

The Board of Commissioners for the County of Cabarrus met for an Agenda Work Session in the Multipurpose Room at the Cabarrus County Governmental Center in Concord, North Carolina at 4:00 p.m. on Monday, February 6, 2023.

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

live broadcast at 4:00 p.m. on Channel 22  
<https://www.youtube.com/cabarruscounty>  
<https://www.cabarruscounty.us/cabctv>

Present - Chairman:	Stephen M. Morris
Vice Chairman:	Lynn W. Shue
Commissioners:	Christopher A. Measmer Barbara C. Strang Kenneth M. Wortman

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.

### 1. Call to Order

Chairman Morris called the meeting to order at 4:00 p.m.

### 2. Approval of Agenda

Additions:

Discussion Items for Action

4.18 Sheriff's Office - Law Enforcement Services Agreement with Town of Harrisburg

4.20 County Manager - Jail Behavioral Health Services

Closed Session

6.1 Closed Session - Pending Litigation

Updated:

Approval of Regular Meeting Agenda

5.1 Approval of Regular Meeting Agenda

Removed:

Discussion Items for Action

Sheriff's Office - Purchase of New Radio Dispatch Console

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

### 3. Discussion Items - No Action

#### **3.1 BOC - Discussion of the Status of Alcohol Sales in the Unincorporated Areas in Cabarrus County**

Commissioner Strang stated she spoke with an ABC Commission representative and advised the County and Board would want to take measures needed for the County to receive tax revenue from the sale of alcohol in the unincorporated areas.

A discussion ensued. Issues addressed included County representation on the ABC Commission.

#### **3.2 Infrastructure and Asset Management - Emergency Equipment Warehouse and ITS Building Project Update**

Michael Miller, Design and Construction Director, presented an update on the emergency equipment warehouse and ITS building that included the following information. Photos of the project were also included.

- Milestones for the Last 30 Days
  - Gas line rough-in complete on the ITS side of the building
  - Sprinkler lines and plumbing rough-in completed on the warehouse side of the building
  - Began installation of the overhead doors
  - Sanitary sewer line connections installed
- Next 30 Days

- Roofing will begin on the ITS side of the building
- Overhead doors completed on the warehouse side of the building

Mr. Miller advised the building will open in September if there are no further weather delays.

A discussion ensued. Mr. Miller and Kyle Bilafer, Assistant County Manager, responded to questions from the Board.

### **3.3 Infrastructure and Asset Management - Frank Liske Park Barn Project**

Kyle Bilafer, Assistant County Manager, presented an update on the Frank Liske Park Barn Project that included the following information. Photos of the project were also reviewed.

- Milestones for the Last 30 Days
  - Finished rough-in plumbing, mechanical and electrical
  - Installed all the standing seam metal roofing
  - Began installation of storm water and gutter drain piping
  - Began painting and staining
- Next 30 Days
  - Dry in the barn
  - Work on completion of site work

Mr. Bilafer stated the barn is currently proposed to be open on June 19<sup>th</sup>, pending completion of the elevator.

A discussion ensued. During discussion, Mr. Bilafer responded to questions from the board.

## **4. Discussion Items for Action**

### **4.1 Sheriff's Office - Acceptance of Grant Funds to Support Additional Officers**

Sheriff Van Shaw presented a request to accept a grant to support two additional school resource officers.

Amy Lowder, Cabarrus County Schools Director of Safety and Well-Being, provided information regarding the grant and its purpose.

A lengthy discussion ensued. During discussion, Ms. Lowder and Rodney Harris, Deputy County Manager, responded to questions from the Board. Lieutenant Barrett Elwood, Cabarrus County Sheriff's Office, was also in attendance.

### **4.7 CVB - Mondo Track at Jay M. Robinson High School**

Donna Carpenter, Cabarrus County Tourism Authority President and CEO, presented a request to install a Mondo Track at Jay M. Robinson High School. The track would support sporting events up to pre-Olympic level.

John Poole, Geo Services, presented the design of the track along with economic impact information.

A discussion ensued. During discussion, Ms. Carpenter and John Mills, Cabarrus County Tourism Authority Executive Vice President, responded to questions from the Board.

