

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, September 19, 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/cabctv>

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.

Chairman Morris led the Pledge of Allegiance.

Pastor Michael Waters from Parkwood Baptist Church delivered the invocation.

**(A) APPROVAL OR CORRECTION OF MINUTES**

None.

**(B) APPROVAL OF THE AGENDA**

Chairman Morris reviewed the following changes to the agenda.

Removed:

Approval or Correction of Meeting Minutes

Moved to October Work Session:

New Business

County Manager - American Rescue Plan Food Update

- Moved to October Work Session to allow more time to gather information

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

**(C) RECOGNITIONS AND PRESENTATIONS**

**(C-1) Cooperative Extension - National 4-H Week Proclamation**

Tracy LeCompte, Cooperative Extension Director, reported we are on the verge of celebrating National 4-H Week.

Extension Agent Molly Kleman brought the following 4-H members to the front, who read the proclamation aloud: Kylie Greenelsh, Katie Kovar, Ty Kovar, Caleb Smilie, Ethan Smilie, and Ireland Lowder.

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

Proclamation No. 2022-17

**NATIONAL 4-H WEEK PROCLAMATION**

WHEREAS, 4-H youth across the nation are leading efforts to solve problems in their communities and make a difference for their futures; and

WHEREAS, 4-H is the largest youth development organization in North Carolina and the largest in the nation with over seven million participants; and

WHEREAS, 4-H in North Carolina claims 261,210 youth members and 16,789 volunteers, while Cabarrus County 4-H program reaches more than 7,000 youth with more than 330 volunteers; and

WHEREAS, 4-H as part of the NC Cooperative Extension System of NC State University and NCA&T State University is a program where youth learn through opportunities that provide them hands-on experiences in 4-H's mission mandates of science, engineering and technology; healthy living; and citizenship; and

WHEREAS, 4-H has connected youth and their communities with the innovative research and resources from our nation's 106 land-grant universities and colleges for more than 102 years.

NOW, THEREFORE, the Cabarrus County Board of Commissioners, do hereby proclaim October 2-8, 2022, as National 4-H Week in Cabarrus County and urge the people of this County to take advantage of the opportunity to become more aware of this special program that enhances our young people's interests in their futures as part of Cabarrus County's 4-H Youth Development and to join us in recognizing the unique partnership between our County and our State University System.

Adopted this the 19th day of September, 2022.

/s/ Stephen M. Morris  
Stephen M. Morris, Chairman

**(C-2) Cooperative Extension - Partnership Award from NC Cooperative Extension**

Tracy LeCompte, Cooperative Extension Director, expressed appreciation to the Board for their support and presented an award recognizing Cooperative Extension staff and Cabarrus County as recipients of the 2022 North Carolina Cooperative Extension County Partnership Award.

Chairman Morris expressed appreciation and stated the collaboration is beneficial to all parties.

**(C-3) DHS - Recognition of DHS' Social Work Prevention Services Unit**

Tara Allman, Social Work Prevention Unit Supervisor, expressed appreciation of receipt of the North Carolina Association of County Commissioners' (NCACC) Excellence in Innovation Award presented to them at the 2022 NCACC Annual Conference.

Chairman Morris expressed appreciation for the Social Work Prevention Services Unit achievements.

Chairman Morris took a moment to recognize Cabarrus County Youth Commission members who were in attendance.

**(C-4) Proclamation - Hispanic and Latino Heritage Month**

Sandra Torres, Cabarrus Health Alliance, Health Cabarrus Latino Outreach Coordinator, presented the following proclamation to the Board.

Chairman Morris read the proclamation aloud.

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

Proclamation No. 2022-18

**HISPANIC AND LATINO HERITAGE MONTH PROCLAMATION**

WHEREAS, Cabarrus County is proud to be home to nearly 23,000 community members of Hispanic or Latino descent; and

WHEREAS, Hispanic and Latino community members enrich our communities by sharing their vibrant culture and heritage; and

WHEREAS, in September 1968, Congress authorized President Lyndon B. Johnson to proclaim National Hispanic Heritage Week; and

WHEREAS, this celebration was expanded by President Ronald Reagan in 1988 to cover a 30-day period starting on September 15 and ending on October 15; and

WHEREAS, the United States Congress and the White House call for all Americans to observe this month appropriately; and

WHEREAS, Cabarrus County will join with the rest of the country in recognizing the National Hispanic and Latino Heritage Month by commemorating essential

contributions, sacrifices, and accomplishments that Hispanic and Latino people have made to the United States throughout history;

NOW, THEREFORE, BE IT PROCLAIMED, the Cabarrus County Board of Commissioners do hereby recognize September 15 - October 15, 2022, as

HISPANIC AND LATINO HERITAGE MONTH

Adopted this 19<sup>th</sup> day of September, 2022.

