

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, October 17, 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; Kyle Bilafer, Assistant County Manager; Kelly Sifford, Assistant County Manager; and Lauren Linker, Clerk to the Board.

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

Chairman Morris recognized Youth Commission member Owais Kamran from Central Cabarrus High School in attendance.

Chairman Morris led the Pledge of Allegiance.

Dan Marshall from Capital Ministries delivered the invocation.

(A) APPROVAL OR CORRECTION OF MINUTES

(A-1) Approval or Correction of Meeting Minutes

UPON MOTION of Commissioner Strang, seconded by Commissioner Shue and unanimously carried, the Board approved the minutes of July 18, 2022 (Regular Meeting), July 20, 2022 (Cabarrus Summit), August 1, 2022 (Work Session), August 15, 2022 (Regular Meeting), September 6, 2022 (Work Session), and September 19, 2022 (Regular Meeting) as presented.

(B) APPROVAL OF THE AGENDA

Chairman Morris reviewed the following changes to the agenda.

Additions:

Recognitions and Presentations
C-2 BOC - Rotary Day Proclamation

C-5 Veterans Services - Operation Green Light Proclamation

Old Business

E-1 Infrastructure and Asset Management - Courthouse Expansion GMP-3 Scope Discussion

New Business

G-1 County Manager - Library Early Closings and Staff Training Days

Closed Session

K-1 Closed Session - Pending Litigation and Personnel Matters

Updated:

Old Business
E-1 Infrastructure and Asset Management - Courthouse Expansion GMP-3 Scope Discussion

Removed:

Recognitions and Presentations
Communications and Outreach - Introduction of new Cabarrus County Podcast

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 - Red Ribbon Week 2022 Proclamation

Young Marine Gunnery Sergeant Victoria Gacek announced Red Ribbon Week is held every year in October from the 23rd to the 31st to focus on living a healthy drug-free lifestyle. She stated the goal of the Young Marines is to help spread that message of the dangers of drugs throughout our communities. Young Marine PFC Ash Norton was also in attendance.

Chairman Morris read the proclamation aloud.

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

Following the motion, Commissioner Shue expressed appreciation and support.

Proclamation No. 2022-21

RED RIBBON WEEK 2022 PROCLAMATION

WHEREAS, Alcohol and drug abuse in this Nation have reached epidemic stages; and

WHEREAS, it is imperative that visible, unified prevention education efforts by community members be launched to eliminate the demand for drugs; and

WHEREAS, the National Red Ribbon Campaign offers citizens the opportunity to demonstrate their commitment to drug-free lifestyles (no use of illegal drugs, no illegal use of legal drugs); and

WHEREAS, the National Red Ribbon Campaign will be celebrated in every community in America during Red Ribbon Week, October 23-31; and

WHEREAS, business, Government, parents, law enforcement, media, medical institutions, religious institutions, schools, senior citizens, service organizations, and youth will demonstrate their commitment to healthy, drug-free lifestyles by wearing and displaying red ribbons during this week-long campaign; and

WHEREAS, the community of Cabarrus County further commits its resources to ensure the success of the Red Ribbon Campaign.

NOW, THEREFORE, BE IT RESOLVED, that the Cabarrus County Board of Commissioners, do hereby proclaim October 23-31, as RED RIBBON WEEK, and encourages its citizens to participate in drug prevention education activities, not only during Red Ribbon Week, but all year long, making a visible statement that we are strongly committed to a drug-free county.

ADOPTED this 17th day of October, 2022.

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

(C-2) BOC - Rotary Day Proclamation

Chairman Morris reported the Rotary District Foundation will meet in Cabarrus County for their annual meeting on November 18th. Mr. Morris read the proclamation aloud.

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

Proclamation No. 2022-22

Rotary International Proclamation

WHEREAS, Rotary International, founded on February 23, 1905 in Chicago, Illinois USA, is the world's first and one of the largest non-profit service organizations; and

WHEREAS, there are over 1.4 million Rotary members comprised of professional and business leaders in over 46,000 clubs in 200 countries and geographic areas; and

WHEREAS, the Rotary motto "Service Above Self" inspires members to provide humanitarian service, encourage high ethical standards, and promote good will and peace in the world; and

WHEREAS, Rotary funds club projects and sponsors volunteers with community expertise to provide medical supplies, health care, clean water, food production, job training, and education to millions in need, particularly in developing countries; and

WHEREAS, Rotary in 1985 launched Polio Plus and spearheaded efforts with the World Health Organization, U.S Centers for Disease Control and Prevention, and UNICEF to immunize the children of the world against polio; and

WHEREAS, polio cases have dropped by 99 percent since 1988 and the world stands on the threshold of eradicating the disease; and

WHEREAS, Rotary is the world's largest privately-funded source of international scholarships and promotes international understanding through scholarships, exchange programs and humanitarian grants; and

WHEREAS, in our community, there are more than 2300 Rotary members in more than 60 clubs throughout the District 7680 in North Carolina sponsoring service projects to address such critical issues as poverty, health, hunger, illiteracy, and the environment in their local communities, and abroad.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners for Cabarrus County, North Carolina, do hereby proclaim November 18, 2022 as Rotary Day in Cabarrus County, and encourages all citizens to join in recognizing our local Rotary clubs and Rotary International for its more than 117 years of service to improving the human condition in local communities around the world.

Adopted this 17th day of October, 2022.

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

(C-3) DHS - Proclamation for Adoption Awareness Month

Melissa Mayeu, Permanency Planning Social Worker Supervisor, Human Services Adoption Unit, announced there are over 12,000 foster children in care in North Carolina. Last year over 1,500 gained permanence through adoption by their committed foster parents and kinship providers. Ms. Mayeu stated this year we will celebrate 64 children and 44 families next month for the annual Cabarrus County adoption celebration. She then read the proclamation aloud.

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

Proclamation No. 2022-23

A PROCLAMATION
ADOPTION AWARENESS MONTH
NOVEMBER 2022

WHEREAS, Cabarrus County joins the nation in recognizing the month of November as National Adoption Awareness Month.

WHEREAS, Adoption Awareness Month gives us an opportunity to reaffirm our commitment to give every child waiting to be adopted the chance to become part of a forever family; and

WHEREAS, Cabarrus County recognizes that all children need love, support, security, and a place to call home; and

WHEREAS, when birth families are unable to meet the ongoing needs of children born to them, adoptions which are humane, honest, and rooted in the understanding that adoption does not erase a child's connections to the family into which they were born are the best alternative; and

WHEREAS, some children travel from many parts of the world to join their adoptive families in Cabarrus County, North Carolina; and

WHEREAS, some children in Cabarrus County live away from their birth families in substitute care, and many cannot return home and need the security and

nurturing that adoptive families can provide, which is especially important for the many children with special needs; and

WHEREAS, the many children in our local foster care program need and deserve permanent and nurturing families; and

WHEREAS, every child is precious and deserves a loving family of his or her own; and

WHEREAS, birthparents in Cabarrus County need support and compassion; and

WHEREAS, adoptive parents and families who have adopted children require and deserve community and public agency, respect, and support;

WHEREAS, and most importantly, let us pay special tribute to those special individuals, couples and families who have opened their homes and hearts to adopted children, forming bonds of love that we call family;

NOW, THEREFORE, BE IT RESOLVED that we, the Board of Commissioners of Cabarrus County do hereby proclaim November 2022 as

ADOPTION AWARENESS MONTH in Cabarrus County.

Adopted this 17th day of October 2022.

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

(C-4) Planning and Development - Weatherization Day 2022

Kelly Sifford, Assistant County Manager, announced the Weatherization Program provides energy efficiency improvements to low-income families in our community for many years. This program helps people reduce their energy costs, which ties in with the crisis unit that provides heating assistance during the winter. Ms. Sifford then read the proclamation aloud.

