531.47		15,031.47
001	9	2710 9431	McGuire	10,000.00	11,957.91		21,957.91
001	9	2710-9860	Equipment & Furniture	-	90,000.00		90,000.00
001	6	2710-6901	Fund Balance Appropriated	-	104,489.38		104,489.38
001	9	2715 9340	Uniform	7,500.00	511.00		8,011.00
001	6	2715-6901	Fund Balance Appropriated	-	511.00		511.00
001	9	3270-9445	Purchased Services	10,000.00	10,000.00		20,000.00
001	9	3270-9625	Board Travel	3,800.00	3,425.00		7,225.00
001	6	3270-6901	Fund Balance Appropriated	-	13,425.00		13,425.00
001	9	3310-9724-Spark	Economic Development Corp	25,000.00	25,000.00		50,000.00
001	6	3310-6901	Fund Balance Appropriated	-	25,000.00		25,000.00
001	9	5110-9610	Travel and Education	5,000.00	900.00		5,900.00
001	6	5110-6901	Fund Balance Appropriated	-	900.00		900.00
001	9	5410-9102-4HCAN	part time> 1000 hours	-	620.00		620.00
001	9	5410-9104-4HCAN	Temporary Employees	-	3,913.33		3,913.33
001	9	5410-9201-4HCAN	Social Security	-	175.87		175.87
001	9	5410-9202-4HCAN	Medicare	-	185.88		185.88
001	9	5410-9230-4HCAN	Workers Compensation	-	263.89		263.89
001	9	5410-9356-4HCAN	Special Programming Supplies	-	4,711.32		4,711.32

001	9	5410-9610-4HCAN	Travel & Education	-	474.22		474.22
001	9	5410-9640-4HCAN	Insurance & Bonds	-	138.98		138.98
001	6	5410-6901	Fund Balance Appropriated	-	10,483.49		10,483.49
001	9	5630-9445	Contracted LCSW	306,000.00	84,000.00		390,000.00
001	9	5630-9332	Special Needs Kids Program	41,384.21	80,465.67		121,849.88
001	6	5630-6901	Fund Balance Appropriated	-	164,465.67		164,465.67
001	9	5760-9356-ST8	Seniors Health Insurance Information Program	8,357.00	6,057.86		14,414.86
001	6	5760-6901	Fund Balance Appropriated	-	6,057.86		6,057.86
001	9	5610-9342-383-1	Minor Technology Equipment	103,000.00	20,000.00		123,000.00
001	9	5610-9321-310-1	Imaging	50,000.00	40,000.00		90,000.00
001	6	5610-6901	Fund Balance Appropriated	-	60,000.00		60,000.00
001	9	8240 9342	Minor Technology Equipment	-	3,568.50		3,568.50
001	9	8240 9331	Minor Office Equipment/Furniture	-	3,779.66		3,779.66
001	9	8240 9560	Minor Equipment Maintenance	6,700.00	3,008.54		9,708.54
001	6	8240-6901	Fund Balance Appropriated	-	10,356.70		10,356.70
001	9	1210-9445	Purchased Services	150,000.00	94,500.00		244,500.00
001	6	1210-6901	Fund Balance Appropriated	-	94,500.00		94,500.00
001	6	5660-6384-ARP	Purchased Services - Revenues	-	15,426.00		15,426.00
001	9	5660-946101-ARP	Purchased Services	-	15,426.00		15,426.00
001							
001	6	5750-6224-ARP	Food - Revenues	-	100,224.00		100,224.00
001	9	5750-9335-ARP	Food	-	100,224.00		100,224.00
001	6	5240-6342-5310C	Grant Revenue	-	116,184.00		116,184.00
001	9	5240-9831-5310C	Van	-	116,184.00		116,184.00
001	9	2730-9356-MEM	Cont and Private Donations	-	50.00		50.00
001	6	2730-6901	Fund Balance Appropriated	-	105,177.97		105,177.97
001	9	2730-9340-PPE	PPE Uniforms	55,040.00	5,991.58		61,031.58
001	9	2730-9360-LABS	LABS Medical supplies	25,870.00	2,035.00		27,905.00
001	9	2730-9863	Motor Vehicles	654,000.00	97,101.39		751,101.39
001	6	3250-6226-BCBS	Home Improv Grant- BCBS Revenue	-	12,987.95		
001	9	3250-9493-BCBS	Operations - Healthy Home BCBS	-	12,987.95		
001	6	3250-6376	Duke Energy Carolinas	-	22,511.79		
001	9	3250-9493-DECHS	DEC Health & Safety	-	11,189.02		
001	9	3250-9493-DECHV	DEC HVAC	-	11,322.77		11,322.77

(G-2) DHS - Approval of FY23 Energy Programs Outreach Plan

Lora Lipe, Economic Family Support Services Program Administrator, presented the Department of Human Service's annual Energy Program Outreach Plan for the Low-Income Energy Assistance and Crisis Intervention Programs for FY23.