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

**(C-5) Proclamation - Honoring Judge Clarence Horton and Historical Moments**

David Baxter, retired Cabarrus County Producer of Historical Moments, recognized Judge Clarence Horton, Retired Superior Court Special Judge, for his work in our community and the development of Cabarrus County Historical Moments.

Judge Horton expressed appreciation and to all those involved.

Chairman Morris read the following proclamation aloud.

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

Proclamation No. 2022-19

A PROCLAMATION TO HONOR JUDGE CLARENCE HORTON  
AND CABCO-TV'S HISTORICAL MOMENTS

WHEREAS, Clarence Horton is an esteemed member of the Cabarrus legal community, serving as a District Court Judge from 1981 to 1997 as well as Superior Court Special Judge and a N.C. Court of Appeals Judge; and

WHEREAS, Judge Horton is a longtime champion for the preservation of local history, giving countless hours of his time documenting and speaking on Cabarrus County's past; and

WHEREAS, in 2005 Judge Horton began collaborating with the Cabarrus County Government Communications and Outreach Department and CabCoTV to produce "Historical Moments," a television series based on a variety of local history topics; and

WHEREAS, over the past 18 years, the team has produced 24 Historical Moments episodes, all researched, written and narrated by Judge Horton. Episodes have covered topics such as area churches, old theaters, Stonewall Jackson Training School, Reed Gold Mine, Stephen Cabarrus and more; and

WHEREAS, the 25<sup>th</sup> episode, featuring local United Methodist churches, will soon premiere at a special commemorative event held in conjunction with the Historic Cabarrus Association; and

WHEREAS, Historical Moments has earned numerous state, regional and national awards.

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Commissioners for Cabarrus County, North Carolina, do hereby recognize Judge Clarence Horton and Historical Moments for contributions to preserving the story of Cabarrus County.

ADOPTED this 19<sup>th</sup> day of September, 2022.

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

**(C-6) Proclamation - PACE Month**

Beni Tshipamba, PACE (Program of All-Inclusive Care for the Elderly), read the proclamation aloud.

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

Proclamation No. 2022-20

PACE MONTH  
2022  
A PROCLAMATION

WHEREAS, September is National Program of All-Inclusive Care for the Elderly (PACE) Month; and

WHEREAS, PACE (Program of All-Inclusive Care for the Elderly) is an innovative program that provides high-quality care in the community to older people with chronic needs; and

WHEREAS, PACE is a fully integrated model that provides social supports, medical care, and comprehensive, highly coordinated service while allowing the person to remain at home avoiding hospital admission or nursing home placement, which allow older adults who qualify for nursing home level of care to continue living in the community; and

WHEREAS, individuals enrolled in PACE receive all Medicare and Medicaid covered items and services, as well as additional supports which promote well-being and greater independence; and

WHEREAS, PACE programs assume full financial risk for all medical care and related services - including transportation, hospitalization, and long-term care - in return for capitated payments from Medicare and Medicaid, thereby controlling costs for the state while providing improved health outcomes and greater satisfaction for participants; and

WHEREAS, PACE month provides an opportunity to increase awareness of PACE and the benefits PACE organizations provide to the community; and

WHEREAS, the theme of 2022 National PACE Month is "PACE: This is the Place...," that highlights stories of PACE staff and participants.

NOW, THEREFORE, the Cabarrus County Board of Commissioners do hereby proclaim September 2022 to be "PACE Month." We invite every resident to join us in recognizing PACE Month, and celebrate the staff and participants for their role in making PACE a success in Cabarrus County.

Adopted this 19<sup>th</sup> day of September, 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 6:48 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.

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) Appointments and Removals - Adult Care Home Community Advisory Committee**

Adult Care Home Community Advisory Committee member Diane Carlson has resigned from the committee. It is requested to remove her name from the roster.

Additionally, Angela Foard's term on the Adult Care Home Community Advisory Committee ends October 31, 2022. Ms. Foard would like to serve another term.

**UPON MOTION** of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board removed Diane Carlson from the Adult Care Home Community Advisory Committee roster and thanked her for her service.

**UPON MOTION** of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board to reappointed Angela Foard to the Adult Care Home Community Advisory Committee for a three-year term ending October 31, 2025.

**(F-2) Appointments and Removals - Home and Community Care Block Grant Advisory Committee**

The Home and Community Care Block Grant (HCCBG) Advisory Committee is comprised of Cabarrus County citizens serving in at-large seats, as well as the director or designee from each of the provider agencies. Currently, the committee representative from the Active Living and Parks Department is Byron Haigler.

The Active Living and Parks Department has requested that Ian Sweeney replace Mr. Haigler on the HCCBG Advisory Committee. Mr. Sweeney is a resident of Mecklenburg County. An exception to the residency provision of the Appointment Policy will be needed for him. According to the HCCBG bylaws, this position is perpetual and is active until removed.

**UPON MOTION** of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board removed Byron Haigler from the Home and Community Care Block Grant Advisory Committee roster and thanked him for his service.