### **4.2 BOC - Appointments to Boards and Committees**

Chairman Morris advised information for February appointments to boards and committees has been provided to the commissioners. He asked if anyone had any questions, comments, or concerns regarding the upcoming requests. There were none.

### **4.3 BOC - Resolution Amending the Board of Commissioners' 2023 Meeting Schedule**

Chairman Morris stated an amendment to the Board of Commissioners' 2023 Meeting Schedule is needed to add the Cabarrus Arena and Events Center as the location for Budget Retreat scheduled for Friday, February 24 and Saturday, February 25, 2023.

**UPON MOTION** of Commissioner Strang, seconded by Commissioner Measmer and unanimously carried, the Board suspended the Rules of Procedure due to time constraints.

**UPON MOTION** of Vice Chairman Shue, seconded by Commissioner Measmer and unanimously carried, the Board adopted the resolution amending the Board of Commissioners' 2023 meeting schedule.

Resolution No. 2023-04

**Resolution Amending the  
Cabarrus County Board of Commissioners'  
2023 Meeting Schedule**

WHEREAS, on December 19, 2022, the Cabarrus County Board of Commissioners adopted a meeting schedule for calendar year 2023, which sets forth the dates, times and locations of various official county meetings; and

WHEREAS, the Board holds an annual goal-setting/planning retreat in the winter which is set for February 24, 2023 at 4:00 p.m. and February 25, 2023 at 8:00 a.m. at a place to be determined; and

WHEREAS, the Board is changing the venue for the annual goal-setting/planning retreat in which is set for February 24, 2023 at 4:00 p.m. at the Cabarrus Arena and Events Center in Concord, and February 25, 2023 at 8:00 a.m. at the Cabarrus Arena and Events Center in Concord; and

NOW, THEREFORE BE IT RESOLVED that the Cabarrus County Board of Commissioners hereby amends its 2023 Meeting Schedule as follows:

1. The Board of Commissioners will hold the annual goal-setting/planning retreat set for February 24, 2023 at 4:00 p.m. at the Cabarrus Arena and Events Center located at 4751 State Highway 49 in Concord, and the annual goal-setting/planning retreat set for February 25, 2023 at 8:00 a.m. at the Cabarrus Arena and Events Center located at 4751 State Highway 49 in Concord.

ADOPTED this 6<sup>th</sup> day of February, 2023.

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

ATTEST:

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

**4.4 Budget - Budget Amendment to Appropriate Board Contingency Funds for Legal Fees**

Rodney Harris, Deputy County Manager, presented a request for the transfer of an additional \$439,228 to the Legal Fees account from the Board Contingency Funds to cover anticipated legal fees through the end of the current fiscal year.

A discussion ensued. During discussion, Mike Downs, County Manager, responded to questions from the Board.

**4.5 County Manager - Rob Wallace Park Timing of Phase IIB**

Rodney Harris, Deputy County Manager, reported the Town of Midland would like to hold an expanded fireworks event for July 4<sup>th</sup> at Rob Wallace Park. The Phase IIB construction project is anticipated to start in April or May. The Town of Midland has requested delaying the construction project to begin after July 4. Since a delay could result in a cost increase, staff requested input from the Board regarding the delay until after July 4.

Kyle Bilafer, Assistant County Manager, provided a scope and timing of the project.

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

It was the consensus of the Board to approve delaying the project until after the July 4<sup>th</sup> event.

**4.6 County Manager - U-5956 - Rock Hill Church Rd/Union Cemetery Road Realignment Easement Settlement**

Kelly Sifford, Assistant County Manager, reported the County was contacted by the North Carolina Department of Transportation (NCDOT) regarding the realignment of Union Cemetery Road and Rock Hill Church Road. The reason for the realignment would be to ease congestion and facilitate mobility in the area. In this regard, NCDOT requested a temporary and permanent easement. The easement will affect some of the landscaping at the county bus facility. Cabarrus County has been offered a total of \$20,975 for the easements and the value of the improvements to be acquired. The funds will need to be allocated to Cabarrus County Schools to replace landscaping that will be removed during the project. The Cabarrus County School Board has reviewed the plans. The proposal, maps showing the easements, the project plan and the necessary budget amendments were provided for the Board's review.

