

The Board of Commissioners for the County of Cabarrus met as a hybrid meeting 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, February 21, 2022.

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

live broadcast at 6:30 p.m. on Channel 22
<https://www.youtube.com/cabarruscounty>
<https://www.cabarruscounty.us/cabcotv>
1-980-729-7942 PIN 137 387 364#

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; Jonathan Marshall, Deputy County Manager; Rodney Harris, Deputy County Manager; and Lauren Linker, Clerk to the Board.

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

(A) APPROVAL OR CORRECTION OF MINUTES

UPON MOTION of Commissioner Strang, seconded by Commissioner Honeycutt and unanimously carried, the Board approved the minutes of January 3, 2022 (Work Session), and January 18, 2022 (Regular Meeting) as presented.

(B) APPROVAL OF THE AGENDA

Chairman Morris reviewed the following changes to the agenda.

Additions:

Recognitions and Presentations

C-1 Cabarrus Soil and Water Conservation District - Awarded State Recognitions

C-3 DHS - Social Worker Appreciation Month

New Business

G-1 Planning and Development - Renaming of the Deferred Tax Collections Account

G-3 Planning and Development - ARPA Weatherization Contract

Closed Session

K-1 Closed Session - Pending Litigation

Updated:

Consent Agenda

F-7 County Manager - WSACC Sewer Service Agreement

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

(C) RECOGNITIONS AND PRESENTATIONS

(C-1) Cabarrus Soil and Water Conservation District - Awarded State Recognitions

Tammi Remsburg, Resource Conservation Coordinator, reported the Cabarrus Soil and Water Conservation District was awarded the Conservation District of the year by the North Carolina Association of Soil and Water Conservation for their educational and conservation efforts over the last couple of years.

Additionally, Ashleigh Miller of Mount Pleasant Middle School was awarded the North Carolina Secondary Conservation Teacher of the Year.

Ms. Miller provided additional comments.

(C-2) Planning and Development - Recognition of Lloyd L. Quay, Jr. for His Service on the Town of Harrisburg Planning and Zoning Advisory Board and Board of Adjustment

Susie Morris, Planning and Zoning Manager, recognized Lloyd Quay, Jr. for his many years of service as the extraterritorial jurisdiction (ETJ)

representative for Cabarrus County on the Town of Harrisburg Planning and Zoning Advisory Board and Board of Adjustment. Ms. Morris presented a lengthy list of Mr. Quay's accomplishments during his tenure with the advisory board.

Mr. Quay expressed his appreciation.

(C-3) DHS - Social Worker Appreciation Month

Anthony Hodges, Human Services Program Administrator, and Sharon Schueneman, Child Welfare Program Administrator, read the proclamation.

Commissioner Honeycutt **MOVED** to adopt the proclamation. Commissioner Shue seconded the motion.

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

Proclamation No. 2022-02

SOCIAL WORK 2022 PROCLAMATION
"The Time is Right for Social Work"

WHEREAS, the Social Work Profession for decades has been dedicated to improving human well-being and enhancing the basic needs of all people—especially the most vulnerable among us, particularly during the global pandemic during the last two years; and

WHEREAS, this year's Social Work Month theme, "The Time is Right for Social Work" embodies how more people are entering the field because the life-affirming services that Social Workers provide are needed more than ever and how Social Workers rose to meet some of the nation's most pressing challenges of our lifetimes, the COVID-19 pandemic, political divisiveness, economic uncertainty, and other crises; and

WHEREAS, Social Workers are the largest group of mental health care providers in the United States, and work daily to help people—whether in person or remotely—overcome substance use disorders and mental illnesses such as isolation, depression and anxiety; and

WHEREAS, Social Workers have always helped people overcome issues such as death and grief and helped people and communities recover from increasing natural disasters such as fires, hurricanes and earthquakes while working in shelters and disaster recovery efforts; and

WHEREAS, Social Workers have helped this nation live up to its values by successfully advocating for equal rights for all people, no matter their race, sexual identity, gender, gender expression, culture, or religion; and

WHEREAS, the Social Work Profession is one of the fastest growing careers with more than more than 700,000 Social Workers in the United States and nearly 3 million worldwide. Social Workers are everywhere people need help navigating tough life challenges. They contribute to interdisciplinary care teams in schools, hospitals, mental health centers, nonprofits, corporations, the military—and in local, state, and federal government.; and

WHEREAS, the nation needs more Social Workers as it continues to deal with entrenched problems that have stressed our society, including systemic racism and the Coronavirus pandemic. The United States is also experiencing one of its worst economic downturns since the Great Depression. Social Workers are on the front lines as essential workers, helping people overcome these crises; and

WHEREAS, Social Workers have continued to push for changes that have made our society a better place to live, including a livable wage, improved workplace safety, and social safety net programs that help ameliorate poverty, hunger, and homelessness; and

WHEREAS, Social Workers possess the necessary expertise to assist our nation in some of its most demanding concerns, including their health and well-being not only during the pandemic, but at all times, ensuring equal rights, improved health care and mental health care for all; and immigration reform; and

WHEREAS, Social Workers work in all facets of our society to meet people no matter their circumstance and empower them to live to their fullest potential; and

NOW THEREFORE, in recognition of the numerous contributions made by Cabarrus County Social Workers, the Cabarrus County Board of Commissions proclaim the

month of March 2022 as National Social Work Month and call upon all citizens to join the National Association of Social Workers and Cabarrus County in celebration and support of the Social Work Profession.