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

Proclamation No. 2022-24

Proclamation of Weatherization Day 2022

Whereas, October is National Energy Awareness Month, and October 30 is designated as National Weatherization Day; and

Whereas, the County of Cabarrus has a long-standing commitment to conserve its resources and to help low-income households through its Weatherization Assistance Program; and

Whereas, the State of North Carolina has administered the Weatherization Assistance Program since its inception in 1976, providing a variety of state and federal resources through numerous community action agencies, housing authorities and departments of local government that serve people in every county in the state; and

Whereas, it is important to recognize the importance of those programs that ensure that all residents, especially those living at or below the federal poverty level, have the opportunity to live in energy efficient, healthy, safe, and comfortable homes as provided for by the Weatherization Assistance Program;

Now, Therefore, Be It Resolved that the Cabarrus County Board of Commissioners do hereby proclaim October 30, 2022 as:

"Weatherization Day"

in the County of Cabarrus and urge all citizens to join in this observance.

Adopted this 17th day of October, 2022

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

(C-5) Veterans Services - Operation Green Light Proclamation

Tony Miller, Veterans Services Director, read the proclamation aloud.

Chairman Morris encouraged everyone to burn green lights for this event and advised green light bulbs are in supply at local businesses.

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

Proclamation No. 2022-25

Supporting Operation Green Light for Veterans

WHEREAS, the residents of Cabarrus County have great respect, admiration, and the utmost gratitude for all of the men and women who have selflessly served our country and this community in the Armed Forces; and

WHEREAS, the contributions and sacrifices of the men and women who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, Cabarrus County seeks to honor these individuals who have paid the high price for freedom by placing themselves in harm's way for the good of all; and

WHEREAS, Veterans continue to serve our community in the American Legion, Veterans of Foreign Wars, religious groups, civil service, and by functioning as County Veteran Service Officers in 29 states to help fellow former service members access more than \$52 billion in federal health, disability and compensation benefits each year; and

WHEREAS, Approximately 200,000 service members transition to civilian communities annually; and

WHEREAS, an estimated 20 percent increase of service members will transition to civilian life in the near future; and

WHEREAS, studies indicate that 44-72 percent of service members experience high levels of stress during transition from military to civilian life; and

WHEREAS, Active Military Service Members transitioning from military service are at a high risk for suicide during their first year after military service; and

WHEREAS, the National Association of Counties encourages all counties, parishes and boroughs to recognize Operation Green Light for Veterans; and

WHEREAS, Cabarrus County appreciates the sacrifices of our United State Military Personnel and believes specific recognition should be granted; therefore be it

RESOLVED, with designation as a Green Light County for Veterans, Cabarrus County hereby declares from October through Veterans Day, November 11th 2022 a time to salute and honor the service and sacrifice of our men and women in uniform transitioning from Active Service; therefore, be it further

RESOLVED, that in observance of Operation Green Light, Cabarrus County encourages its citizens in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying a green light in a window of their place of business or residence.

Adopted this 17th day of October, 2022.

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

(C-6) Veterans Services - Veterans Day Proclamation

Tony Miller, Veterans Services Director, read the proclamation aloud.

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

Chairman Morris announced last week he welcomed Veterans Services officers from all across the state at a conference hosted in Cabarrus County held at the Great Wolf Lodge.

Mr. Miller announced the Veterans Day Program will be in person this year at the Boys and Girls Club on Friday, November 11th at 11 a.m. He invited everyone to attend.

Vice Chairman Kiger expressed appreciation to Commissioner Shue for his service to our country.

Proclamation No. 2022-26

Proclamation
Veterans Day 2022

WHEREAS, America was founded on the principles of liberty, opportunity and justice for all; and

WHEREAS, America has called on her men and women in uniform to protect our national security, to preserve our rights and freedoms and to keep our democracy safe; and

WHEREAS, through their steadfast defense of America's ideals, our service members have ensured our country still stands strong, our founding principles still shine, and nations around the world know the blessings of freedom; and

WHEREAS, on Veterans Day November 11, 2022, we recognize the men and women of our Armed Forces who valiantly defended these values throughout our Nation's History; and

WHEREAS, we also remember and pay tribute to the American armed forces whose courage and sacrifice secures our freedom, keeps the peace and defends our values around the world;

NOW, THEREFORE, the Cabarrus County Board of Commissioners do hereby proclaim November 11, 2022, as National Veterans Day and call upon our citizens to always remember and honor our veterans, and those who continue to serve this country so willingly to preserve the principles of justice, freedom and democracy for all.

Adopted this 17th day of October, 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 7:00 p.m. He stated each speaker would be limited to three minutes.

Richard Wise, resident of 3403 Brickwood Circle in Midland Town of Midland Councilman, commented on the County's mission statement, funds regarding the Midland Library, the Town of Midland not having a seat on the Water and Sewer Authority of Cabarrus County and county commissioners.

Jerry Anderson, resident of 133 Kennedy Avenue in Kannapolis commented on a Department of Social Services matter and county commissioners.

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

Roland Jordan, resident of Lore Street SW in Concord, commented on national prayer, mental health and the need for facilities, Barber Scotia College and Ronnie Long.

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

(E) OLD BUSINESS

(E-1) Infrastructure and Asset Management - Courthouse Expansion GMP-3 Scope Discussion

Kyle Bilafer, Assistant County Manager, presented an update on options that were presented at the October work session to reduce the \$7 million overage of costs from the original design and budget for the 1975 courthouse renovation.

Mr. Bilafer stated there are two options which involve the adult probation location in the 1975 basement and keeping them in the swing space on the third floor of the 2023 courthouse. He advised the other matter the Board asked them to look at was the exterior renovations of the 1975 courthouse. He reported the design team, the owner and Messer Construction have spent the last couple of weeks going through the building and plans to try to provide insight to the Board to receive direction moving forward.

Jason Harris, Messer Construction, presented an update on the current bids and the changes already made based on discussions from the October work session. He reported on four bid packages remaining to bid of the overall set. He advised the two places that may be able to see the most savings will be in the plumbing and site work packages that are yet to bid. He presented changes to the plumbing package, which should reduce the overall cost of that package. He also presented changes to the site work package that should open it up further to the market.

Mr. Bilafer stated these changes will eliminate the restrooms on the second and third floor, and scale back bathroom fixtures to resemble fixtures currently in the 1975 courthouse. Regarding the location of adult probation, after meetings with the Department of Public Safety, Resident Superior Court Judge, District Attorney and Clerk of Superior Court, the consensus was to place adult probation in the 1975 courthouse.

A discussion ensued. During discussion, Mr. Bilafer and Mr. Harris responded to questions from the Board.

Next, the hardscape and exterior design for the 1975 courthouse was discussed to identify potential costs savings. Items considered and discussed included repackaging paving and hardscape horizontal bid packages. Mr. Bilafer requested guidance from the Board.

Discussion continued. During discussion, Mr. Bilafer, Jason Harris and Rodney Harris, Deputy County Manager, and Mike Downs, County Manager, responded to questions from the Board.

Commissioner Honeycutt, **MOVED** to approve moving forward with Option 1 on GMP-3 for the new courthouse expansion project with the original intent and design while removing the fixture packages for the second and third floor as well as standardizing the ones on the first floor and basement for an estimated savings of \$400,000 to \$500,000 as well as removing all of the exterior sunshades for an estimated savings of \$400,000 and rebidding the site package for a hopeful savings of \$600,000 to \$800,000. Vice Chairman Kiger seconded the motion.

A discussion ensued. During discussion, Mr. Bilafer clarified the intent of the motion is the original design with all the new curtain wall as well as seismic shear walls, waterproofing (everything) minus 400,000 to 500,000 in plumbing, 600,000 to 800,000 in site work and no sunshades, with roughly 1.4 to 1.7 million in savings.

Following discussion, the **MOTION** carried with Chairman Morris, Vice Chairman Kiger and Commissioners Honeycutt and Shue voting for and Commissioner Strang voting against.

Tom Potts, Silling Architects, Principal, and Jeremy Jones, Silling Architects, Architect / Project Manager, were present via electronic means.

(F) CONSENT

(F-1) Active Living and Parks - Cabarrus Thread Trail Participation

In November 2021, Jonathan Marshall presented the proposal to participate in the Carolina Thread Trail branding and signage project. The PowerPoint included in the agenda, provided background on the Thread Trail, their fund-raising goals, the signage portion, and the request for funding that was presented to Cabarrus County, Kannapolis, and Harrisburg.