A discussion ensued. During discussion, Ms. Sifford and Kyle Bilafer, Assistant County Manager, responded to questions from the Board.

#### **4.8 DHS - Budget Amendment for ERA Program**

Karen Calhoun, Department of Human Services Director, presented an update on the Emergency Rental Assistance Program (ERAP). Topics discussed were as follows:

- ERAP Funding
  - ERA-1 U.S. Treasury
  - ERA-1 NC (North Carolina) Pro-State
  - ERA-2 U.S. Treasury
- ERAP Data (As of 12-31-2022)
  - 904 Federal
  - 742 NC Pro State
  - 512 CCM
  - 2,158 Households assisted
- Rent and Utilities
  - Total Rent: \$11,543,351.39
  - Total Utilities: \$670,888.55
  - Administration: \$744,934.38
  - Total Expenditures: \$12,959,174.32
- Reallocation Requirement
- ERAP Unwinding Plan

A discussion ensued. During discussion, Ms. Calhoun and Rodney Harris, Deputy County Manager, and Mike Downs, County Manager, responded to questions from the Board. Lora Lipe, Department of Human Services, Economic Support Services Program Administrator, was also in attendance.

#### **4.9 Finance - Budget Amendment and Capital Project Ordinance**

Jim Howden, Finance Director, reported at the January Board meeting, the Board re-affirmed the Mount Pleasant Library / Active Living Center / Foil Park Project budget of \$26,500,000. Currently in the Capital Project Fund, there is a budget of \$17,499,999 for this project. Mr. Howden presented a proposed budget amendment and project ordinance which would allow the transfer of \$9,000,001 with a transfer from the Community Investment Fund of \$8,500,001 and from a PARTF Grant of \$500,000 to fund the project.

A brief discussion ensued. During discussion, Mr. Howden and Rodney Harris, Deputy County Manager, responded to questions from the Board.

#### **4.10 Finance - Reimbursement Resolution**

Jim Howden, Finance Director, presented a reimbursement resolution to allow the County to reimburse themselves with future debt (up to the full \$26,500,000) for any advancement of funds by the County associated with the Mount Pleasant Library / Active Living Center / Foil Park Project.

#### **4.11 Infrastructure and Asset Management - Stonewall Jackson Training School (SJTS) Parcels Timber Harvesting Plan Approval**

Kyle Bilafer, Assistant County Manager, reported several months ago a Request for Qualification (RFQ) went out for timber harvesting firms. The County only received one applicant. Mr. Bilafer requested approval from the Board to move forward.

A discussion ensued. During discussion, Mike Downs, County Manager, Richard Koch, County Attorney, Kelly Sifford, Assistant County Manager, and Mr. Bilafer responded to questions from the Board.

**4.12 ITS - Memorandum of Agreement for the Courtroom Upgrades for Remote Proceedings**

Todd Shanley, Chief Information Officer, reported the Administrative Offices of the Courts (AOC) of North Carolina will supply Audio Visual (AV) equipment units in six courtrooms in the new courthouse to allow for virtual court appearances. The County will be responsible for cable and installation. In that regard, the AOC will require a memorandum of agreement for the County to utilize their contract with ePlus.

**4.13 Legal - Ad Hoc Amendment to Central Area Land Use Plan Interlocal Agreement for 2101 NC 73 HWY, Further Identified as PIN 5641-00-5282**

Susie Morris, Planning and Development Director, reported the City of Concord received a request for water service in Area A of the Central Area Land Use Plan Interlocal Agreement. The request is for development of property located at 2101 Highway 73 for a single-family home. Pursuant to the CALUP ILA, all requests for service in Area A must be jointly approved by the Cabarrus County Board of Commissioners and Concord City Council.

A discussion ensued. During discussion, Ms. Morris responded to questions from the Board.