**UPON MOTION** of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board appointed Ian Sweeney to the Home and Community Care Block Grant Advisory Committee as the Active Living and Parks Department designee, including an exception to the residency provision of the Appointment Policy.

**(F-3) Appointments and Removals - Juvenile Crime Prevention Council**

The terms for the following JCPC members end September 30, 2022: LaShay Avery, Megan Baumgardner, Brian Heintz, Amy Jewell, and David Wall.

At the JCPC's August meeting, the Council voted unanimously to recommend four members be reappointed to serve another two-year term. Ms. Avery does not reside in Cabarrus County. An exception to the residency provision of the Appointment Policy will be needed for her. Ms. Baumgardner also serves on the Active Living and Parks Commission and has served on the JCPC since 2010. An exception to the service on multiple boards and length of service provisions of the Appointment Policy will be needed for her. Mr. Wall does not reside in Cabarrus County and has served on the JCPC since 2016. An exception to the residency and length of service provisions of the Appointment Policy will be needed for him.

Additionally, the Council voted unanimously to accept the resignations of Deputy Brian Heintz, Joy Butler and Beth Downs.

Lastly, the Council voted unanimously to recommend the appointment of Jacob Wentink as the Active Living and Parks Department representative replacing, Perry Gabriel who retired in June.

**UPON MOTION** of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board removed Deputy Brian Heintz, Etta Downs and Joy Butler from the Juvenile Crime Prevention Council roster and thanked them for their service.

**UPON MOTION** of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board appointed Jacob Wentink to the Juvenile Crime Prevention Council as the Active Living and Parks representative for a two-year term ending September 30, 2024.

**UPON MOTION** of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board reappointed LaShay Avery (Area Mental Health Director/Designee), Megan Baumgardner (At-large), Amy Jewell (School Superintendent/Designee), and David Wall (Chief Court Counselor/Designee) to the Juvenile Crime Prevention Council for two-year terms ending September 30, 2024 ; including an exception to the residency provision of the Appointment Policy for Ms. Avery and Mr. Wall, an exception to the multiple service provision of the Appointment Policy for Ms. Baumgardner, and an exception to the length of service provision of the Appointment Policy for Ms. Baumgardner and Mr. Wall.

**(F-4) Appointments and Removals - Region F Aging Advisory Committee**

The Centralina Area Agency on Aging's Region F Aging Advisory Committee (RFAAC) is comprised of three delegates and one alternate delegate from each of the nine member counties. Cabarrus Delegate Tom Kurzel resigned his position as delegate on August 16, 2022. Current alternate delegate Jean Chandler has agreed to be appointed as delegate to fill the open slot. Ms. Chandler has previously served as a delegate to the committee. Her term would end on June 30, 2024.

**UPON MOTION** of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board removed Tom Kurzel from the Region F Aging Advisory Committee roster and thanked him for his service.

**UPON MOTION** of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board appointed Jean Chandler to the Region F Aging Advisory Committee as a Cabarrus County delegate for a two-year term ending June 30, 2024.

**(F-5) Cooperative Extension - Budget Amendment for Agriculture Program Supplies**

The budget amendment Increases the line item for Agriculture Program Supplies for revenue and expenses to \$2,000 each.

**UPON MOTION** of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board adopted the budget amendment.

Date: 9/19/2022	Amount: 1,500.00						
Dept. Head: Tracy LeCompte	Department: Cooperative Extension						
<input type="checkbox"/> Internal Transfer Within Department <input type="checkbox"/> Transfer Between Departments/Funds <input checked="" type="checkbox"/> Supplemental Request							
Budget Amendment for Agriculture Program Supplies. The budget amendment Increases the line item for Agriculture Program Supplies for revenue and expenses to \$2000 each.							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	5410-9356-AG	Special Program Supplies-Agric	500.00	1,500.00		2,000.00
001	6	5410-6606-AG	Program Fees - AG	1,500.00	500.00		2,000.00
001	6	5410-6901	Fund Balance Appropriated	10,483.49	1,000.00		11,483.49

**(F-6) County Manager - Request for New School Resource Officers**

Cabarrus County Schools has requested the addition of school resource officers (Deputy Sheriff) at four locations that do not currently have a dedicated SRO. Locations include the Early College, Early Tech College, Cabarrus Health Sciences Institute, and the Mary Frances Wall Center.

The estimated funding needed to provide the four (4) additional SRO positions this fiscal year is approximately \$600,000 with more than half the amount covering one-time expenses such as vehicles, uniforms, and other equipment.

Funds would come from County fund balance if approved by the board.

**UPON MOTION** of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board approved the addition of four (4) school resource officers (Deputy Sheriff) within the Sheriff's Office for Cabarrus County Schools and the associated budget amendment.