The item was approved to participate and pay \$47,000 as the County's part. This was contingent on the municipalities participation and the project to begin. The project is now beginning, and Cabarrus County is ready to participate. A budget amendment was developed and approved at the November 2021 but will now need to be approved as we have moved to another FY.

NOTE: The Cabarrus County sign cost was \$240,000 for all jurisdictions, Thread Trail to pay \$120,000, with Cabarrus County government portion to be

\$47,000. The price has significantly increased but the County price will remain the same at \$47,000. Concord and Kannapolis have committed to their portions.

A Memorandum of Understanding from Carolina Thread Trail was included in the agenda for this process.

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried the Board approved the budget amendment of \$47,000 to pay for Cabarrus County's portion of the Carolina Thread Trails sign project.

Date: 10/17/2022	Amount: 47,000.00						
Dept. Head: Londa Strong	Department: Acting Living and Parks						
<input type="checkbox"/> Internal Transfer Within Department	<input type="checkbox"/> Transfer Between Departments/Funds	<input checked="" type="checkbox"/> Supplemental Request					
Budget \$47,00 for Carolina Thread Trail Cost Sharing Proposal for Sign Project							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	8140 6901	Fund Balance Appropriated	-	47,000.00		47,000.00
001	9	8140 971041	Contributions to Carolina Thread Trail	-	47,000.00		47,000.00

(F-2) Appointments and Removals - Cabarrus County Youth Commission

The current Youth Commissioners recommend the following students to fill the vacancies on the Cabarrus County Youth Commission:

Ansh Kamdar - Concord High School
 Connor Solvason - Cox Mill High School
 Nihar Kummetha - Cox Mill High School
 Kayla Anderson - At-Large - Early College High School
 Nattellie Anderson - At-Large - Early College High School
 Scarlet West - At-Large - Homeschool
 Jaxon Boss - At-Large - Homeschool
 Konner Black - Northwest Cabarrus High School
 Owen Lutz - Hickory Ridge High School
 Vishista Chittalooru - Hickory Ridge High School
 Analicia Ival-Green - A.L Brown High School
 Muhammad Kamran - Central Cabarrus High School
 Kimberly Lisk - Central Cabarrus High School
 Ana McAuley - Mt. Pleasant High School
 Kylie Greenelsh - Mt. Pleasant High School

Additionally, Youth Commission member Vanessa Hurtado from Cox Mill High School has resigned from the Commission. It is requested to remove her name from the roster.

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried the Board removed Vanessa Hurtado from the Cabarrus County Youth Commission and thanked her for her service.

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board appointed the following individuals to the Cabarrus County Youth Commission for two-year terms ending June 30, 2024: Ansh Kamdar (Concord High School), Connor Solvason (Cox Mill High School) Nihar Kummetha (Cox Mill High School), Kayla Anderson (At- Large - Early College High School), Nattellie Anderson (At-Large - Early College High School), Scarlet West (At-Large- Homeschool), Jaxon Boss (At-Large - Homeschool), Konner Black (Northwest Cabarrus High School), Owen Lutz (Hickory Ridge High School), Vishista Chittalooru (Hickory Ridge High School), Analicia Ival-Green (A.L. Brown High School), Muhammad Kamran (Central Cabarrus High School), Kimberly Lisk (Central Cabarrus High School), Ana McAuley (Mt. Pleasant High School), and Kylie Greenelsh (Mt. Pleasant High School).

(F-3) Appointments and Removals - Early Childhood Task Force Advisory Board

Waynett Taylor's term on the Early Childhood Task Force Advisory Board ends October 31, 2022. Ms. Taylor would like to serve another term. She does not reside in Cabarrus County. An exception to the residency provision of the Appointment Policy will be needed for her.

Additionally, due to a change in her work schedule, Early Childhood Task Force Advisory Board member Kim Good has resigned from her position on the committee.

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried the Board reappointed Waynett Taylor to the Early Childhood

Task Force Advisory Board for a four-year term ending October 31, 2026, including an exception to the residency provision of the Appointment Policy.

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried the Board removed Kim Good from the Early Childhood Task Force Advisory Board roster and thanked her for her service.

(F-4) Appointments - Juvenile Crime Prevention Council

At the September 21, 2022 regular JCPC (Juvenile Crime Prevention Council) meeting, the Council voted unanimously to recommend approval of the following appointments: 1) Deputy Travis Burke to replace Senior Deputy Brian Heintz as the Sheriff's designee. Brian's resignation was effective September 30; 2) Officer Adrian Attaway to replace Joy Butler as an At-Large member representing Kannapolis City Schools. Officer Attaway is a School Resource Officer at A.L. Brown High School; 3) Mikayla Branch representing Youth under Age 21; 4) Ashley Fitch as an At-Large member replacing Beth Downs. Beth's resignation was effective September 30; and 5) Heather Jones as a Member of the Public Representing the Interests of Families of At-Risk Youth. Mr. Attaway does not reside in Cabarrus County. An exception to the residency provision of the Appointment Policy will be needed for him.

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried the Board appointed Deputy Travis Burke (Sheriff's Designee), and Ashley Fitch (At-large), to the JCPC (Juvenile Crime Prevention Council) for two-year terms ending September 30, 2024; appointed Adrian Attaway (At-large) to the JCPC to complete an unexpired term ending September 30, 2023; appointed Heather Jones (Member of the Public Representing the Interests of Families of At-Risk Youth), and Mikayla Branch (Youth under 21) to the JCPC for two-year terms ending June 30, 2024; including an exception to the residency provision of the appointment policy for Mr. Attaway.

(F-5) Appointments (Removals) - Planning and Zoning Commission

Mr. Kevin Crutchfield needs to resign from his position on the Planning and Zoning Commission effective November 9, 2022. Staff respectfully requests that Mr. Crutchfield be removed from the roster as the Midland Area representative.

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried the Board removed Kevin Crutchfield from the Planning and Zoning Commission roster, effective November 9, 2022, and thanked him for his service on the Commission.

(F-6) BOC - Resolution Amending the Board of Commissioners' 2022 Meeting Schedule

Approval is requested to add a meeting to the Commissioners' 2022 meeting schedule on Thursday, November 3, 2022 at 6:00 p.m. in the Laureate Center at Kannapolis City Hall.

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

Resolution No. 2022-28

Resolution Amending the
Cabarrus County Board of Commissioners'
2022 Meeting Schedule

WHEREAS, on December 20, 2021, the Cabarrus County Board of Commissioners adopted a meeting schedule for calendar year 2022, which sets forth the dates, times and locations of various official county meetings; and

WHEREAS, the Board desires to schedule a meeting on November 3, 2022 at 6:00 p.m. in the Laureate Center at Kannapolis City Hall;

NOW, THEREFORE BE IT RESOLVED that the Cabarrus County Board of Commissioners hereby amends its 2022 Meeting Schedule as follows:

1. The Board of Commissioners will hold a meeting on November 3, 2022 at 6:00 p.m. in the Laureate Center at Kannapolis City Hall in Kannapolis, North Carolina.

ADOPTED this 17th day of October, 2022.

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

ATTEST:

/s/ Lauren Linker
 Lauren Linker, Clerk to the Board

(F-7) Cabarrus County Schools - R. Brown McAllister

As part of the FY23 budget, the board approved debt of \$39,800,000 for the new R. Brown McAllister Elementary School. The project was also allocated \$1,950,000 of cash on-hand in FY22 for a total project budget of \$42,350,000.

Bids have been received and the total project budget has come in \$5,956,750 higher than available funding. The County has \$1,675,000 available from pay-as-you-go (PAYGO) in FY24 to cover the projects furniture, fixtures, and equipment. This leaves an unfunded amount of \$3,681,750.

Funds would be pulled from Fund Balance with the County reimbursed with Fiscal Year 2024 debt funding. An additional \$650,000 will be needed for anticipated road improvements but will be fully reimbursed by the Department of Transportation. The total project budget would be \$48,356,750 - a 37% increase from original estimates. Cabarrus County School's anticipate starting construction in November 2022 and for the school to open in August 2024.

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board approved an increase of \$650,000 in funding for R. Brown McAllister Elementary School and approved the corresponding budget amendment and updated project ordinance.