Adopted this 21st day of February 2022.

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

(C-4) Human Resources - Recognition of Deputy County Manager Jonathan B. Marshall on His Retirement from Cabarrus County Government

Mike Downs, County Manager, recognized Johnathan Marshall on his retirement after 34 years of service to Cabarrus County. Mr. Downs highlighted a number of Mr. Marshall's accomplishments during his 34-year tenure.

Chairman Morris, Commissioners Honeycutt, Shue, Strang provided additional comments.

Vice Chairman Kiger congratulated Mr. Marshall and presented him with a service award in appreciation of his service and dedication to the County.

Mr. Marshall graciously accepted the award and expressed appreciation.

(D) INFORMAL COMMENTS

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

Jim Quick, resident of 126 Spencer Avenue in Concord, presented comments regarding the Covid-19 pandemic and ending it along with ending the State of Emergency. Mr. Quick also commented on the Cabarrus Health Alliance and its organizational structure.

Kenny Wortman, resident of 5681 Mountaineer Lane in Concord, commented on the Cabarrus Health Alliance and their role in pandemic procedures affecting Cabarrus County schools.

Stefanie Bloxham, resident of 2647 Bedford Place NW in Concord, provided comments regarding Cabarrus Health Alliance's structure and the thought to bring it back under the jurisdiction of the county.

Jerry Anderson, resident of 133 Kennedy Avenue in Kannapolis, commented on Cabarrus County, local law enforcement and the Department of Human Services.

Elizabeth Rorie, resident of 7001 Grand Summit Blvd., Apt. 7311 in Concord, commented on school mask mandates, local public offices, emergency powers, laws, ordinances and the Cabarrus Health Alliance.

Jeeter Anderson, resident of 133 Kennedy Avenue in Kannapolis, commented on a variety of matters that included the Department of Human Services.

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

(E) OLD BUSINESS

None.

(F) CONSENT

(F-1) Appointments - Agricultural Advisory Board

The terms for Agricultural Advisory Board members Thomas Barbee and Eddie Moose ended January 31, 2022. Both would like to serve another term. An exception to the length of service provision of the Appointment Policy will be needed for them.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the Board reappointed Thomas Barbee and Eddie Moose to the Agricultural Advisory Board for three-year terms ending January 31, 2025; including an exception to the length of service provision of the Appointment Policy for Mr. Barbee and Mr. Moose.

(F-2) Appointments - Cabarrus County Planning and Zoning Commission

Staff respectfully requests that the Board of Commissioners consider appointing Mr. Kevin Crutchfield to fill the vacant Midland Planning Area position vacated in June of 2021.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the Board appointed Kevin Crutchfield to the Cabarrus County Planning and Zoning Commission as the Midland Planning Area representative for a three-year term ending August 31, 2024.

(F-3) Appointments - Concord Downtown Development Corporation

The Concord Downtown Development Corporation (CDDC) requests a Board or Staff member to represent the County at their board meetings. This has been a one-year term that ends June 30th. Jonathan Marshall has been serving in that capacity, is retiring and will no longer be eligible to serve on this board. The length of service has recently been changed to a three-year term.

Susie Morris is willing to fill the County's position and serve on this board.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the Board appointed Susie Morris to the Concord Downtown Development Corporation to complete an unexpired term ending June 30, 2022; including additional three-year term ending June 30, 2025.

(F-4) Appointments and Removals - Home and Community Care Block Grant Advisory Committee

The Home and Community Care Block Grant Advisory Committee had 3 members whose terms expired on December 31, 2021. They are at-large members Betty Babb, Andrea Black, and Mary Whitman.

Ms. Black has agreed to serve another three-year term. Ms. Babb and Ms. Whitman have declined to serve another term on the committee. Millicent Malit submitted an application to the committee. Based on a vote by the committee Ms. Malit is recommended to fill one of the vacancies.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the Board removed Betty Babb and Mary Whitman from the Home and Community Care Block Grant Advisory Committee roster and thanked them for their service.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the Board appointed Millicent Malit to the Home and Community Care Block Grant Advisory Committee as an At-large member for a three-year term ending December 31, 2024.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the Board reappointed Andrea Black to the Home and Community Care Block Grant Advisory Committee as an At-large member for a three-year term ending December 31, 2024.

(F-5) Appointments (Removals) - Juvenile Crime Prevention Council

Baylee Barkley, Student under 18 representative, has resigned from the Juvenile Crime Prevention Council due to schedule conflicts. It is requested to remove her name from the roster.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the Board removed Baylee Barkley from the Juvenile Crime Prevention Council roster and thanked her for her service.