Date: 9/19/2022	Amount: 600,000.00						
Dept. Head: Rodney Harris	Department: County Manager's Office						
<input type="checkbox"/> Internal Transfer Within Department <input checked="" type="checkbox"/> Transfer Between Departments/Funds <input type="checkbox"/> Supplemental Request							
Appropriate fund balance to cover expenses associated with four (4) new school resource officers (Deputy Sheriff) for Cabarrus County Schools							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	00192110-6901	Fund Balance Appropriated	221,442.41	600,000.00		442,884.82
001	9	00192110-9101	Salary	13,589,185.26	600,000.00		14,189,185.26

**(F-7) County Manager - State Directed Grants**

S.L. 2022-74 provides a directed grant of \$1 million to Cabarrus County to be used to operate and expand the Substance Use Network (SUN) program, a collaborative system of care for pregnant mothers with a substance use disorder, and their infants and families, in Cabarrus, Rowan, and Stanly counties. Funds are provided from the State of North Carolina Local Project Reserve.

The law also provides a directed grant of \$2.5 million to be used to construct 16-bed child and adult facility-based crisis centers, as well as a behavioral health urgent care (BHUC). This funding is in addition to the \$30 million previously awarded for this project. Funds are provided by the State of North Carolina State Capital and Infrastructure Fund (SCIF).

**UPON MOTION** of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board accepted the grant award and adopted the associated budget amendments and project ordinance.

Date:  Amount:

Dept. Head:  Department:

Internal Transfer Within Department  Transfer Between Departments/Funds  Supplemental Request

**Cabarrus County was awarded another state grant in the recent budget bill. This grant provides funds for capital improvements or equipment at the Behavioral Health facilities. This grant will be used in conjunction with \$30 million State Grant awarded in fiscal year 2022. This budget amendment budgets the additional funding in a separate revenue account for accounting purposes.**

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
380	6	5310-6375-MENT2	State Budget Allocation - 2	-	2,500,000.00	-	2,500,000.00
380	9	5310-9820-MENT	Behavioral Health Facility - Construction	33,097,554.00	2,500,000.00	-	35,597,554.00

Date:  Amount:

Dept. Head:  Department:

Internal Transfer Within Department  Transfer Between Departments/Funds  Supplemental Request

**This budget amendment is to budget \$1 millions awarded to Cabarrus County to operate and expand the Substance Use Network (SUN) program. Funds are provided from the State of North Carolina Local Project Reserve.**

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	5910-6375-SUN	State Budget Allocation - SUN	-	1,000,000.00	-	1,000,000.00
001	9	5910-97914-SUN	Non-Profit - SUN	-	1,000,000.00	-	1,000,000.00

Ordinance No. 2022-35

**CABARRUS COUNTY  
COUNTY CAPITAL PROJECTS  
BUDGET ORDINANCE**

BE IT ORDAINED by the Board of Commissioners of Cabarrus County, North Carolina that, Pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section I.

- A. The project authorized is for the construction and renovations of County Facilities. Details of the project are listed in section C. of this Project Ordinance.
- B. The officers of this unit are hereby directed to proceed with this capital project within the terms of the Generally Accepted Accounting Principles (GAAP) and the budget contained herein.

It is estimated that the following revenues will be available to complete capital projects as listed.

Debt Proceeds 2020 Draw Note	\$ 60,904,154
Debt Proceeds 2022 Draw Note	103,458,267
Contributions from Capital Projects Fund	27,770,234
Contribution from General Fund	38,155,281
Contribution from Capital Reserve Fund	3,657,664
Contribution from Internal Service Fund	1,065,426
Contribution from Community Investment Fund	7,307,327
State Allocation	40,700,000
 TOTAL REVENUES	 \$283,018,353

- C. The following appropriations are made as listed.

Courthouse Site Enabling Construction & Renovation	\$ 135,959,518
Governmental Center Skylight & Roof Replacement	2,328,494

Contribution to Capital Reserve (Reimb for Skylight Project)	2,085,000
Artificial Turf Fields	4,401,748
Frank Liske Barn Replacement	7,033,845
Legal / Closing Expenses	952,508
Governmental Center Parking Deck Sealing	235,983
Emergency Equipment Warehouse/ ITS Location	14,867,999
Fiber Infrastructure Improvement	720,000
Jail Annex HVAC Replacement	193,000
Sheriff Training & Firing Range Renovations	2,250,000
Human Services HVAC	180,000
Frank Liske Park ADA Renovations	1,300,000
Frank Liske Park Playground Replacement	203,600
Camp Spencer Vending & Archery Building	536,998
West Cabarrus Library & Senior Center	2,400,000
Deferred Maintenance Projects	8,971,450
EMS Headquarters	20,939,097
Northeast Area Park	8,578,965
Northeast Area Land	3,650,151
Mental Health Facility	35,597,554
Other Improvements Unallocated	1,667,642
Enterprise Physical Security Project (ITS)	700,000
Concord Senior Center Overflow Parking Lot	700,000
Contribution to the General Fund	47,500
Frank Liske Park Softball Complex Utilities	410,000
Rob Wallace Park	1,533,504
Animal Shelter Expansion	240,000
Frank Liske Park Stormwater Project	570,803
Northeast Cabarrus Radio Tower Project	2,439,171
Milestone Building	8,150,000
Fire Services Building	370,000
Mt Pleasant Library	10,000,000
Frank Liske Park Tennis Court	280,000
Government Center Building Repair	450,000
Public Safety Training Center	2,073,823
 TOTAL EXPENDITURES	 \$283,018,353
 GRAND TOTAL - REVENUES	 \$283,018,353
 GRAND TOTAL - EXPENDITURES	 \$283,018,353