Date: October 17, 2022	Amount: 3,681,750.00						
Dept. Head: Rodney Harris (prepared by James Howden)	Department: FUND 390 - School Capital Projects						
<input type="checkbox"/> Internal Transfer Within Department <input type="checkbox"/> Transfer Between Departments/Funds <input type="checkbox"/> Supplemental Request							
As part of the FY23 budget, the board approved debt of \$39,800,000 for the new R. Brown McAllister Elementary School. The project was also allocated \$1,950,000 of cash on-hand in FY22 for a total project budget of \$42,350,000. Bids have been received and the total project budget has come in \$5,956,750 higher than available funding. The County has \$1,675,000 available from pay-as-you-go (PAYGO) in FY24 to cover the projects furniture, fixtures, and equipment. This leaves an unfunded amount of \$3,681,750. Funds would be pulled from Fund Balance with the County reimbursed with Fiscal Year 2024 debt funding. An additional \$650,000 will be needed for anticipated road improvements, but will be fully reimbursed by the Department of Transportation. The total project budget would be \$48,356,750							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
390	6	7340-6918-2024B	Proceeds from COPS/LOBS - R Brown	-	3,681,750.00		3,681,750.00
390	9	7340-9820	Construction	39,550,000.00	3,681,750.00		43,231,750.00
390	6	7340-6439	NC Dept of Transportation	350,000.00	300,000.00		650,000.00
390	9	7340-9802	Road Construction	-	650,000.00		650,000.00
390	9	7340-9820	Construction	43,231,750.00		350,000.00	42,881,750.00
390	6	7340-6918-2024B	Proceeds from COPS/LOBS - R Brown	3,681,750.00	600,000.00		4,281,750.00
390	9	7340-9820	Construction	42,881,750.00	600,000.00		43,481,750.00
390	6	7340-6902-DM24	Contributions from GF - PAYGO	-	1,675,000.00		1,675,000.00
390	9	7340-9860	Equipment & Furniture	-	1,675,000.00		1,675,000.00

Ordinance No. 2022-36

**CABARRUS COUNTY
 SCHOOL 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 School 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.

Contribution from General Fund/CIF	\$ 33,925,319
Contribution from Capital Projects Fund	9,522,511
Debt Proceeds 2020 Draw Note	46,620,222
Debt Proceeds 2022 Draw Note	55,711,930
Debt Proceeds 2024 Draw Note	6,081,750
Contribution from Capital Reserve Fund	1,662,314
NC Department of Transportation	1,950,000

TOTAL REVENUES \$155,474,046

C. The following appropriations are made as listed.

CCS Mobile Unit Renovation	\$ 3,300,000
Concord High Fire Alarm Replacement	89,314
Northwest High Fire Alarm Replacement	89,314
JM Robinson Renovation	81,195
R. Brown McAllister Replacement	48,356,750
Roberta Road Middle School	56,604,300
CCS New High School	9,508,821
CCS Southeast High School - Land purchase	1,816,320
Kannapolis Middle School	138,897
AL Brown Football Stadium ADA/Drainage	228,000
AL Brown Roof Replacement	190,000
RCCC Building 1000 Boiler	62,780
RCCC Building 2000 Roof Replacement	154,500
RCCC CBTC HVAC	244,291
Contribution to Capital Reserve	5,001,114
Early College Mobile Units	2,337,000
Deferred Maintenance Cabarrus County Schools	19,663,416
Deferred Maintenance Kannapolis City School	4,140,034
Deferred Maintenance Rowan Cabarrus Community College	3,468,000

TOTAL EXPENDITURES \$155,474,046

GRAND TOTAL - REVENUES \$155,474,046
GRAND TOTAL - EXPENDITURES \$155,474,046

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. The Manager may transfer amounts between objects of expenditure and revenues within a function without limitation.
 - 2. The County Manager may transfer amounts up to \$500,000 between functions of the same fund.
 - 3. The County Manager may 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. The County Manager is authorized to transfer funds from the General Fund or Capital Reserve Fund to the appropriate fund for projects approved within the Capital Improvement Plan for the current fiscal year.
 - 5. Upon notification of funding increases or decreases to existing grants or revenues, or the award of grants or revenues, the Manager or designee may adjust budgets to match, including grants that require a County match for which funds are available.
 - 6. The Manager or designee may adjust debt financing from estimated projections to actual funds received.

7. The County Manager may enter into 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.
8. The County Manager may 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.
9. The County Manager may 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.
10. The County Manager may reject formal bids when deemed appropriate and in the best interest of Cabarrus County pursuant to G.S. 143-129(a).
11. The County Manager may reduce revenue projections consistent with prevailing economic conditions, and also reduce expenditures correspondingly.

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 General Fund, Community Investment Fund or other Capital Project Fund and the portion of the Capital Project associated with the project is closed.

Adopted this 17th day of October 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) County Manager - American Rescue Plan Funding

Staff provided an update on American Rescue Plan spending with an emphasis on food assistance at the work session. Board approval is sought for (a) establishing and communicating spending deadlines to Grantees and (b) amending the budget and project ordinance to move awarded funds to unallocated.

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board approved the presented plan, budget amendment, and project ordinance.

Communication Plan

Organizations:

Bethel Enrichment Center (Food	Hope Chapel
Cabarrus Meals on Wheels	Living Faith Food Pantry

Carolina Farm Stewardship	Multi-Cultural Community Student Union
Coltrane L.I.F.E. Center	Operation Homeless
El Puente Hispano	Opportunity House
Elder Orphan Care	Salvation Army
Esther's Heart for Transformation	Sonshine Backpack Ministry
Feed the Souls Food Pantry	The Bulb Mobile Markets

Proposed Communication:

To ensure all funds are expended by the federal deadline, we are requiring the following of your organization by June 30, 2023:

1. Grantee must have expended all funds awarded by the County; or
2. Grantee must have obligated the funds by legally executed contract or purchase order; or
3. Grantee must have clearly demonstrated to a high degree of certainty they will expend all funds by December 31, 2023, as determined by County staff. Evidence could include:
 - a. A consistent history of expenditures that are on-pace to expend all funds by December 31, 2023; or
 - b. A compelling and detailed explanation of why the grantee has failed to expend the funds for a legitimate business reason and a comprehensive plan for spending the funds no later than December 31, 2023.

The County will cancel the balance of grant awards if you are unable to meet one or more of the above criteria by June 30, 2023.

Organizations:

1CAN	Families First
Amazing Grace Advocacy	Genesis A New Beginning
Bethel Enrichment Center	Habitat for Humanity
Boy Scouts of America	Hispanic Learning Center
Boys and Girls Club of Cabarrus	Kannapolis Head Start
Cabarrus Health Alliance	Logan Community CDC
Cabarrus Healthcare Foundation	Mental Health America
Camino Health Center	Operation Decisive Victory
Cano Family Services	Prosperity Unlimited
Clarkinetics & Associates	Rise 2 Thrive
Community Free Clinic	Vida Wellness Center
Cooperative Christian Ministry	WeBuild

Proposed Communication:

To ensure all funds are expended by the federal deadline, we are requiring the following of your organization by June 30, 2024:

1. Grantee must have expended all funds awarded by the County; or
2. Grantee must have obligated the funds by legally executed contract or purchase order; or
3. Grantee must have clearly demonstrated to a high degree of certainty they will expend all funds by December 31, 2026, as determined by County staff. Evidence could include:
 - a. A consistent history of expenditures that are on-pace to expend all funds by December 31, 2026; or
 - b. A compelling and detailed explanation of why the grantee has failed to expend the funds for a legitimate business reason and a comprehensive plan for spending the funds no later than December 31, 2024.

The County will cancel the balance of grant awards if you are unable to meet one or more of the above criteria by June 30, 2024.