**4.14 Legal - Ad Hoc Amendment to Central Area Land Use Plan Interlocal Agreement for 380 Patience Drive, Further Identified as PIN 5641-00-1839**

Susie Morris, Planning and Development Director, reported the City of Concord has also received a request for the development of property located at 380 Patience Drive for a single-family home that will require joint approval by the Cabarrus County Board of Commissioners and Concord City Council.

**4.15 Planning and Development - 2023-2024 Community Development Programs - Public Hearing 6:30 p.m.**

Kelly Sifford, Assistant County Manager, presented a request for Community Development staff to make regular submissions for the Weatherization, Heating and Air Repair and Replacement program and Housing and Home Improvement programs as the applications and funding become available in the coming months. Additionally, staff requested to participate in any programs that Duke Energy or Blue Cross Blue Shield offer. The only match required for any of these programs would be 10 percent for the Housing and Home Improvement program. Duke Energy has forwarded a Memorandum of Understanding to the County for \$50,000 for the Helping Home Fund and does not require a match.

Finally, staff requested to apply for the regular HOME program. It is proposed to use the funding toward Cooperative Christian Ministry's (CCM) Grace Place project (formerly the Huddle House Project) in Kannapolis. A 25 percent match will be required. However, staff will work with CCM to see if any in kind match or nonfederal funds can be produced for this project to reduce the county's required amount. Ms. Sifford advised a public hearing will be needed for the HOME program funding.

A discussion ensued. During discussion, Ms. Sifford responded to questions from the Board.

**4.16 Planning and Development - Community Development Budget Amendment**

Kelly Sifford, Assistant County Manager, presented a request for a budget amendment to place revenues generated from the Duke Energy rebate program (\$28,506.45) into expense line items to allow them to be expended.

**4.17 Planning and Development - HOME ARP Contract**

Kelly Sifford presented a request for a contract for the use of the HOME ARP funds in connection with the Grace Place project. The project would include 16 cottages (14 for residents and 2 for onsite employees) and community building to provide services and congregate meals and laundry. Ms. Sifford advised concerns expressed by residents of a neighborhood that would be next door and 35 letters of support from community organizations, businesses, and non-profits.

A discussion ensued. During discussion, Ms. Sifford responded to questions from the Board. Robert Anderson, Community Development Planner, was also in attendance.

#### **4.18 Sheriff's Office - Law Enforcement Services Agreement with Town of Harrisburg**

Sheriff Van Shaw, Chief Deputy James Bailey, and Rodney Harris, Deputy County Manager, presented a request to renew the agreement with the Town of Harrisburg for law enforcement duties within the town limits. The Town of Harrisburg would like to continue with a few term modifications as listed below:

- 10-year term with an option to renew for an additional five-year term
- Maintains County funding of two (2) deputy sheriff positions
- Shifts billing to actual rather than estimated expenses

A lengthy discussion ensued. During discussion, Sheriff Shaw, Chief Deputy Bailey, and Mr. Harris responded to questions from the Board.

#### **4.19 Tax Administration - Advertisement of 2022 Delinquent Taxes**

David Thrift, Tax Administrator, reported North Carolina General Statute 105-369 requires the Tax Collector to report the amount of unpaid taxes for the current year, 2022, that are liens on real property less bankruptcies and Property Tax Commission (PTC) appeals and set an advertisement date. In that regard, staff requested March 26, 2023, as the date to advertise tax liens. He stated the amount of delinquent taxes is currently \$12,874,602.30. Mr. Thrift also responded to questions from the Board.

#### **4.20 County Manager - Jail Behavioral Health Services**

Rodney Harris, Deputy County Manager, presented a request to transition the behavioral health services to include three and one-half positions from the jail to the management of Cabarrus Health Alliance (CHA). The positions involved include the Stepping Up program and a clinician. This would impact three current staff and a total of three and a half positions.

Lundee Covington, Human Resources Director, advised she has had conversations with the impacted individuals, and we would work with them and CHA assuming the Board approves this to come up with a transition plan. She stated they would be kept as county employees through the end of April to allow time for a transition. CHA would then be posting an additional position and a half to provide support.

Mr. Harris advised there will probably be an increase of approximately \$150,000 annually. He further advised there may be opportunity to use some of the opioid settlement resources to offset some of the expenses for this program.