## Section II.

- A. Special appropriations to non-profit organizations shall be distributed after the execution of an agreement which ensures that all County funds are used for statutorily permissible public purposes.
- B. The County Manager or designee is hereby authorized to transfer appropriations within or between funds, or modify revenue and expenditure projections as contained herein under the following conditions:
  - 1. Transfers amounts between objects of expenditure and revenues within a function without limitation.
  - 2. Transfer amounts up to \$500,000 between functions of the same fund.
  - 3. Transfer amounts between contingency funds which are set aside for a specific project for budgetary shortfalls or upon the appropriate approval of a change order.
  - 4. Enter and execute change orders or amendments to construction contracts in amounts less than \$90,000 when the appropriate annual budget or capital project ordinance contains sufficient appropriated but unencumbered funds.
  - 5. Award and execute contracts which are not required to be bid or which G.S. 143-131 allows to be let on informal bids so long as the annual budget or appropriate capital project ordinance contains sufficient appropriated but unencumbered funds for such purposes.
  - 6. Execute contracts with outside agencies to properly document budgeted appropriations to such agencies where G.S. 153 A-248(b), 259, 449 and any similar statutes require such contracts.
  - 7. Reject formal bids when deemed appropriate and in the best interest

of Cabarrus County pursuant to G.S. 143-129(a).

Section III.

This ordinance and the budget documents shall be the basis of the financial plan for the County of Cabarrus.

- a. The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy the requirements of the law.
- b. The Finance Director is directed to report, at the request of the Board, on the financial status of each project element in Section I and on the total revenues received or claimed.
- c. Copies of this capital project ordinance shall be furnished to the Clerk to the governing Board, and to the Finance Director for direction in carrying out this project.
- d. At the completion of a construction project, all unrestricted excess funds are transferred to the Community Investment Fund and the portion of the Capital Project associated with the project is closed.

Adopted this 19<sup>th</sup> day of September 2022.

CABARRUS COUNTY BOARD OF COMMISSIONERS

BY: /s/ Stephen M. Morris  
Stephen M. Morris, Chairman

ATTEST:

/s/ Lauren Linker  
Clerk to the Board

**(F-8) DHS - Budget Amendment to Appropriate Adoption Promotion Funds**

In accordance with NCGS 108A-50.2, the Department of Human Services received \$142,753.90 in Adoption Promotion funds for exceeding our baseline of completing 12 or more adoptions for FY22. The NC Division of Social Services provides required baselines for county child welfare agencies and private child placing agencies annually in achieving permanency through adoption in a timely manner. The purpose of the Adoption Promotion Program is to enhance and expand adoption programs, to secure permanent homes for children in foster care with special needs who are harder to place, and to encourage partnerships between public and private adoption agencies. The Adoption Promotion funds must be used to enhance DHS' adoption services program. No county funds are required, and the funding is 100 percent federal funds.

**UPON MOTION** of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board adopted the budget amendment.

Date: <u>9/19/2022</u>	Amount: <u>142,753.90</u>						
Dept. Head: <u>Karen Calhoun</u>	Department: <u>DHS</u>						
<input type="checkbox"/> Internal Transfer Within Department <input type="checkbox"/> Transfer Between Departments/Funds <input checked="" type="checkbox"/> Supplemental Request							
Cabarrus County DHS received \$142,753.90 from the Adoption Promotion Program Fund. This fund is to be used to enhance the adoption services program for adoptions completed between June 2022 and May 2023. No county match required.							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	00195630-9332	Special Needs Kids	41,384.21	142,753.90		184,138.11
001	6	00165630-6293	Adoption Incentive Grant		142,753.90		142,753.90

**(F-9) Finance - Write Off Ambulance Receivable**

The County's practice is to keep three years of ambulance receivables plus the current year's receivables in the General Ledger. This practice allows the outstanding receivable balance of \$1,746,066.89 to be written off for Fiscal Year 2018. The Emergency Medical Staff has exhausted all means of collectibles for the Fiscal Year 2018 bills.

**UPON MOTION** of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board authorized the Finance Department to write off the outstanding receivable balance for Fiscal Year 2018 as presented.