(F-6) County Manager - Cabarrus County Mortgage Assistance Program Revisions

The Board approved up to \$5 million from the American Rescue Plan (ARP) State and Local Fiscal Recovery Funds to go toward providing mortgage assistance. The program, launched in October 2021, has received less than 30 applications, and has not made any awards so far. Based on the status of the program, the following changes are being made:

1. Reduce funding available to provide mortgage assistance from \$5,000,000 to \$675,000 with the balance reallocated to other county priorities. Further reductions could be necessary if interest does not increase.
2. Reduce the maximum award amount from \$35,000 to \$7,000 per homeowner.

3. Given the significantly reduced maximum award amount, eliminate the loan forgiveness provision that treated any award as an interest-free loan, subject to repayment, over a 10-year period.
4. Based on the final rule, expand income eligibility from 80 percent of area median income (AMI) to 300 percent.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the Board approved the budget amendment and project ordinance.

Date: Amount:
 Dept. Head: Department:
 Internal Transfer Within Department Transfer Between Departments/Funds Supplemental Request

To reallocate American Rescue Plan funds budgeted for mortgage assistance.							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
440	9	1925 9397 ARP	Miscellaneous	1,161,899	5,041,500	-	6,203,399
440	9	1925 974914 ARP60	Non-Profit Mortgage Assistance	5,354,265	-	4,679,265	675,000
440	9	1926 974914 ARP61	Non-Profit Mortgage Assistance Admin	437,235		362,235	75,000

Ordinance No. 2022-08

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)	652,851
Emergency Rental Assistance (ERA21)	10,841,218
Administration (ERA22)	516,571
Emergency Rental Assistance Second Allocation (ERA22)	4,649,139
Salaries and Benefits (ARP)	400,000
Other Public Health Expenditures (ARP)	3,275,000
Aid to Nonprofits	30,565,059
Purchased Services	1,600,000
Unallocated (ARP)	6,203,399
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 21st day of February, 2022.

CABARRUS COUNTY BOARD OF COMMISSIONERS

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

ATTEST:

/s/ Lauren Linker
Clerk to the Board

(F-7) County Manager - WSACC Sewer Service Agreement

The Bond Counsel for WSACC, Scott Leo, contacted County Attorney Richard Koch about the need for all WSACC jurisdictions to adopt a Sewer Service Agreement. This Agreement needs to be in place as part of the financing process for the Rocky River Wastewater Treatment Plant expansion. The agreement recognizes WSACC's role as the wastewater treatment plan provider and operator for the member jurisdictions.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the Board adopted the Sewer Service Agreement with the Water and Sewer Authority of Cabarrus County and adopted the resolution.

Resolution No. 2022-02

RESOLUTION APPROVING A WASTEWATER SERVICES AGREEMENT AMONG THE
WATER AND SEWER AUTHORITY OF CABARRUS COUNTY AND ALL OF ITS
MEMBER JURISDICTIONS

WHEREAS, the Water and Sewer Authority of Cabarrus County ("WSACC") has proposed to enter into a Wastewater Service Agreement (the "Agreement") with the City of Concord, North Carolina, the City of Kannapolis, North Carolina, the Town of Harrisburg, North Carolina, the Town of Mt. Pleasant, North Carolina, and the County of Cabarrus, North Carolina (the "County"), each of its member jurisdictions, under Article 20 of Chapter 160A of the North Carolina General Statutes, as amended (the "Interlocal Act"), for the purpose of establishing certain terms and conditions with respect to the operation and maintenance of the wastewater disposal facilities owned and operated by WSACC for the benefit of the member jurisdictions, the expansion or improvement thereof and the provision of other improvements, the financing thereof and certain other matters; and

WHEREAS, WSACC is in the process of developing and executing on a plan for the maintenance and expansion of the Rocky River Wastewater Treatment Plant to 34 MGD capacity and a parallel interceptor line project for Lower Coddle Creek for which it intends to finance a portion of such projects through the issuance of revenue bonds; and

WHEREAS, entering into the Agreement will support the ability of WSACC to finance the projects described above and future projects for the benefit of the member jurisdictions; and

WHEREAS, staff has reviewed the Agreement, a form of which is available for inspection by Board of Commissioners; and

WHEREAS, the Board of Commissioners of the County has determined it is in the best interest of the County to enter into the Agreement for the purposes set forth above and in the Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF CABARRUS, NORTH CAROLINA, AS FOLLOWS:

Section 1. Authorization of Agreement. The Interlocal Agreement is hereby authorized, approved and confirmed in all respects, and the Chairman of the Board of Commissioners and the County Manager, and their respective designees (the "Authorized Officers") are hereby authorized, empowered and directed, individually and collectively, to execute and deliver the Agreement, including necessary counterparts, in substantially the form and content made available to the Board of Commissioners, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate. Execution by the Authorized Officers of the Agreement will constitute conclusive evidence of the Board of Commissioners' approval of any and all changes, modifications, additions or deletions therein from the form and content of the Agreement made available to the Board of Commissioners. From and after the execution and delivery of the Agreement, the Authorized Officers and other appropriate officials of the County are authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Agreement as executed.

Section 2. Effective Date. This Resolution is effective on the date of its adoption.

Adopted this 21st day of February 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-8) DHS - Low-Income Energy Assistance (LIEAP) Additional Funding

The Department of Human Services received a revised funding authorization from the Division of Federal Low Income Energy Assistance Funds for the Local program which increased the budget from \$667,099 to \$670,275.