UPON MOTION of Commissioner Strang, seconded by Commissioner Shue and unanimously carried, the Board approved the Department of Human Services' Energy Programs Outreach Plan for FY23.

(G-3) Planning and Development - Appeal of Order to Take Corrective Action - Public Hearing 6:30 p.m.

David Goldberg, Deputy County Attorney, announced that earlier today, the parties have reached an agreement. Mr. Goldberg explained the issue at hand had to do with a safety issue and the consequent removal of a barn.

Attorney Rick Yeoman, representing the Dwight David Radford was present and confirmed there has been an agreement.

Mr. Goldberg provided background information regarding the issue of the barn on Mr. Radford's property located on Flowes Store Road is unsafe, dilapidated and poses a threat to the community. In order to avoid the quasi-judicial hearing process, both parties have reached an agreement. He stated the parties will enter into a Consent Order to allow the taxpayer an additional 120 days for the removal of the barn. Mr. Yeoman and Mr. Radford agreed the building needs to be demolished. They just need more time to have it done. In the meantime,

he asked the order to include the requirement that there be a protective fence placed around the barn in the interim.

Mr. Goldberg requested Mr. Yeoman and Mr. Radford to confirm the aforementioned overview and agreement reached for the removal of the barn. Both Mr. Yeoman and Mr. Radford consented to the agreement to forego a quasi-judicial hearing today in this matter and agreed that the building is an unsafe building subject to condemnation. Mr. Goldberg explained to Mr. Radford, the Board is being asked to uphold the previous corrective order with the modification that the period for demolishing the building be extended to 120 days from today. It is understood that if the building is not demolished in that time period, the order is active and enforceable. Those remedies could be fines or criminal statutes. He asked Mr. Radford and Mr. Yeoman if they understood these terms. Mr. Yeoman and Mr. Radford responded in the affirmative.

A discussion ensued. During discussion, Commissioner Shue commented on a recent visit he made to inspect the property. He expressed his opinion that the building is unsafe and should be demolished.

Mr. Goldberg requested the motion be made to approve the order to take corrective action with the modifications that there be up to 120 days from tonight to take corrective action to demolish or repair the building and in the interim, there will be a temporary fence, marking off the property.

A discussion ensued.

UPON MOTION of Chairman Morris, seconded by Commissioner Honeycutt and unanimously carried, the Board approved the Order to take corrective action with the modifications that there be up to 120 days from tonight to take corrective action to demolish or repair the building and in the interim, there will be a temporary fence, marking off the property.

Mr. Goldberg advised there will be a written order presented at the next work session where everything will be put in writing for one final approval.

(G-4) Planning and Development - Purchase of ROW on Trinity Church Road Property

Kelly Sifford, Assistant County Manager, reported the County has been approached by a developer, Nava Realty, LLC, for the purchase of a right-of-way (ROW) and a small associated temporary construction easement for a total of \$24,900. The total area is .157 acres for the ROW and .036 acres for the construction easement. The property is located on Trinity Church Road near the intersection of Orphanage Road. The property was purchased by Cabarrus County for Rowan Cabarrus Community College in 2018. The ROW is required by the North Carolina Department of Transportation for the developer to proceed with their project.

Chairman Morris advised he has been involved in some of the conversations and meetings with this developer. He stated this is being done to meet the requirements from the North Carolina Department of Transportation for turn lanes, deceleration, etc. and should not have any negative impact on future plans of Rowan-Cabarrus Community College.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the Board approved the right-of-way acquisition and associated construction easement proposal and authorized the County Manager and legal team to facilitate the purchase.

(G-5) Procurement - Carry Forward FY 2022 Purchase Orders and Contracts to FY 2023

Jim Howden, Finance Director, reported at the end of each fiscal year, the Procurement Department reviews outstanding encumbrances for unfulfilled purchase orders and contracts to determine what needs to be carried over to the next fiscal year. The Procurement Department has determined that the purchase orders that need to be carried over for next year total \$3,898,011.63 and the contracts total \$440,915.62. He requested the Board approve the list provided of outstanding purchase orders and contracts to be carried forward from FY2022 to FY2023 and approve the budget amendment to appropriate fund balance. Mr. Howden also responded to questions from the Board.

