

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 4, 2019.

Present - Chairman: Stephen M. Morris  
 Vice Chairman: Diane R. Honeycutt  
 Commissioners: F. Blake Kiger  
 Elizabeth F. Poole  
 Lynn W. Shue

Also present were Mike Downs, County Manager; Richard M. Koch, County Attorney; Pam Dubois, Senior Deputy County Manager; Jonathan Marshall, Deputy County Manager; Kyle Bilafer, Area Manager of Operations; and Lauren Linker, Clerk to the Board.

#### Call to Order

Chairman Morris called the meeting to order at 4:01 p.m.

#### Approval of Agenda

Chairman Morris presented the following changes to the agenda:

Additions:

Closed Session

6-1 Closed Session - Pending Litigation and Economic Development

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

#### Discussion Items - No Action

##### Infrastructure and Asset Management - Parking Deck Update

Kyle Bilafer, Area Manager of Operations, provided an update on the parking deck. He reported the projections are to open on March 1, 2019 despite the additional bad weather days the area has encountered. Mr. Bilafer advised, again, due to the weather conditions, it is anticipated the landscaping will not be completed on opening day.

A brief discussion ensued.

##### Sheriff's Office - Government Services Division

Sheriff Van Shaw presented a PowerPoint presentation regarding the restructuring of the Sheriff's Office. In that regard, Sheriff Shaw proposed the creation of a new division titled the Government Security Division. The presentation included the following topics:

- Purpose of Government Security Division
- Current Government Security Coverage Provided
- Future Government Security Needs
- Staffing Needs for the Division
- Benefits of Expansion of New Division

A discussion ensued. During discussion, Sheriff Shaw, Kyle Bilafer, Area Manager of Operations, and Mike Downs, County Manager, responded to questions from the Board.

#### Discussion Items for Action

##### Infrastructure and Asset Management - Design Contract and Proposed Project Schedule

Kyle Bilafer, Area Manager of Operations, reviewed historical details regarding the Cabarrus County Courthouse Project. He reported there would most likely be monthly updates presented to the Board as the project moves forward in order to keep the project on schedule. He then presented an overview of the contract process.

Tom Potts, Principal, Silling Architects; Judge Martin McGee, Superior Court Judge and Jody Driggs, Project Manager, Silling Architects, presented an overview of a PowerPoint presentation titled Cabarrus County Courthouse Project Review. Items presented included the following information:

- Programming Progress

- Selected Test Fit Urban Response Massing Study
- Test Fit Scope
- Preliminary Schedule
- Project Rough Order of Magnitude Pricing
- Owner Architect Agreement
- Project Progress - Programming Milestones
- 2 Week On-Site Courthouse Observations
- North Carolina Courthouse Tours
- Detailed Discussion of User Space Requirement
- Development and Review of Test
- Development Framework
  - o Test Diagram
  - o Test Fit Massing Image

There was discussion throughout the presentation. During discussion, Mr. Bilafer, Mr. Potts, Mr. Driggs, Judge McGee, Jonathan Marshall, Deputy County Manager, and Stephen Keckeis, Vice President, Charlotte Region, Messer Construction, responded to questions from the Board.

**BOC - Rules of Procedures**

Chairman Morris commented on the proposed updates to the Board of Commissioners Rules of Procedure. He stated the update cleans up the language to the document.

A discussion ensued. During discussion, Richard Koch, County Attorney, and Lauren Linker, Clerk to the Board, responded to questions from the Board.

**County Manager - Budget for the Sale of Mount Pleasant Middle School Site**

Kyle Bilafer, Area Manager of Operations, reported the County sold the Mount Pleasant Middle School site in the fall of 2018 for \$589,024.48. The proceeds have been set aside for the use of a northeastern area park. Currently, he stated, a need exists for up to \$100,000 of those funds to be utilized for establishing a parking area for the current ball fields that exist behind the old school site. He further stated the remaining \$489,024.48 have been set aside for use of a future northeastern area park.

A discussion ensued. During discussion, Mr. Bilafer, Mike Downs, County Manager, and Jonathan Marshall, Deputy County Manager responded to questions from the Board.

**UPON MOTION** of Commissioner Shue, seconded by Commissioner Kiger and unanimously carried, the Board suspended its Rules of Procedure in order to take action on this item due to time constraints.

Vice Chairman Honeycutt **MOVED** to approve the budget revision and project ordinance to proceed with the parking lot project at the old Mount Pleasant Middle School site. Commissioner Shue seconded the motion.

Commissioner Kiger suggested, "not to exceed \$100,000" be included in the motion.

Vice Chairman amended the **MOTION** to include "not to exceed \$100,000". Commissioner Shue amended his second to the motion.

Chairman Morris read the amended motion: "Motion to approve the budget revision and project ordinance to proceed with the parking lot work at the old Mount Pleasant Middle School site, not to exceed \$100,000.

The **MOTION** unanimously carried.