Cabarrus County has been approved for \$879,378.00 in pandemic funds for the Low-Income Energy Assistance Program (LIEAP) under the American Rescue Plan Act (ARPA). The funds will be automatically authorized for households with children ages 0-10 that are receiving FNS and received LIEAP last fiscal year 2020-2021.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the Board approved the necessary budget amendments.

Date: Amount:
 Dept. Head: Department:
 Internal Transfer Within Department
 Transfer Between Departments/Funds
 Supplemental Request

DHS received a second funding allocation for the Low-Income Home Energy Assistance Program (LIEAP) in the amount of \$3,176.00. A supplemental budget amendment is needed to include this fund to match the total approved allocation of \$670,275.00. This funding is 100% Federal. County share is not required.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	5615-946001-352-1	Low Income Energy Asst Program	667,099.00	3,176.00		670,275.00

Date: Amount:
 Dept. Head: Department:
 Internal Transfer Within Department
 Transfer Between Departments/Funds
 Supplemental Request

Cabarrus county is approved for \$879,378.00 in pandemic funds for the Low Income Energy Assistance Program (LIEAP) under the American Rescue Plan Act (ARPA). The funds will be automatically authorized for households with children ages 0-10 that are receiving FNS and received LIEAP last fiscal year 2020-2021. The automatically authorized payments will be generated based on the households primary heating source (\$300 for wood, \$400 for gas, and \$500 for electric). The allocation service period is from December 2021 through May 2022. This fund is 100% federal. No county share is required.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	5615-946001-352-1	Low Income Energy Asst Program	667,099.00	879,378.00		1,546,477.00
001	6	5615-6204-CARES	Soc Service Admin Reimb		879,378.00		879,378.00

(F-9) EMS - Fee Increase for Dedicated Event Coverage

A purposed fee increase for EMS dedicated event coverage is requested. The current fee schedule was implemented in September 2015. We are purposing to increase the fees for per hour coverage; Staffed Paramedic Ambulance is currently \$82.00 per hour, purposed increase to \$125.00. Current fee for an EMS Administrator (Large events) in \$28.00 per hour, purposed increase to \$50.00 per hour.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the Board approved the purposed fee increase, effective as of March 1, 2022.

(F-10) Finance - Needs-Based Public School Capital Fund Grant Application

The Needs-Based Public School Capital Fund (NBPSCF) was established in 2017 to assist low wealth counties with their critical public school building capital needs. SL2021-180 revised the eligibility criteria to include counties, like Cabarrus, with an adjusted market value of taxable real property of less than \$40 billion.

Grant funds must be used only for construction of new school buildings or additions, repairs, and renovations. Funds cannot be used for real property acquisition or for capital improvements to administrative buildings.

Staff recommends submitting an application for the Northwest High School replacement project, which is currently included in the FY22 and FY24 Capital Improvement Plans at a total estimated cost of \$102 million. The maximum grant award from the State would be \$50 million. The required local match on any

amount awarded would be 25%. A full grant award could accelerate school opening from August 2026 to August 2025.

Applications are due by March 15, 2022 with award announcements expected by mid-April. If awarded, the acceptance of the grant and approval of the associated project ordinance and budget amendment would be placed on the Board's May agenda.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the Board approved the Needs-Based Public School Capital Fund application.

(F-11) Finance - Update Capital Project Fund Budget and Related Project Ordinances

Cabarrus County Schools has \$66,905 approved in their maintenance budget for Early College Mobile Renovations. They would like to use these funds for mobile units at Mount Pleasant High School. A budget amendment is not required for this action because the funds are already budgeted.

The budget amendment appropriates State Budget Allocations to the Courthouse (\$7,500,000) and Metal Health Facility (\$30,000,000). It also includes loan proceeds for construction of R. Brown McAllister Elementary School, multiple roof projects at Cabarrus County Schools and architect cost for the new Northwest Cabarrus High School. In addition to the above it also budgets an additional \$500,000 for road construction for Roberta Road Middle School. This additional cost will be reimbursed by NCDOT.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the Board approved the multi-year budget amendment and revised project ordinances.

Date: Amount:
 Dept. Head: Department:
 Internal Transfer Within Department Transfer Between Departments/Funds Supplemental Request

Budget \$37,500,000 in State Budget Allocations for the Courthouse and Mental Health Facility. Budget Loan proceeds for capital projects. Budget NCDOT funds for road improvements for Roberta Road Middle School.							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
380	9	2210 9821 COURT	Building/Renovations	16,738,515	7,500,000		24,238,515
380	6	2210 6375 COURT	State Budget Allocation	-	7,500,000		7,500,000
			Budget State Allocation for the Courthouse				
380	9	5310 9820 MENT	Construction	3,097,554	30,000,000		33,097,554
380	6	5310 6375 MENT	State Budget Allocation	-	30,000,000		30,000,000
			Budget State Allocation for the Mental Health Facility				
380	9	8140 9801 0300	Land	-	1,078,966		1,078,966
380	9	8140 9830 0300	Other Improvements	2,164,024	4,846,034		
380	6	8140 6918 2022A	COPS/LOBS	1,575,000	5,925,000		7,500,000
			Budget Loan Proceeds for Ballfield Replacements for Northeast Cabarrus				
390	9	7340 9820	Construction	200,000	37,750,000		37,950,000
390	9	7340 9606	Engineering	-	250,000		250,000
390	6	7340 6918 2022A	COPS/LOBS	-	38,000,000		38,000,000
			Budget Loan Proceeds for R. Brown McAllister Elementary School				
390	9	7210 9501 DM22	Buildings and Grounds	5,654,625	7,776,500		13,431,125
390	6	7210 6918 2022A	COPS/LOBS	-	7,776,500		7,776,500
			Budget Loan Proceeds for Roof Replacements at Concord High, CC Griffin Middle, Weddington Hill Elementary and Bethel Elementary				