**(F-10) Infrastructure and Asset Management - Transfer of Surplus Vehicle to Rimer Volunteer Fire Department**

Rimer Volunteer Fire Department has requested donation of County asset 8429 which is a 2017 Ford F150 pickup (VIN 1FTEX1EP2HFA27397) with 113,662 miles on it. The vehicle was previously used by Emergency Management and was recently replaced due to mileage.

According to the request from the department, the vehicle would replace their current medic unit that has approximately 200,000 miles on it and is becoming too costly to keep up. This unit currently runs over 85 percent of their calls.

**UPON MOTION** of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board declared asset 8429 from the County fleet as surplus property and authorized the donation of property to Rimer Volunteer Fire Department in accordance with the County's Vehicle Replacement Policy.

**(F-11) Legal - Resolution Authorizing the County Manager and the County Finance Officer to Grant Real Estate Conveyance Excise Tax Refunds**

Per G.S. 105-228.30, there is an excise tax imposed on each real estate conveyance instrument recorded with the Register of Deeds. Sometimes a taxpayer will overpay the tax and then request a refund pursuant to G.S. 105-228.37. Traditionally, the Board of Commissioners would have to approve each request. However, the General Assembly recently enacted N.C. Sess. Laws 2022-50 § 2.1, which added a new subsection to G.S. 105-228.37 that allows the Board of Commissioners to adopt a resolution authorizing the County Manager and the County Finance Officer to approve excise tax refund requests. Such authorization would allow for speedier refunds and reduce the Board's workload.

**UPON MOTION** of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board adopted the resolution.

Resolution No. 2022-26

RESOLUTION AUTHORIZING THE COUNTY MANAGER AND COUNTY FINANCE OFFICER  
TO GRANT REAL ESTATE CONVEYANCE EXCISE TAX REFUNDS

WHEREAS, G.S. 105-228.30 imposes an excise tax on each instrument by which any interest in real property is conveyed to another person, which the Register of Deeds collects whenever such conveyance is recorded; and

WHEREAS, G.S. 105-228.37 has traditionally required the Board of Commissioners to approve all refunds of overpaid excise payments, regardless of amount; and

WHEREAS, N.C. Sess. Laws 2022-50 § 2.1 added a new subsection to G.S. 105-228.37 that allows the Board of Commissioners to adopt a resolution authorizing the County Manager and the County Finance Officer to approve excise tax refund requests.

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

Section 1. Authorization. The County Manager and the County Finance Officer are authorized to grant a request for a refund of a tax paid under Article 8E of Subchapter I of Chapter 105 of the North Carolina General Statutes that is filed within six months after the date the tax was paid.

Sec. 2. Grant of Request. If a refund is granted pursuant to Section 1, the refund may be processed in the same manner as if granted by the Board of County Commissioners.

Sec. 3. Resubmission. A taxpayer who requests, but is not granted, a refund pursuant to Section 1 may file a written request with the Board of County Commissioners pursuant to the procedures set forth in G.S. 105-228.37.

Sec. 4. Effective date. This resolution applies to all new or pending requests for refunds submitted pursuant to G.S. 105-228.37.

ADOPTED this 19<sup>th</sup> day of September, 2022.

/s/ Stephen M. Morris-  
Stephen M. Morris, Chairman

## Cabarrus County Board of Commissioners

Attest:

/S/ Lauren Linker  
 Clerk to the Board

**(F-12) Planning and Development - Community Development Budget Amendments**

Each year the funding agencies for the Weatherization Grant and the Home and Community Care Block Grant, provide the actual funding amounts too late to be budgeted accurately by the county in the regular budget process. For a number of years, an estimate for those grants has been used in budgeting until the contracts are executed. Therefore, the Community Development Division has submitted multiple budget amendments in order to match the budgeted expenses to the actual grant revenues as well as an amendment to allocate additional revenues and expenses for funds received from Duke Energy.

**UPON MOTION** of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board adopted the proposed budget amendments.

Date:  Amount:   
 Dept. Head:  Department:

Internal Transfer Within Department  Transfer Between Departments/Funds  Supplemental Request

Purpose: The NCDEQ LIHEAP WX Program Grant received was more than the amount projected for the County's FY23 budget submitted in February. The State does not release grant amounts until May or June, well after the County budget is submitted. The amounts projected were based on the previous fiscal year's grant.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	3250-622701	LIHEAP WX Grant	138,164.00	66,238.00		204,402.00
001	9	3250-9301-LIHP	LIHP Office Supplies	154.00	100.00		254.00
001	9	3250-931501-LIHP	LIHP Health & Safety Materials	13,900.00	10,100.00		24,000.00
001	9	3250-931502-LIHP	LIHP Health & Safety Operations	8,000.00	15,970.00		23,970.00
001	9	3250-9346-LIHP	LIHP Fuel	2,541.00	16.00		2,557.00
001	9	3250-9384-LIHP	LIHP Materials	42,890.00	20,786.00		63,676.00
001	9	3250-9420-LIHP	LIHP Cell Phones	-	1,308.00		1,308.00
001	9	3250-9493-LIHP	LIHP Operations	42,399.00	9,852.00		52,251.00
001	9	3250-9630-LIHP	LIHP Dues & Subscriptions	1,386.00	586.00		1,972.00
001	9	3250-9493	Operations	57,603.00	7,520.00		65,123.00