Date: October 17, 2022

Amount: 407,820.40

Dept. Head: Rodney Harris (prepared by Suzanne Burgess)

Department: FUND 440 - ARP - Special Revenue Fund

 Internal Transfer Within Department Transfer Between Departments/Funds Supplemental Request

This budget amendment is to adjust the budget for non-profits awarded ARP (American Recovery Plan) funds to unallocated.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
440	9	1925-974914-ARP	Non-profits	-	407,820.40	-	407,820.40
440	9	1925-974914-ARP46	The Open Door House	15,000.00	-	15,000.00	0.00
440	9	1925-974914-ARP49	Carolina Bears Youth	2,049.11	-	2,049.11	0.00
440	9	1925-974914-ARP50	Cirq U	164.86	-	164.86	0.00
440	9	1925-974914-ARP55	Small Business Grant	27,019.00	-	27,019.00	0.00
440	9	1925-974914-ARP60	Mortgage	464,587.43	-	324,587.43	140,000.00
440	9	1925-974914-ARP61	Prosperity Administration	75,000.00	-	39,000.00	36,000.00

Ordinance No. 2022-37

**CABARRUS COUNTY
CARES RELIEF FUNDS - SPECIAL REVENUE
PROJECT 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 purpose of receiving and disbursing funds as directed by CARES Act funding and the US Department of State Treasury and Emergency Rental Assistance Program (ERAP) funding and the US Department of State Treasury.
- 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), the grant terms, the rules and regulations of the US Department of State Treasury and the budget contained herein.
- C. It is estimated that the following revenues will be available to fund COVID 19 and Emergency Rental Assistance expenditures:

CARES Act Relief Funds	\$7,972,670
American Rescue Plan	42,043,458
Interest Income	3,499
Emergency Rental Assistance (ERA21)	11,494,069
Emergency Rental Assistance Second Allocation (ERA22)	5,165,710
 TOTAL REVENUES	 \$66,679,406

D. The following appropriations are made for expenditures related to COVID19 and	
Salaries and Benefits (CARES)	\$3,581,275
Other Public Health Expenditures (CARES)	2,415,010
Municipal Distribution (CARES)	1,979,884
Administration (ERA21)	524,746
Emergency Rental Assistance (ERA21)	10,969,323
Administration (ERA22)	774,856
Emergency Rental Assistance Second Allocation (ERA22)	4,390,854
Salaries and Benefits Administration (ARP)	463,350
Salaries and Benefits Retention (ARP Loss Revenue)	10,000,000
Other Public Health Expenditures (ARP)	3,275,000
Aid to Nonprofits	27,897,288
Unallocated (ARP)	407,820
 TOTAL EXPENDITURES	 \$66,679,406
 GRAND TOTAL - REVENUES	 \$66,679,406
 GRAND TOTAL - EXPENDITURES	 \$66,679,406

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. The Manager may transfer amounts between objects of expenditure and revenues within a function without limitation.
2. The County Manager may transfer amounts up to \$500,000 between functions of the same fund.
3. The County Manager may 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. The County Manager may enter into 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. The County Manager may 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. The County Manager may 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. The County Manager may reject formal bids when deemed appropriate and in the best interest of Cabarrus County pursuant to G.S. 143-129(a).
8. The County Manager may reduce revenue projections consistent with prevailing economic conditions, and also reduce expenditures correspondingly.

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 Grant 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 grant 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 grant project, all unrestricted excess funds are transferred to the General Fund and the portion of the Grant Project associated with the project is closed.

Adopted this 17th day of October 2022.

CABARRUS COUNTY BOARD OF COMMISSIONERS

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

ATTEST:

/s/ Lauren Linker
Clerk to the Board

(F-9) County Manager - Transfer of Property to the City of Concord for WW Flowe Park

The City of Concord has approached Cabarrus County and the Cabarrus County Board of Education regarding obtaining 6.372 acres of property from Cabarrus County to expand WW Flowe Park. The property is currently part of Central Cabarrus High School's campus. A portion of the property requested is in the floodplain and not likely to be needed by the school. The city plans to use part of that property to construct needed cross country trails that would be

available for the school's cross country team. The trail would also provide a path for students to safely walk to school through the park. WW Flowe Park was transferred to the City of Concord Parks and Recreation for management in 2007. After the city assumed management of the property, ownership of the property was transferred to the City of Concord in three separate transactions beginning in October 2020 with the final transfer in February of this year. The City of Concord will be responsible for any necessary surveying, recordation costs or any other associated costs with the transfer.

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board transferred the 6.372-acre tract to the City of Concord for \$1 and authorized the County Manager to execute the transaction, after review and revisions by the County Attorney.

(F-10) DHS - Appropriation of Funding Request for Families First, Incorporated

This is to request the appropriation of funding from Cabarrus County in the amount of \$99,500 to continue to support Families First, Incorporated for the Visitation Station program. This program has historically been funded by a combined grant with Rowan and Cabarrus counties through the North Carolina Governor's Crime Commission grant. However, for a second year, the program was not funded after being funded for fourteen consecutive years. The program serves domestic violence and child protective services families in both counties by providing court-based services through Visitation Station. This program provides a place for safe exchanges and supervised visits between child(ren) and non-custodial parent or other family members. Families First, Incorporated has made a similar funding request to Rowan County.

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board approved \$99,500 in funding for Families First, Incorporated for the Visitation Station program from Board Contingency funds, and approval of the associated budget amendment.

Date: 10/17/2022	Amount: 99,500.00						
Dept. Head: Karen Calhoun	Department: Child Welfare						
<input type="checkbox"/> Internal Transfer Within Department <input checked="" type="checkbox"/> Transfer Between Departments/Funds <input type="checkbox"/> Supplemental Request							
\$99,500 in funding for Families First, Inc. for the Visitation Station program from Board Contingency funds							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	5630-9700	Contribution – Outside Agency		99,500.00		99,500.00
001	9	1910-9660	Contingency	2,574,699.00		99,500.00	2,475,199.00

(F-11) DHS - Appropriation of LINKS Funding

This request is for approval of the budget amendment to accept and appropriate \$20,500 in LINKS - foster youth independent living program funds to support the purchase of clothing for eligible foster youth between the ages of 14 and 17 (\$500 per youth). No county funds are required.

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

Date: 10/17/2022	Amount: 20,500.00						
Dept. Head: Karen Calhoun	Department: DHS						
<input type="checkbox"/> Internal Transfer Within Department <input checked="" type="checkbox"/> Transfer Between Departments/Funds <input checked="" type="checkbox"/> Supplemental Request							
The Child Welfare unit is approved for a one-time additional Chafee funds of \$20,500 to support the purchase of school uniforms and clothing for eligible foster care youths between ages 14-17 (\$500 per youth). The funds must be expended by September 30, 2022 and reimbursed via the D555217 submission process. No county funds required.							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	00195630-9462-LINKS	AFDC Child State Foster Care	10,000.00	20,500.00		30,500.00
001	6	00165630-6265	Individual Living LINKS	10,000.00	20,500.00		30,500.00

(F-12) DHS - Transportation FY23 Rural Operating Assistance Program (ROAP)

The Rural Operating Assistance Program (ROAP) is a state-funded public transportation program administered by the North Carolina Department of Transportation Integrated Mobility Division (IMD). County governments or regional public transportation authorities created pursuant to Article 25 or Article 26 of Chapter 160A of the General Statutes (upon written agreement with municipalities or counties served) are the only eligible applicants for ROAP funds. ROAP includes the following funding project categories:

- Elderly and Handicapped (EDTAP) - \$101,950

- Employment (EMPL) - \$42,493
- Rural General Public (RGP) - \$70,931

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board accepted the grant and approved the certified statement.

No. 2022-29

CERTIFIED STATEMENT
FY2023
RURAL OPERATING ASSISTANCE PROGRAM
County of Cabarrus

WHEREAS, the state-funded, formula-based Rural Operating Assistance Program (ROAP) administered by the North Carolina Department of Transportation, Integrated Mobility Division provides funding for the operating cost of passenger trips for counties within the state.

WHEREAS the county uses the most recent transportation plans (i.e., CCP, CTIP, LCP) available and other public involvement strategies to learn about the transportation needs of agencies and individuals in the county before determining the sub-allocation of these ROAP funds;

WHEREAS the county government or regional public transportation authorities created pursuant to Article 25 or Article 26 of Chapter 160A of the General Statutes (upon written agreement with the municipalities or counties served) are the only eligible recipients of Rural Operating Assistance Program funds which are allocated to the counties based on a formula as described in the Program Guidelines included in the ROAP State Management Plan. NCDOT will disburse the ROAP funds only to counties and eligible transportation authorities and not to any sub-recipients selected by the county.