390	9	7347 9607	Architects		4,260,000	4,260,000
390	6	7347 6918 2022A	COPS/LOBS		4,260,000	4,260,000
			Budget Loan Proceeds for the new Northwest Cabarrus Highschool			
390	9	7346 9802	Road Construction	1,200,000	500,000	1,700,000
390	6	7346 6439	NC Dept of Transportation		500,000	500,000
			Budget NCDOT funds for Road Improvements at Roberta Road Middle School			

Ordinance No. 2022-09

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	\$	17,365,958
Contribution from Capital Projects Fund		9,522,511
Debt Proceeds 2020 Draw Note		46,620,222
Debt Proceeds 2022 Draw Note		55,711,930
Contribution from Capital Reserve Fund		1,662,314
NC Department of Transportation		500,000

TOTAL REVENUES \$131,382,935

- C. The following appropriations are made as listed.

CCS Mobile Unit Renovation	\$	900,000
Concord High Fire Alarm Replacement		89,314
Northwest High Fire Alarm Replacement		89,314
JM Robinson Renovation		81,195
R. Brown McAllister Replacement		39,950,000
CCS New Middle School		55,804,300
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		1,850,000
Deferred Maintenance Cabarrus County Schools		13,431,125
Deferred Maintenance Kannapolis City School		2,451,284
Deferred Maintenance Rowan Cabarrus Community College		1,208,000

TOTAL EXPENDITURES \$131,382,935

GRAND TOTAL - REVENUES \$131,382,935
GRAND TOTAL - EXPENDITURES \$131,382,935

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 21st day of February, 2022.

CABARRUS COUNTY BOARD OF COMMISSIONERS

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

ATTEST:

/s/ Lauren Linker
Clerk to the Board

Ordinance No. 2022-10

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	\$ 77,592,977
Debt Proceeds 2022 Draw Note	94,551,452
Contributions from Capital Projects Fund	27,766,063
Contribution from General Fund	36,350,372
Contribution from Capital Reserve Fund	3,657,664
Contribution from Internal Service Fund	1,065,425
State Allocation	37,500,000
 TOTAL REVENUES	 \$278,483,953

- C. The following appropriations are made as listed.

Courthouse Site Enabling Construction & Renovation	\$ 142,359,518
Governmental Center Skylight & Roof Replacement	2,028,494
Contribution to Capital Reserve (Reimb for Skylight Project)	2,085,000
Artificial Turf Fields	4,401,748
Frank Liske Barn Replacement	6,069,827
Legal / Closing Expenses	952,508
Governmental Center Parking Deck Sealing	350,000
Emergency Equipment Warehouse/ ITS Location	14,867,999
Fiber Infrastructure Improvement	720,000
Jail Annex HVAC Replacement	193,000
Sheriff Training & Firing Range Renovations	2,450,000
Human Services HVAC	180,000
Frank Liske Park ADA Renovations	1,100,000
Frank Liske Park Playground Replacement	93,600
Camp Spencer Vending & Archery Building	336,998
West Cabarrus Library & Senior Center	2,400,000
Deferred Maintenance Projects	6,471,450
EMS Headquarters	20,520,017
Northeast Area Park	8,089,024
Northeast Area Land	3,650,150
Mental Health Facility	33,097,554
Other Improvements Unallocated	2,443,763
Enterprise Physical Security Project (ITS)	700,000
Concord Senior Center Overflow Parking Lot	100,000
Contribution to the General Fund	47,500
Frank Liske Park Softball Complex Utilities	60,000
Rob Wallace Park	1,000,000
Animal Shelter Expansion	190,000
Frank Liske Park Stormwater Project	570,803

Northeast Cabarrus Radio Tower Project	2,435,000
Milestone Building	8,150,000
Fire Services Building	370,000
Mt Pleasant Library	10,000,000
 TOTAL EXPENDITURES	 \$278,483,953
 GRAND TOTAL - REVENUES	 \$278,483,953
GRAND TOTAL - EXPENDITURES	\$278,483,953

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 21st day of February, 2022.

CABARRUS COUNTY BOARD OF COMMISSIONERS

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

ATTEST:

/s/ Lauren Linker
 Clerk to the Board

(F-12) Infrastructure and Asset Management - Utility Easement Request at IAM Operations Center

We have one outstanding utility item from the Cabarrus County IAM Operations Center renovations. Part of the conditions of approval included conveyance of a public utility easement to encompass the 8" public water main and water service meters to the City of Concord.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the Board approved the easement with authorization for the County Manager to sign the document pending review by the County Attorney.