Date:  Amount:   
 Dept. Head:  Department:

Internal Transfer Within Department  Transfer Between Departments/Funds  Supplemental Request

Purpose: The NCDEQ DOE Weatherization Program Grant received was less than the amount projected for the County's FY23 budget submitted in February. The State does not release grant amounts until May or June, well after the County budget is submitted. The amounts projected were based on the previous fiscal year's grant.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	6227	Weatherization Program Grant	102,121.00		8,336.00	93,785.00
001	9	3250-9301-WX	WX Office Supplies	46.00	94.00		140.00
001	9	3250-931501-WX	WX Health & Safety Materials	7,600.00		600.00	7,000.00
001	9	3250-931502-WX	WX Health & Safety Operations	4,700.00	2,385.00		7,085.00
001	9	3250-9330-WX	WX Tools	345.00	278.00		623.00
001	9	3250-9346-WX	WX Fuel	759.00	652.00		1,411.00
001	9	3250-9384-WX	WX Materials	23,260.00		2,098.00	21,162.00
001	9	3250-9420-WX	WX Cell Phones	-	648.00		648.00
001	9	3250-9493-WX	WX Operations	19,419.00		2,573.00	16,846.00
001	9	3250-9520-WX	WX Autos & Trucks	460.00	366.00		826.00
001	9	3250-9560-WX	WX Minor Equipment Maintenance	184.00	145.00		329.00
001	9	3250-9610-WX	WX Travel & Education	21,375.00		6,487.00	14,888.00
001	9	3250-9630-WX	WX Dues & Subscriptions	414.00	14.00		428.00
001	9	3250-9493	Operations	57,603.00		1,160.00	56,443.00

Date:  Amount:   
 Dept. Head:  Department:

Internal Transfer Within Department  Transfer Between Departments/Funds  Supplemental Request

Purpose: The NCDEQ LIHEAP HARP Program Grant received was more than the amount projected for the County's FY23 budget submitted in February. The State does not release grant amounts until May or June, well after the County budget is submitted. The amounts projected were based on the previous fiscal year's grant.

Fund	Indicator	Department/ Object/Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	3250-6258	HARP Grant	99,256.00	55,346.00		152,602.00
001	9	3250-9384-HARP	HARP Materials	70,991.00	28,623.00		99,614.00
001	9	3250-9493-HARP	HARP Operations	23,654.00	19,028.00		42,692.00
001	9	3250-9493	Operations	57,603.00	5,695.00		63,298.00

Date:  Amount:

Dept. Head:  Department:

Internal Transfer Within Department  Transfer Between Departments/Funds  Supplemental Request

Purpose: The HCCBG Program Grant received was less than the amount projected for the County's FY23 budget submitted in February. The State does not release grant amounts until May or June, well after the County budget is submitted. The amounts projected were based on the previous fiscal year's grant. We added funds to the Home Improvement Fees based on consumer contributions received in previous year.

Fund	Indicator	Department/ Object/Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	3250-6226	Home Improvement Repair Grant	51,439.00		577.00	50,862.00
001	6	3250-6622	Home Improvement Program Fees	-	250.00		250.00
001	9	3250-9493-HHIFA	HHIFA Operations	20,000.00	2,878.00		22,878.00
001	9	3250-9493-HHIHR	HHIHR Operations	12,000.00		641.00	11,359.00
001	9	3250-9493-HHIMA	HHIMA Operations	13,004.00		2,648.00	10,356.00
001	9	3250-9493-HHI	HHI Operations - HHI	12,000.00		4.00	11,996.00
001	9	3250-9493	Operations	57,603.00		162.00	57,441.00

Date:  Amount:

Dept. Head:  Department:

Internal Transfer Within Department  Transfer Between Departments/Funds  Supplemental Request

Purpose: To allocate Duke Rebate Program funds received for Weatherization Program jobs completed in homes where the electricity is provided by Duke Energy Carolinas.

Fund	Indicator	Department/ Object/Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
460	6	3250-6841-DE	Duke Power Rebate	-	10,462.22		10,462.22
460	9	3250-9315-DE	Health & Safety Duke	15,712.40	10,462.22		26,174.62

#### (F-13) Planning and Development - Construction Standards Proposed Fee Schedule Changes

The Cabarrus County Board of Commissioners adopted a revised fee schedule for Construction Standards in the year 2020. After using the fee schedule for two years, staff is recommending a few changes. Most of the recommendations involve removing or reducing fees. Only one proposed item is a new fee. Staff feels like we have gained some efficiencies in these areas and that fee reductions are in order. Staff is proposing January 1, 2023, as the effective date for the changes. This will allow IT time to do the necessary programming in Accela.