WHEREAS the county finance officer will be considered the county official accountable for the administration of the Rural Operating Assistance Program in the county, unless otherwise designated by the Board of County Commissioners;

WHEREAS, the passenger trips provided with ROAP funds must be accessible to individuals with disabilities and be provided without discrimination on the basis of national origin, creed, age, race, or gender (FTA C 4702.1B, FTA C 4704.1A, Americans with Disabilities Act 1990); and

WHEREAS, the period of performance for these funds will be July 1, 2022 to June 30, 2023 regardless of the date on which ROAP funds are disbursed to the county.

NOW, THEREFORE, by signing below, the duly authorized representatives of the County of Cabarrus North Carolina certify that the following statements are true and accurate:

- The county employed a documented methodology for sub-allocating ROAP funds that involved the participation of eligible agencies and citizens. Outreach efforts to include the participation of the elderly and individuals with disabilities, persons with limited English proficiency, minorities and low-income persons in the county's sub-allocation decision have been documented.
- The county will advise any sub-recipients about the source of the ROAP funds, specific program requirements and restrictions, eligible program expenses and reporting requirements. The county will be responsible for invoicing any sub-recipients for unexpended ROAP funds as needed.
- The county will monitor ROAP funded services routinely to verify that ROAP funds are being spent on allowable activities and that the eligibility of service recipients is being properly documented. The county will maintain records of trips for at least five years that prove that an eligible citizen was provided an eligible transportation service on the billed date, by whatever conveyance at the specified cost.
- The county will be responsible for monitoring the safety, quality, and cost of ROAP funded services and assures that any procurements by subrecipients for contracted services will follow state and federal guidelines.
- The county will conduct regular evaluations of ROAP funded passenger trips provided throughout the period of performance.

- The county will only use the ROAP funds to provide trips when other funding sources are not available for the same purpose or the other funding sources for the same purpose have been completely exhausted.
- The county assures that the required matching funds for the FY2023 ROAP can be generated from fares and/or provided from local funds.
- The county will notify the Regional Grant Specialist assigned to the county if any ROAP funded services are discontinued before the end of the period of performance due to the lack of funding. No additional ROAP funds will be available.
- The county will provide an accounting of trips and expenditures in monthly reports to NCDOT - Integrated Mobility Division or its designee. Back-up documentation is required to support the monthly reports, failure to provide documentation will affect future disbursements. The June report will be considered the annual report.
- Any interest earned on the ROAP funds will be expended for eligible program uses as specified in the ROAP application. The County will include ROAP funds received and expended in its annual independent audit on the schedule of federal and state financial assistance. Funds passed through to other agencies will be identified as such.
- The county is applying for the following amount of FY2023 Rural Operating Assistance Program funds:

State-Funded Rural Operating Assistance Program	Allocated	Requested
Elderly and Disabled Transportation Assistance Program (EDTAP)	<u>\$101,950</u>	<u>\$101,950</u>
Employment Transportation Assistance Program (EMPL)	<u>\$42,493</u>	<u>\$42,493</u>
Rural General Public Program (RGP)	<u>\$70,931</u>	<u>\$70,931</u>
TOTAL	<u>\$215,374</u>	<u>\$215,374</u>

(F-13) DHS - Transportation Title VI Policy

The State of North Carolina and the Federal Government requires each Transit Agency to create a new Title VI policy every three years. Title VI, of the civil right act of 1964, prohibits discrimination based on race, color or national origin in programs or activities which receive Federal Financial Assistance.

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board adopted the Title VI policy.

(F-14) Finance - Budget Amendment - Capital Projects

The budget amendment is to match the current County and School's capital project budgets to the capital improvement plan approved by the Board of \$177.5 million. The original budget was for only \$160.1 million to match the draw program. This budget amendment will include the remaining portions of the original approval to be funded by the 2024 Draw Program.

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

Dept. Head: Rodney Harris (prepared by James Howden)	Department: FUND 380 & 390 - County Capital Projects						
<input type="checkbox"/> Internal Transfer Within Department	<input type="checkbox"/> Transfer Between Departments/Funds	<input checked="" type="checkbox"/> Supplemental Request					
Budget amendment to accurately match the budget to the capital improvement plan approved by the Board of \$177.5MM. Original budget was only keyed for \$160.1MM to match draw program. This BA will include the remaining portions of the original approved capital plan to be funded by the 2024 Draw Program.							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
380	6	2730-6918-2024B	Proceeds from COPS/LOBS - EMS	-	68,902.00		68,902.00
380	6	2210-6918-2024B	Proceeds from COPS/LOBS - Court	-	9,484,876.00		9,484,876.00
380	6	8140-6918-2024B	Proceeds from COPS/LOBS - Parks	-	5,000,000.00		5,000,000.00
380	6	1950-6918-2024B	Proceeds from COPS/LOBS - IT/EM	-	1,000,000.00		1,000,000.00
390	6	7340-6918-2024B	Proceeds from COPS/LOBS - R Brown	-	1,800,000.00		1,800,000.00

380	9	2730-9820-EMSHQ	Construction	13,998,764.26	68,902.00		14,067,666.26
380	9	2210-9821-COURT	Building and Renovations	16,738,515.00	9,484,876.00		26,223,391.00
380	9	8140-9830-FLP	Other Improvements	280,000.00	5,000,000.00		5,280,000.00
380	9	1950-9820-BUILD	Construction	9,156,487.53	1,000,000.00		10,156,487.53
390	9	7340-9820	Construction	37,675,200.00	1,800,000.00		39,475,200.00

Ordinance No. 2022-38

**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
Debt Proceeds 2024 Draw Note	15,553,778
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	7,893,327
State Allocation	40,700,000
 TOTAL REVENUES	 \$299,158,131

C. The following appropriations are made as listed.

Courthouse Site Enabling Construction & Renovation	\$ 145,444,394
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	15,867,999
Fiber Infrastructure Improvement	799,000
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	9,371,450
EMS Headquarters	21,007,999
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)	807,000
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
Frank Liske Park Multiple Projects	5,000,000
Government Center Building Repair	450,000
Public Safety Training Center	2,073,823
 TOTAL EXPENDITURES	 \$299,158,131
 GRAND TOTAL - REVENUES	 \$299,158,131
 GRAND TOTAL - EXPENDITURES	 \$299,158,131

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 17th day of October 2022.

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

ATTEST:

/s/ Lauren Linker
 Clerk to the Board

Ordinance No. 2022-39

CABARRUS COUNTY
 SCHOOL 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 School 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.

Contribution from General Fund/CIF	\$ 30,433,999
Contribution from Capital Projects Fund	9,522,511
Debt Proceeds 2020 Draw Note	46,620,222
Debt Proceeds 2022 Draw Note	55,711,930
Debt Proceeds 2024 Draw Note	1,800,000
Contribution from Capital Reserve Fund	1,662,314
NC Department of Transportation	1,650,000
 TOTAL REVENUES	 \$147,400,976

- C. The following appropriations are made as listed.

CCS Mobile Unit Renovation	\$ 3,300,000
Concord High Fire Alarm Replacement	89,314
Northwest High Fire Alarm Replacement	89,314
JM Robinson Renovation	81,195
R. Brown McAllister Replacement	42,100,000
Roberta Road Middle School	56,604,300
CCS New High School	9,508,821
Kannapolis Middle School	138,897
AL Brown Football Stadium ADA/Drainage	228,000
AL Brown Roof Replacement	190,000
RCCC Building 1000 Boiler	62,780
RCCC Building 2000 Roof Replacement	154,500
RCCC CBTC HVAC	244,291
Contribution to Capital Reserve	5,001,114
Early College Mobile Units	2,337,000
Deferred Maintenance Cabarrus County Schools	19,663,416
Deferred Maintenance Kannapolis City School	4,140,034
Deferred Maintenance Rowan Cabarrus Community College	3,468,000
 TOTAL EXPENDITURES	 \$147,400,976
 GRAND TOTAL - REVENUES	 \$147,400,976
 GRAND TOTAL - EXPENDITURES	 \$147,400,976

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. The Manager may transfer amounts between objects of expenditure and revenues within a function without limitation.
2. The County Manager may transfer amounts up to \$500,000 between functions of the same fund.
3. The County Manager may 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. The County Manager is authorized to transfer funds from the General Fund or Capital Reserve Fund to the appropriate fund for projects approved within the Capital Improvement Plan for the current fiscal year.
5. Upon notification of funding increases or decreases to existing grants or revenues, or the award of grants or revenues, the Manager or designee may adjust budgets to match, including grants that require a County match for which funds are available.
6. The Manager or designee may adjust debt financing from estimated projections to actual funds received.
7. The County Manager may enter into 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.
8. The County Manager may 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.
9. The County Manager may 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.
10. The County Manager may reject formal bids when deemed appropriate and in the best interest of Cabarrus County pursuant to G.S. 143-129(a).
11. The County Manager may reduce revenue projections consistent with prevailing economic conditions, and also reduce expenditures correspondingly.