UPON MOTION of Commissioner Shue, seconded by Commissioner Honeycutt and unanimously carried, the Board approved the list of fiscal year 2022 outstanding purchase orders and contracts to be carried forward to fiscal year 2023, and approved the budget amendment to appropriate fund balance.

Date: August 15, 2022

Amount: 4,338,927.15

Dept. Head: Suzanne Burgess for Jim Howden

Department: Finance

☐ Internal Transfer Within Department

☐ Transfer Between Departments/Funds

☐ Supplemental Request

Fiscal Year 2022 Purchase Orders in the amount of \$3,898,011.63 and Contracts in the amount of \$440,915.52 were unfulfilled at June 30, 2022 and were carried forward during the fiscal year-end closing process for annually adopted funds. The encumbrance in the expenditure line items and the corresponding budget "transfer in" posted during this process. Fund Balance Appropriated accounts do not automatically post during the fiscal year-end close process. This budget amendment appropriates fund balance to balance the budget for the purchase orders and contracts carried forward.							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	1910-6901	GENERAL FUND - FB APPROPRIATED	465,000.00	4,157,518.98	-	4,622,518.98
270	6	4610-6901	LANDFILL - FB APPROPRIATED	-	106,167.77	-	106,167.77
420	6	8310-6901	CABARRUS ARENA - FB APPROPRIATED	-	52,999.80	-	52,999.80
610	6	1917-6901	SELF INSURANCE - FB APPROPRIATED	-	22,240.60	-	22,240.60

(H) REPORTS

(H-1) BOC – Receive Updates from Commission Members Who Serve as Liaisons to Municipalities or on Various Boards/Committees

Vice Chairman Kiger, liaison for the Town of Harrisburg, reported the Farmington Ridge ribbon cutting ceremony will be held September 1, 2022. The Sheriff’s Office Annex ribbon cutting will be September 14, Rocking the Burg will be September 10, and the Multicultural Festival will be September 17, 2022. Rocking the Burg and the Multicultural Festival will be held in the Harrisburg Park.

(H-2) Board of Commissioners – Request for Applications for County Boards/Committees

Applications are being accepted for the following County Boards/Committees:

- Adult Care Home Community Advisory Committee – 12 Vacant Positions
- Concord Planning and Zoning Commission (ETJ) – 1 Vacant Position
- Harrisburg Planning and Zoning Commission (ETJ) – 1 Vacant Position
- Home and Community Care Block Grant Committee – 1 Vacant Position
- Juvenile Crime Prevention Council – 3 Vacant Positions and 6 Terms Expiring Soon
- Nursing Home Community Advisory Committee – 9 Vacant Positions
- Planning and Zoning Commission – 1 Vacant Position
- Region F Aging Advisory Committee – 1 Vacant Position and 2 Expired Terms
- Transportation Advisory Board – 6 Vacant Positions and 1 Expired Term
- Youth Commission – 19 Vacant Positions

(H-3) Budget – Monthly Budget Amendment Report

The Board received the monthly budget amendment report for informational purposes. No action was required of the Board.

(H-4) Budget – Monthly Financial Update

The Board received the monthly financial update report for informational purposes. No action was required of the Board.

(H-5) County Manager – Monthly Building Activity Reports

The Board received the Cabarrus County Construction Standards Dodge Report for July 2022 and the Cabarrus County Commercial Building Plan Review Summary for July 2022 for informational purposes. No action was required of the Board.

(H-6) County Manager – Monthly New Development Report

The Board received the monthly new development report for informational purposes. No action was required of the Board.

(H-7) Economic Development Corporation – July 2022 Monthly Summary Report

The Board received the Cabarrus Economic Development Corporation (EDC) monthly report for the month of July 2022 for informational purposes. No action was required of the Board.

(I) GENERAL COMMENTS BY BOARD MEMBERS

Chairman Morris read aloud the resolution from the North Carolina Association of County Commissioners to Cabarrus County for hosting the annual conference.

Chairman Morris shared highlights of the conference including some of the seminars provided by County staff.

(J) WATER AND SEWER DISTRICT OF CABARRUS COUNTY

None.

(K) CLOSED SESSION

K-1 Closed Session – Pending Litigation and Economic Development

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Honeycutt and unanimously carried, the Board moved to go into closed session to discuss matters related to pending litigation and economic development as authorized by NCGS 143-318.11(a)(3) and (4).

UPON MOTION of Commissioner Honeycutt seconded by Commissioner Strang and unanimously carried, the Board moved to come out of closed session.

(L) ADJOURN

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the meeting adjourned at 8:54 p.m.



Lauren Linker, Clerk to the Board