### **5. Approval of Regular Meeting Agenda**

#### **5.1 BOC - Approval of Regular Meeting Agenda**

The Board discussed the placement of the items on the agenda.

Vice Chairman Shue, **MOVED** to approve the agenda as follows for the February 20, 2023 regular meeting, and scheduled a public hearing for 6:30 or as soon thereafter as persons may be heard. Commissioner Wortman seconded the motion.

Following discussion, the **MOTION** unanimously carried.

#### **Approval or Correction of Minutes**

- Approval or Correction of Meeting Minutes

#### **Recognitions and Presentations**

- Human Resources - Recognition of Captain Aaron Rankin on His Retirement from Cabarrus County Sheriff's Office
- Human Resources - Recognition of Lieutenant Ray Gilleland on His Retirement from Cabarrus County Sheriff's Office
- Human Resources - Recognition of Senior Deputy Lewis Burgess on His Retirement from Cabarrus County Sheriff's Office

#### **Consent**

- Appointments - Home and Community Care Block Grant Advisory Committee

- Appointments and Removals - Human Services Advisory Board
- Appointments and Removals - Juvenile Crime Prevention Council
- Appointments and Removals - Mental Health Advisory Board
- Budget - Budget Amendment to Appropriate Board Contingency Funds for Legal Fees
- County Manager - Jail Behavioral Health Services
- County Manager - U-5956 - Rock Hill Church Rd/Union Cemetery Road Realignment Easement Settlement
- CVB - Mondo Track at Jay M. Robinson High School
- DHS - Budget Amendment for ERA Program
- Finance - Budget Amendment and Capital Project Ordinance
- Finance - Reimbursement Resolution
- Infrastructure and Asset Management - Stonewall Jackson Training School (SJTS) Parcels Timber Harvesting Plan Approval
- ITS - Memorandum of Agreement for the Courtroom Upgrades for Remote Proceedings
- Legal - Ad Hoc Amendment to Central Area Land Use Plan Interlocal Agreement for 2101 NC 73 HWY, Further Identified as PIN 5641-00-5282
- Legal - Ad Hoc Amendment to Central Area Land Use Plan Interlocal Agreement for 380 Patience Drive, Further Identified as PIN 5641-00-1839
- Planning and Development - Community Development Budget Amendment
- Planning and Development - HOME ARP Contract
- Sheriff's Office - Acceptance of Grant Funds to Support Additional Officers
- Sheriff's Office - Award of Service Weapon to Captain Aaron Rankin Upon His Retirement
- Sheriff's Office - Award of Service Weapon to Deputy Lewis Burgess upon His Retirement
- Sheriff's Office - Award of Service Weapon to Lieutenant Ray Gilleland Upon His Retirement
- Sheriff's Office - Law Enforcement Services Agreement with Town of Harrisburg
- Tax Administration - Advertisement of 2022 Delinquent Taxes
- Tax Administration - Refund and Release Reports - January 2023

#### New Business

- Planning and Development - 2023-2024 Community Development Programs - Public Hearing 6:30 p.m.

#### Reports

- BOC - Receive Updates from Commission Members who Serve as Liaisons to Municipalities or on Various Boards/Committees
- BOC - Request for Applications for County Boards/Committees
- Budget - Monthly Budget Amendment Report
- Budget - Monthly Financial Update
- County Manager - Monthly Building Activity Reports
- County Manager - Monthly New Development Report
- EDC - January 2023 Monthly Summary Report

### 6. Closed Session

#### 6.1 Closed Session - Pending Litigation

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

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

#### Return to Open Session

**UPON MOTION** of Commissioner Wortman, seconded by Commissioner Strang and unanimously carried, the Board approved the mediation settlement for workers compensation claim for I.C. File Number 18-000685 in the amount of \$80,000 with \$5,000 set aside for future medical care.

### 7. Adjourn

**UPON MOTION** of Commissioner Measmer, seconded by Commissioner Wortman and unanimously carried, the meeting adjourned at 7:32 p.m.



*Lauren Linker*  
Lauren Linker, Clerk to the Board