(F-13) Infrastructure and Asset Management - Request of Donation of Surplus Kitchen Equipment

On December 30, 2021, Infrastructure and Asset Management (IAM) received an email from Allen Lark with the Weber City Volunteer Fire Department in Weber City, Virginia requesting consideration of a free donation of two pieces of kitchen equipment. IAM was advertising two (2) Southbend Natural Gas Griddle Ranges on govdeals.com that were original pieces of equipment used in the Jail Housing Kitchen. Both units are in good condition and have been relatively unused over the past several years which is why they were surplus. Each unit was being listed with a starting price of \$2,500 each. The Weber City Volunteer Fire Department saw these items on govdeals.com and wants to utilize them both in a building they have recently acquired and are renovating for a new fire station which will be equipped with a commercial grade kitchen.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the Board approved the surplus of commercial kitchen equipment and donated the property to the Weber City Volunteer Fire Department.

(F-14) Infrastructure and Asset Management - Town of Midland and Cabarrus County Interlocal Agreement for Veterans Memorial at Rob Wallace Park

During the design development of the Veterans Memorial constructed by the Town of Midland at Rob Wallace Park, the County declared the need for an interlocal agreement for the maintenance and scheduling of the memorial. County staff worked with legal counsel and the Town of Midland on the agreement that was attached to the agenda. After several revisions the agreement was approved by the Town of Midland Council.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the Board approved the Memorandum of Agreement between Cabarrus County and the Town of Midland.

(F-15) Library - Approval of Budget Amendment

The passing of the State budget resulted in an increase to State Aid for Public Libraries. The proposed budget amendment reflects the increase in revenue.

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

Date: Amount:
 Dept. Head: Department:
 Internal Transfer Within Department Transfer Between Departments/Funds Supplemental Request

The State Aid to Public Libraries amount awarded to Cabarrus County Public Library has increased with the passing of the NC budget. Memo from the state is attached.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	8240 - 6331	State Aid to Public Libraries	195,541.00	11,120.00		206,661.00
001	9	8240 - 9302	Circulation Stock	560,958.00	11,120.00		572,078.00

(F-16) Library - Updates to Policies

The library system has updated the Circulation and Collection Development policies, making necessary changes and adjustments to increase accessibility and improve library user experience. The Board of Library Trustees approved these policies at their January 20, 2022 meeting.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the Board approved and adopted the updated library policies.

(F-17) Planning and Development - HOME American Rescue Plan (ARP) Project Proposal

Cabarrus County Community Development staff is tentatively recommending that the HOME ARP funds be dedicated to a project that Cooperative Christian Ministries (CCM) has been working on. This project is a "huddle house" concept that has a community building that offers supportive services with small homes surrounding the main building. The project will be specifically for extremely low-income senior adults, veterans and single adults with disabilities. The program will be structured to teach life skills associated with independent living while offering shelter at an amount that allows the client to obtain financial stability and prepare for the next steps. The City of Kannapolis may participate in this project as well. The HOME ARP program information is in the early stages as well as the huddle house planning, so this is the reason we are tentatively recommending support as we work through the requirements of the program. CCM has obtained property recently for the project. The proposed project appears to fall within the program guidelines and is the need is for affordable supportive housing is supported by the survey/comment period that the City of Concord administered on behalf of the Consortium.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the Board approved staff to move forward with Cooperative Christian Ministries huddle house project for HOME ARP funding.

(F-18) Property and Liability Internal Service Fund - Sheriff Vehicle Replacement

This request is to appropriate fund balance in the Internal Service Fund and transfer funds from the Property and Liability Internal Service Fund to the General Fund to replace a Sheriff's Department Vehicle (SUV - UNIT 230) that was totaled in Tennessee on January 2, 2022.

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

Date: Amount:
 Dept. Head: Department:
 Internal Transfer Within Department Transfer Between Departments/Funds Supplemental Request

This budget amendment is to appropriate fund balance to increase the motor vehicle expenditure account in the Property and Liability Fund and to transfer funds to the General Fund to replace a Sheriff's Department Vehicle that was destroyed in an accident.

	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget	
	600	9	1919-9863	Motor Vehicles	25,660.00	8,680.00	-	34,340.00
	600	6	1919-6901	Fund Balance	1,390,994.00	8,680.00	-	1,399,674.00
	600	9	1919-9704	Contribution to the General Fund	34,340.00	34,340.00	-	68,680.00
	600	9	1919-9863	Motor Vehicles	34,340.00	-	34,340.00	0.00
	001	6	2110-6931	Contribution From Internal Service Fund	34,340.00	34,340.00	-	68,680.00
	001	9	2110-9863	Motor Vehicles	1,680,574.89	34,340.00	-	1,714,914.89

(F-19) Tax Administration - Advertisement of 2021 Delinquent Taxes

North Carolina General Statute 105-369 requires the office of the Tax Collector to report the amount of unpaid taxes for the current year, 2021, that are liens on real property, less filed bankruptcies and appeals with Property Tax Commission (PTC); and to set the advertisement date:

2021 REAL ESTATE: \$10,431,601.29
 Less: Bankruptcy \$71,073.58
 PTC Appeals \$0.00

Total Delinquent to Advertise \$10,360,527.71

Requested date of Advertisement of Tax Liens: March 27, 2022

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the Board approved the report for the 2021 outstanding tax balances that are a lien on real property and ordered the Tax Collector to advertise these liens in the Independent Tribune on Sunday March 27, 2022.