**UPON MOTION** of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board adopted the amended fee schedule for Construction Standards.

#### (F-14) Tax Administration - 2012 Write Off Real and Personal Outstanding Taxes

The Tax Collections Department uses every effort to collect all outstanding taxes. However, NCGS 105-378 expresses a ten-year statute of limitations preventing the Tax Collector from using remedies to collect taxes remaining unpaid after that period. "Use of Remedies Barred" states that no county or municipality may maintain an action or procedure to enforce any remedy provided by law for the collection of taxes or the enforcement of any tax liens unless the action or procedure is instituted within ten years from the date the taxes became due.

**UPON MOTION** of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board approved the write off of real and personal outstanding ad valorem taxes for the 2012 tax year totaling \$534,640.97.

#### (F-15) Tax Administration - Refund and Release Reports - August 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 Commissioner Shue and unanimously carried, the Board approved the August 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 incorporated into the minutes by reference and is on file with the Clerk to the Board.

**(G) NEW BUSINESS**

**(G-1) DHS - Transportation FY24 Community Transportation Grant - Public Hearing 6:30 p.m.**

Chairman Morris opened the public hearing at 7:12 p.m. The Public Hearing Notice was published on September 7, 2022 in *The Independent Tribune* in English and Spanish. The public hearing notice was also posted on the County's website ([www.cabarruscounty.us](http://www.cabarruscounty.us)) on September 7, 2022 in accordance with Article 2, Administration, Section 2.1 (Use of Electronic Means to Provide Public Notices) of the Cabarrus County Code of Ordinances.

There was no one present to address the Board; therefore, Chairman Morris closed the public hearing.

Bob Bushey, Transportation Manager, reported this request and public hearing is for the annual North Carolina 5311 Community Transportation Grant, which provides funding for county transportation administrative costs such as salaries, insurance, equipment, and supplies. This grant requires a 15 percent county match.

**UPON MOTION** of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the Board accepted the FY24 5311 Community Transportation Grant and adopted the resolution.

Resolution No. 2022-27

**PUBLIC TRANSPORTATION PROGRAM RESOLUTION**

**FY 2024 RESOLUTION**

Section 5311 (including ADTAP), 5310, 5339, 5307 and applicable State funding, or combination thereof.

Applicant seeking permission to apply for Public Transportation Program funding, enter into agreement with the North Carolina Department of Transportation, provide the necessary assurances and the required local match.

A motion was made by Vice Chairman Kiger and seconded by Commissioner Shue for the adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural, small urban, and urban public transportation services consistent with the policy requirements of each funding source for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis); and

WHEREAS, the funds applied for may be Administrative, Operating, Planning, or Capital funds and will have different percentages of federal, state, and local funds.

WHEREAS, non-Community Transportation applicants may apply for funding for "purchase-of-service" projects under the Capital Purchase of Service budget, Section 5310 program.

WHEREAS, Cabarrus County hereby assures and certifies that it will provide the required local matching funds; that its staff has the technical capacity to implement and manage the project(s), prepare required reports, obtain required training, attend meetings and conferences; and agrees to comply with the federal and state statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

WHEREAS, the applicant has or will provide all annual certifications and assurances to the State of North Carolina required for the project;

NOW, THEREFORE, be it resolved that the (County Manager of Cabarrus County is hereby authorized to submit grant application (s) for federal and state funding in response to NCDOT's calls for projects, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural, small urban, and urban public transportation services.

#### (H) REPORTS

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

Commissioner Strang, Liaison to the Youth Commission, commented on membership, events and the upcoming year.

Chairman Morris, Liaison to the Library Board of Trustees, commented on the expansion of our library system.

Chairman Morris commented on a meeting in Stanly County regarding election integrity and expressed appreciation on the expertise of Carol Soles, Board of Elections Director, who participated on the panel discussion.

Lastly, Chairman Morris expressed appreciation to staff for their work at the county fair.

##### **(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 - 13 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 - 6 Vacant Positions
- Nursing Home Community Advisory Committee - 9 Vacant Positions
- Planning and Zoning Commission - 1 Vacant Position
- Region F Aging Advisory Committee - 2 Vacant Positions
- 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 August 2022 and the Cabarrus County Commercial Building Plan Review Summary for August 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 – August 2022 Monthly Summary Report**

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

**(I) GENERAL COMMENTS BY BOARD MEMBERS**

None.

**(J) WATER AND SEWER DISTRICT OF CABARRUS COUNTY**

None.

**(K) CLOSED SESSION**

None.

**(L) ADJOURN**

UPON MOTION of Commissioner Shue, seconded by Commissioner Strang and unanimously carried, the meeting adjourned at 7:18 p.m.

  
Lauren Linker, Clerk to the Board