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 General Fund, Community Investment Fund or other Capital Project Fund and the portion of the Capital Project associated with the project is closed.

Adopted this 17th Day of October, 2022.

CABARRUS COUNTY BOARD OF COMMISSIONERS

BY: /s/ Stephen M. Morris

Stephen M. Morris, Chairman

ATTEST:

/s/ Lauren Linker
 Clerk to the Board

(F-15) Finance - Budget Amendment for Purchase of Generator at Government Center

The replacement of the generator at the Government Center was originally in Fiscal Year 2022's budget. The project was not complete at the end of the fiscal year and the budget was inadvertently not appropriated in Fiscal Year 2023. We are asking the Board to approve the budget amendment to appropriate the funds from Fund Balance.

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

Date: October 17, 2022	Amount: 461,500.00						
Dept. Head: Rodney Harris (prepared by James Howden)	Department: FUND 001 - General Fund						
<input type="checkbox"/> Internal Transfer Within Department	<input type="checkbox"/> Transfer Between Departments/Funds	<input checked="" type="checkbox"/> Supplemental Request					
The replacement of the generator for the Government Center was originally in Fiscal Year 2022's budget. The project was not complete at the end of the fiscal year and the budget was inadvertently not appropriated in Fiscal Year 2023.							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	1952-9820	Building Improvements	-	461,500.00	-	461,500.00
001	6	1910-6901	General Fund - FB Appropriated	5,794,372.98	461,500.00	-	6,255,872.98

(F-16) Human Resources - EMS Staffing/Compensation Update

Since the completion of our external market study with Catapult (presented in April 2022), there have been changes in pay rates for several local agency/competitors. We would revisit this group along with a potential funding option from Emergency Medical Services.

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board approved grade increase and market/compression adjustments for the EMS department.

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board approved changes to the fee structure for EMS services.

(F-17) Infrastructure and Asset Management - Milestone Building Improvement Projects Funding

Since the acquisition of the former Cardinal Innovations building located at 4855 Milestone Avenue in Kannapolis, Infrastructure and Asset Management and ITS have been working on programming the space with County departments, managing various maintenance projects, as well as modular furniture installations. Additionally, the County has worked with a design firm on a stand alone server room for Partners, whom we will be leasing space to as well as a back up 911 center and customer service window minor renovation. The budget amendment is needed to replenish the General Fund for expenses already incurred to keep the project on schedule and upcoming expenses. These expenses include technology, equipment, furniture, and minor building renovations.

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

Date: October 17, 2022	Amount: 625,000.00						
Dept. Head: Rodney Harris (prepared by James Howden)	Department: FUND 380 - County Capital Projects						
<input type="checkbox"/> Internal Transfer Within Department	<input checked="" type="checkbox"/> Transfer Between Departments/Funds	<input type="checkbox"/> Supplemental Request					
Budget amendment for continued building improvements at the Milestone Building. Building out technology infrastructure, space needs, modular furniture installations, maintenance and minor renovations.							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
380	9	1810-9830-SECUR	Other Improvements - Security	495,608.99	107,000.00	-	602,608.99
380	9	1810-9830-TECH	Other Improvements - Technology	560,486.09	79,000.00	-	639,486.09
380	9	1952-9501-DM	Building & Grounds Maintenance	2,190,948.26	400,000.00	-	2,590,948.26
380	6	1950-6932-BUILD	Contribution from CIF	-	586,000.00	-	586,000.00
001	9	1810-9342-DEPT	Minor Technology Equipment	323,900.00	14,000.00	-	337,900.00

001	9	1230-9860-WELL	Equipment & Furniture	21,752.00	25,000.00	-	46,752.00
001	6	1910-6932	Contribution from CIF	-	39,000.00	-	39,000.00
100	6	0000-6901	Fund Balance Appropriated	10,054,435.00	625,000.00	-	10,679,435.00
100	9	9120-9704	Contribution to General Fund	-	39,000.00	-	39,000.00
100	9	0000-9708	Contribution to Capital Project Fund	23,425,611.00	586,000.00	-	24,011,611.00

(F-18) Infrastructure and Asset Management - NC DOT Acquisition of Right-of-Way and Request for Easements at 2700 St. Stephens Church Road

The NC DOT (North Carolina Department of Transportation) is planning to replace bridge #247 over Butcher Branch on St. Stephens Church Road (SR 2444). To provide those improvements the DOT will need to acquire right-of-way and easements from various properties. Our future park property is one of those properties that will be affected.

Vaughn and Melton Consulting Engineers have prepared a proposed deed and submitted a contingent offer to purchase the right-of-way for \$1,775.00 based on fair market value of the property.

The County's property is approximately 615.960 acres of which 0.029 acres is being acquired as right-of-way, leaving 615.931 acres remaining on the right with access to St. Stephens Church Road. Also being acquired would be two permanent utility easements containing approximately 0.052 acres; a permanent drainage easement containing approximately 0.026 acres; and two temporary construction easements containing approximately 0.027 acres.

A review by the legal department has been completed.

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board approved the easements and authorized the County Manager to negotiate the sale of the property for the purpose of a right-of-way, subject to review and revision by the County Attorney.

(F-19) Kannapolis City Schools - PayGo Capital Budget

Kannapolis City Schools is asking to use Fiscal Year 2023 PayGo to fund the overage in construction at McKnight, Life Safety across the district, and Activity Buses.

FY23 allocation = \$1.5 million
\$900,000 for McKnight Head Start
\$400,000 for miscellaneous (generators, door security, building security, cameras)
\$200,000 for (2) activity buses

Kannapolis City Schools would also like to consolidate the Fiscal Year 2022 PayGo remaining funds to cover the track overage and system-wide furniture.

\$122,871 for AL Brown Track
\$87,344 for furniture

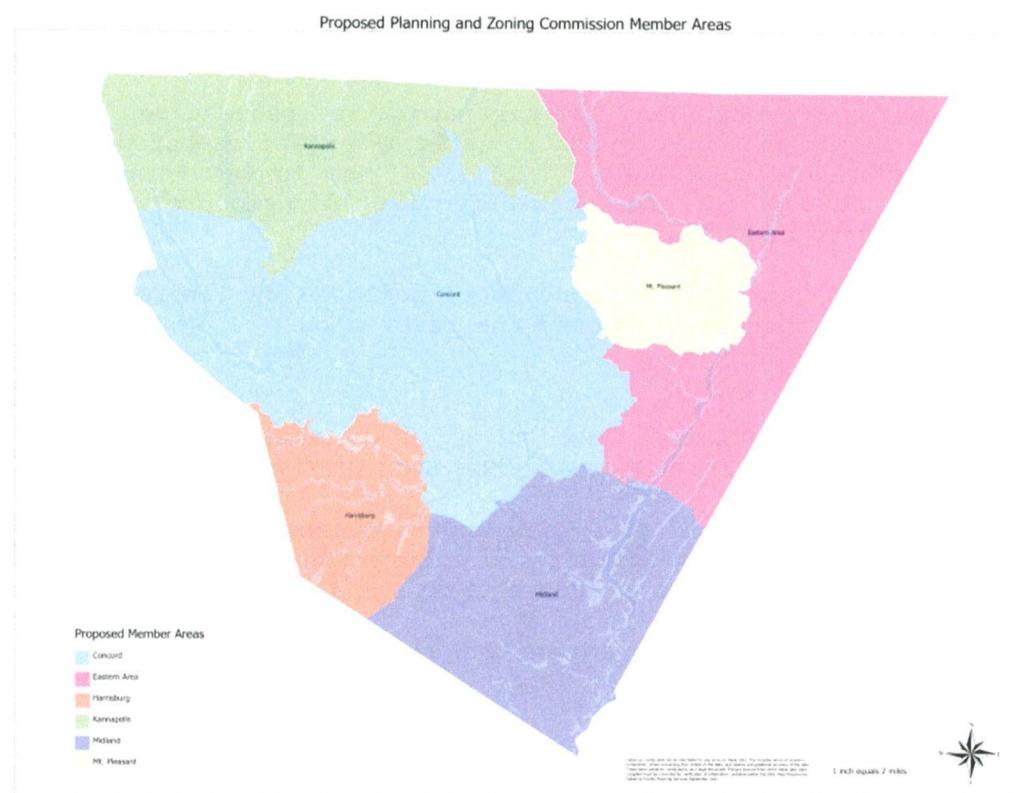
UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried the Board approved the use of the PayGo funds for the presented projects.