ORDER OF THE BOARD OF COUNTY COMMISSIONERS
IN ACCORDANCE WITH N.C.G.S. 105-369

State of North Carolina
County of Cabarrus

To: M. David Thrift, Tax Administrator of Cabarrus County

You are hereby authorized, empowered, and commanded to advertise tax liens on real property for failure to pay 2021 property taxes. You shall advertise said liens by posting a notice of liens at the county courthouse and by publishing each lien at least one time in a newspaper having general circulation in the taxing unit. Advertisement of liens shall be made on Sunday March 27, 2022.

This order shall be a full and sufficient authority to direct, require, and enable you to advertise said tax liens in accordance with North Carolina General Statute 105-369.

Witness my hand and official seal, this 21st day of February, 2022.

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

Attest:

/s/ Lauren Linker
Lauren Linker
Clerk to the Board of County Commissioners

(F-20) Tax Administration - Interlocal Agreement Regarding Tax Collection for Town of Huntersville

The Town of Huntersville has annexed a number of parcels inside Cabarrus County. The Town of Huntersville wishes to designate the Cabarrus County Tax Collector to collect taxes for those parcels that lie inside Cabarrus County.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the Board approved the contract between Cabarrus County and Town of Huntersville; and authorized the County Manager to execute the contract on behalf of Cabarrus County, subject to review or revisions by the County Attorney.

(F-21) Tax Administration - Refund and Release Reports - January 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 Vice Chairman Kiger, seconded by Commissioner Shue and unanimously carried, the Board approved the January 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 included in the minutes by reference and is on file with the Clerk to the Board.

(G) NEW BUSINESS

(G-1) Planning and Development - Renaming of the Deferred Tax Collections Account

Kelly Sifford, Planning and Development Director, stated that in 2009 the Cabarrus County Board of Commissioners voted to create a fund for support of conservation easements and the local food economy at the request of Ned Hudson and the Cabarrus County Soil and Water Conservation Board. The program was to

be funded by deferred taxes derived from the sale of properties coming out of agricultural use and would provide a funding stream to support these activities while not using general funds from the county. The program has provided for the purchase of conservation easements for farming, purchase of St. Stephens land for a park, The Elma C. Lomax Incubator Farm and assisted with the purchase of the Suther Prairie and seed collection and research.

Louis Suther, Agricultural Advisory Board member, read the resolution to rename the deferred tax account to the Hudson Conservation Account in honor of Ned Hudson's contributions to Cabarrus County.

Commissioner Honeycutt **MOVED** to adopt the resolution. Commissioner Shue seconded the motion.

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

Resolution No. 2022-03

RESOLUTION REGARDING THE RENAMING OF THE "DEFERRED TAX COLLECTION ACCOUNT" TO THE "HUDSON CONSERVATION ACCOUNT" IN HONOR OF NED HUDSON'S DISTINGUISHED CAREER IN SOIL AND WATER CONSERVATION

WHEREAS, Cabarrus County has experienced tremendous growth over the past fifty years and has lost significant natural resources due to the development of raw land and farms, the Cabarrus County Soil and Water Conservation Board provides resources and education on conservation measures for Cabarrus County and;

WHEREAS, Ned Hudson held many roles in the North Carolina Soil and Water Conservation network, serving as a teacher for 33 years and a member of the Cabarrus County Soil and Water Conservation Board for 24 years, along with involvement in numerous other local and state boards and committees, and was recently inducted into the North Carolina Association of Soil and Water Conservation Districts Hall of Fame and;

WHEREAS, In search of opportunities for conservation not funded through the Cabarrus County General Fund, Ned Hudson learned of a system of using deferred tax funds derived from the sale of farms that removed them from agricultural use and applied the proceeds toward the purchase of conservation easements that would protect land in perpetuity for agricultural or open space use and;

WHEREAS, the Cabarrus County Board of Commissioners adopted a resolution at the request of Ned Hudson and the Cabarrus County Soil and Water Conservation Board on May 21, 2009, to establish a Deferred Tax Collection Account that has accumulated approximately \$4.1 million since its inception and which has been used to help purchase 508 acres of conservation easements and over 600 acres of park property, along with supporting the local food network through new farmer training and;

WHEREAS, Cabarrus County staff has recommended that the Deferred Tax Collection Account be renamed the Hudson Conservation Account in honor of the incredibly productive career of Ned Hudson;

NOW THEREFORE BE IT RESOLVED that the Cabarrus County Board of Commissioners rename the Deferred Tax Collection Account to the Hudson Conservation Account in honor of Ned Hudson's valuable work in Cabarrus County.

Adopted this 21st day of February, 2022.

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

ATTEST:

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

(G-2) Solid Waste - Ordinance Acknowledging the Renewal of the Solid Waste Collection and Disposal Franchise Agreement through December 31, 2027 - First Reading

Kevin Grant, Environmental Management Director, reported the current Solid Waste Collection and Disposal Franchise Agreement expires December 31, 2022. The agreement includes two five-year renewal options. Mr. Grant advised Republic has expressed the desire to execute the first of these renewals. He

presented an overview of the agreement, it's benefits to the County and the citizens, and requested adoption of the first reading of the ordinance.

UPON MOTION of Commissioner Strang, seconded by Vice Chairman Kiger and unanimously carried, the Board adopted the first reading of the ordinance acknowledging the renewal of the Solid Waste Collection and Disposal Franchise Agreement through December 31, 2027.

Ordinance No. 2022-11

ORDINANCE GRANTING RENEWAL OF THE EXCLUSIVE SOLID WASTE MANAGEMENT FRANCHISE TO BFI WASTE SERVICES, LLC dba REPUBLIC SERVICES OF CHARLOTTE FOR SOLID WASTE COLLECTION AND DISPOSAL

BE IT ORDAINED by the Board of Commissioners of the County of Cabarrus in accordance with N.C.G.S. 160A, Article 20, N.C.G.S. 153A-46 and 153A-136 N.C.G.S. 160A, Article 16, N.C.G.S. 130A, Article 11 of the North Carolina General Statutes and all other applicable state and local law and ordinances and upon application of BFI Waste Services, LLC dba Republic Services of Charlotte for Solid Waste Collection and Disposal Services, is hereby granted a renewal of the exclusive solid waste management franchise to operate within Cabarrus County strictly subject to the terms and conditions set forth in:

BE IT FURTHER ORDAINED that the franchise shall be effective and is granted for a period of five (5) years beginning January 1, 2023, and expiring December 31, 2027, upon final adoption after two readings.

Approved and adopted in consecutive regular meetings of the Cabarrus County Board of Commissioners on February 21, 2022, and March 21, 2022.

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

ATTEST:

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

(G-3) Planning and Development - ARPA Weatherization Contract

Kelly Sifford, Planning and Development Director, reported Cabarrus County has received \$63,249 from the American Rescue Plan Act for the Weatherization Program. Ms. Sifford requested approval of the contract. She advised a request to approve the budget amendment will be presented next month. Ms. Sifford stated additional requests would be presented once the funds and terms for those funds have been received. She also responded to questions from the Board.

UPON MOTION of Commissioner Shue, seconded by Commissioner Strang and unanimously carried, the Board approved Weatherization Contract #CW26074 for the first phase of American Rescue Plan Act funding, which has been reviewed by Cabarrus County's legal staff.

(H) REPORTS

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

Commissioner Honeycutt, Senior Centers Advisory Council liaison, reported the Senior Health and Wellness Expo will Be Wednesday, March 9, 2022 from 10:30 a.m. to 2:00 p.m. at the Cabarrus Arena and Events Center.

Commissioner Honeycutt also announced the Senior Games will begin March 15, 2022. Early Bird registration discounts are available until March 1, 2022.

Vice Chairman Kiger, Town of Harrisburg liaison, reported the Town of Harrisburg Public Works Department was recognized as a designated NCDOL Public Sector Sharp (Safety and Health Achievement Recognition Program) site.

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

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

- Adult Care Home Community Advisory Committee - 8 Vacant Positions

- Concord Planning and Zoning Commission (ETJ) - 1 Vacant Position
- Harrisburg Fire Advisory Board (ETJ) - 1 Vacant Position
- Home and Community Care Block Grant Committee - 1 Vacant Position
- Industrial Facilities and Pollution Control Financing Authority - 1 Expired Term
- Juvenile Crime Prevention Council - 2 Vacant Positions
- Mental Health Advisory Board - 1 Vacant Position
- Nursing Home Community Advisory Committee - 9 Vacant Positions
- Planning and Zoning Commission - 1 Vacant Position
- Region F Aging Advisory Committee - 1 Vacant Position
- Transportation Advisory Board - 6 Vacant Positions
- Youth Commission - 9 Vacant Positions

Chairman Morris urged citizens to consider participating on a Board or Committee.

(H-3) Budget - Monthly Budget Amendment Report

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

(H-4) Budget - Monthly Financial Update

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

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

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

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

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

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

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

(I) GENERAL COMMENTS BY BOARD MEMBERS

Vice Chairman Kiger commented on his daughter's graduation at Hickory Ridge High School in 2013.

(J) WATER AND SEWER DISTRICT OF CABARRUS COUNTY

None.

(K) CLOSED SESSION

(K-1) Closed Session - Pending Litigation

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

RETURN TO OPEN SESSION

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Strang and unanimously carried, the Board authorized the County Manager to enter into a final settlement agreement in the matter of Whitley versus Shaw, whereby the plaintiff releases the defendants from liability in exchange for a \$400 payment to the plaintiff and a \$340.41 payment to the Clerk of Court for the United States District Court for the Middle District of North Carolina for outstanding court costs, subject to review and approval by the County Attorney.

(L) ADJOURN

UPON MOTION of Commissioner Strang, seconded by Commissioner Shue and unanimously carried, the meeting adjourned at 8:00 p.m.



Lauren Linker, Clerk to the Board