(F-20) Planning and Development - Proposed Realignment for Planning and Zoning Commission Areas

Planning and Zoning Commission membership is currently based on a map that includes small planning areas. Several of these areas overlap with land use plans currently adopted and administered by the cities and towns. The current areas also do not match up with established service areas and future annexation areas.

Staff is requesting that the Board of Commissioners consider realigning membership areas based on annexation and service area mapping instead of the current mapping. The proposed area map is attached.

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board adopted the planning and zoning commission member area map.



(F-21) Sheriff's Office - Acceptance of Direct Justice Assistance Grant

The City of Concord (Police Department), being the fiscal agency for this Direct Justice Assistance Grant, and by virtue of an interlocal agreement between the City of Concord, City of Kannapolis, and Cabarrus County, are paying Cabarrus County the sum of \$4,685.35 of Justice Assistance Grant funding. \$1,806.16 from the City of Concord and \$2,879.19 from the City of Kannapolis for us by the Cabarrus County Sheriff's Office. These funds have been earmarked to host training from Dolan Consulting titled, "Body Worn Cameras, Civilian Recordings, and Social Media - New Legal Challenges".

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

Date: 10/17/2022	Amount: 4,685.35						
Dept. Head: Sheriff Van W. Shaw	Department: 2110-Sheriff						
<input type="checkbox"/> Internal Transfer Within Department <input type="checkbox"/> Transfer Between Departments/Funds <input checked="" type="checkbox"/> Supplemental Request							
Purpose: Budget Amendment to record JAG Grant receipt from Concord Police Department JAG Grant. Grant will be used for specialized training through the Dolan Consulting Group entitled "Body Worn Cameras, Civilian Recorddding and Social Media-New Legal Chanllenges"							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	2110-6361-JAG	Office of Justice Grants	-	4,685.35		4,685.35
001	9	2110-9361-JAG	Office of Justice Grants	-	4,685.35		4,685.35

(F-22) Tax Administration - Refund and Release Reports - September 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 September 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.

(F-23) Tax Administration - Use of In Rem Foreclosure in the Collection of Delinquent Property Taxes

The Cabarrus County Tax Administrator is requesting a resolution authorizing the use of In Rem Foreclosure as an alternative method of delinquent tax collection pursuant to N.C.G.S. § 105-375. The In Rem Foreclosure method provides a more expedited and cost-effective foreclosure process, while protecting the rights of taxpayers.

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

Resolution No. 2022-30

A RESOLUTION AUTHORIZING THE USE OF IN REM FORECLOSURE IN THE COLLECTION OF DELINQUENT PROPERTY TAXES

WHEREAS, in the interest of equity and fairness, it is the intent of the Cabarrus County Board of Commissioners to ensure the collection of delinquent taxes so that the tax burden is shared equally; and

WHEREAS, the power to foreclose on real property is a serious, but nonetheless critical, method for collecting delinquent property taxes, that is used as a last resort; and

WHEREAS, Cabarrus County has historically used mortgage-style proceedings under N.C.G.S. § 105-374 with the assistance of outside counsel to execute tax foreclosures; and

WHEREAS, the expense and complexity of mortgage-style foreclosure proceedings makes the collection of certain low value properties uneconomical; and

WHEREAS, N.C.G.S. § 105-375 authorizes the use of an alternative In Rem Foreclosure method, which provides a more expedited and cost-effective foreclosure process, while protecting the rights of taxpayers; and

WHEREAS, using the In Rem Foreclosure method will help collect delinquent taxes and facilitate the transfer of often abandoned properties to owners interested in using and improving such properties; and

WHEREAS, in order to employ this delinquent tax collection method, the Board of Commissioners must authorize its use by the Tax Administrator.

NOW, THEREFORE BE IT RESOLVED that the Cabarrus County Board of Commissioners hereby authorize and direct the Cabarrus County Tax Administrator to pursue collection of delinquent taxes by In Rem Foreclosure as set forth in N.C.G.S. § 105-375 and Mortgage-Style Foreclosure as set forth in N.C.G.S. § 105-374, using the method he or she deems most appropriate on each case.

ADOPTED this 17th day of October, 2022.

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

Attest:

/s/ Lauren Linker
Clerk to the Board

(G) NEW BUSINESS

(G-1) County Manager - Library Early Closings and Staff Training Days

Kelly Sifford, Assistant County Manager, reported municipalities in the county are hosting holiday events that affect the availability of parking at different branches of the library system in the coming months. Additionally, she stated there are two days a year, one in the spring and one in the fall, that the libraries close for required and recommended training for library staff.

Ms. Sifford requested direction on the process the Board of Commissioner's would like to use to determine early closings to accommodate these events. She also requested direction from the Board regarding library closings for training dates in the fall and spring. Options would be directing these decisions to be administratively handled or to bring them to the Board for approval.

Mike Downs, County Manager, reported the benefits of closing the libraries twice a year are so that all library staff can attend the required training at one time. He stated there would be plenty of notice on the closed dates to the public.

A discussion ensued.

UPON MOTION of Chairman Morris, seconded by Commissioner Honeycutt and unanimously carried, the Board approved that County Management have the discretion to handle early library closing, staff training days and other issues that may arise in determining the operating hours of the libraries throughout the year.

(H) REPORTS

(H-1) Active Living and Parks - Annual Report

The Board received the Active Living and Parks' Annual Report for informational purposes. No action was required of the Board.

(H-2) BOC - Receive Updates from Commission Members Who Serve as Liaisons to Municipalities or on Various Boards/Committees

Commissioner Strang announced the youth commission is working on their "get out and go" initiative, is working on their Instagram page, and is recruiting members from Jay M. Robinson and West Cabarrus high schools.

(H-3) 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-4) Budget - Monthly Budget Amendment Report

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

(H-5) Budget - Monthly Financial Update

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

(H-6) County Manager - Monthly Building Activity Reports

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

(H-7) 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-8) Economic Development Corporation - September 2022 Monthly Summary Report

The Board received the Cabarrus Economic Development Corporation (EDC) monthly report for the month of September 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

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Strang and unanimously carried, the Board moved to go into closed session to discuss matters related to pending litigation and personnel matters as authorized by NCGS 143-318.11(a)(3) and (6).

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

RETURN TO OPEN SESSION

UPON MOTION of Commissioner Honeycutt seconded by Commissioner Shue and unanimously carried, the Board granted the County Manager a 3.5 percent merit increase based on the scale used by all Cabarrus County employees as well as the one percent cost of living increase received by all Cabarrus County employees. In addition, a thank you bonus was granted, to be paid quarterly totaling \$30,000 (\$7,500 per quarter) over the next year, increased the travel allowance from \$7,200 to \$12,000 and amended the County Manager's contract to, if he is released without cause, he will receive 18 months severance pay, and eliminated a clause in his contract that requires a certain amount of consultation services after termination.

(L) ADJOURN

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the meeting adjourned at 10:04 p.m.



Lauren Linker
Lauren Linker, Clerk to the Board