Date:  Amount:

Dept. Head:  Department:

Internal Transfer Within Department       Transfer Between Departments/Funds       Supplemental Request

Purpose: To record the receipt of moneys from the sales of Mt. Pleasant Middle School. The funds are intended to be used for future park enhancement or new infrastructure in the North East Area of the County.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
343	6	8140/6801/Plot	Sale of Fixed Assets	100,000.00			100,000.00
343	6	8140/6801/0300	Sale of Fixed Assets/NE Area Park	489,024.48			489,024.48
343	9	8140/9830/Plot	Other Improvements/Parking Lot	100,000.00			100,000.00
343	9	8140/9830/0300	Other Improvements/NE Area Park	489,024.48			489,024.48

CABARRUS COUNTY CONSTRUCTION AND RENOVATION PROJECT  
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 the various County construction and renovation related projects. Details of the projects 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.
- C. It is estimated that the following revenues will be available to complete capital projects as listed.

Park & Recreation Trust Fund (PARTF) Grant	\$ 350,000
Rental - Tower Lease	847,693
Sale of Fixed Assets	1,012,441
Contributions and Donations	117,036
General Fund Contribution	5,112,456
Lease Proceeds (Robert Wallace Park)	4,596,394
Capital Projects Fund Contribution	2,141,264
Capital Reserve Fund Contribution	13,399,547
 TOTAL REVENUES	 \$27,576,831

- D. The following appropriations are made as listed.

Government Center Chiller Replacement	\$211,000
Governmental Center ADA Bathrooms	151,469
ITS Fiber Technology Improvements	120,000
County Website Design	283,750
Furniture Replacements	184,723
County Operation Center	3,100,000
Elevator Modernization Government Center	176,000
Multiple building Fall Protection Measures	300,000
Jail Camera Upgrade	112,607
LEC Law Enforcement Technology	791,324
Training & Firing Range Renovation	50,000
Sheriff's Admin Roof Repair	150,000
Courthouse Expansion	6,100,000
Clerk of Court Improvements	113,000
Public Safety Training Center	90,000
EMS Headquarters - Consultants	50,000
EMS Co-location - Concord Fire #11	375,000
EMS Heart Monitors	550,111
Emergency Communications Equip & Ethernet Backhaul	2,721,086
JM Robinson High School Wetlands Mitigation	100,000
Landfill Retaining Wall	230,301
Veterans Services Improvements	92,674
Cooperative Ext. ADA Bathrooms	118,812
RCCC Land for future expansion	1,244,001
Robert Wallace Park	8,147,964
Frank Liske Park - Barn Restrooms	126,405
Frank Liske Park - Lower Lot Restrooms	678,506
Carolina Thread Trail	109,329
Frank Liske Park Playground Replacement	100,000
NE Area Park - Plot	100,000
NE Area Park - Other Improvements	489,024
Midland Library Furniture	75,000
Arena - Lighting Control System Replacement	235,000
Unassigned	99,745
 TOTAL EXPENDITURES	 \$27,576,831
 GRAND TOTAL - REVENUES	 \$27,576,831
GRAND TOTAL - EXPENDITURES	\$27,576,831

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 and the portion of the Capital Project associated with the project is closed.

Adopted this 4<sup>th</sup> day of February, 2019.

CABARRUS COUNTY BOARD OF COMMISSIONERS

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

ATTEST:

/s/ Lauren Linker  
Clerk to the Board

**County Manager - Proposed Back Creek Greenway**

Jonathan Marshall, Deputy County Manager, reported the Town of Harrisburg proposes to construct a new greenway along Back Creek. He stated part of the greenway would be located on property owned by Cabarrus County and Cabarrus County Schools (Hickory Ridge Middle School and Hickory Ridge High School). In addition, he advised the Town would also like to begin discussions concerning use of a county-owned parcel on Stallings Road as parking for the greenway.

Daniel Stines, Harrisburg Parks and Recreation Director, presented a PowerPoint presentation of the proposed greenway project along with an Interlocal Agreement to the Board for their consideration and approval. He advised the project and agreement were presented to the Cabarrus County School Board and both were approved.

**County Manager - Raw Water Line Easement at Coddle Creek**

Jonathan Marshall, Deputy County Manager, reported the City of Concord is considering adding a raw water line from the reservoir to the treatment plant. He stated the new water line would require additional easements to the current lease with the County.

A discussion ensued. During discussion, Mr. Marshall responded to questions from the Board.

**DHS - Transportation 5310 Elderly and Handicapped Grant**

Bob Bushey, Department of Human Services, Transportation Manager, reported the City of Concord has been designated as a recipient of the Federal 5310 Elderly and Handicapped Grant. In administering the grant funds, the City of Concord has awarded a grant to Cabarrus County Transportation in the amount \$170,182. The County is required to match 50 percent for a total of \$85,091. Mr. Bushey advised the matching funds would come from the Rural Operating Assistance Program (ROAP) and the Home Care Community Block Grant (HCCBG). He requested approval of the matching funds and advised a public hearing will be required. He also responded to questions from the Board.

**Finance - Cabarrus County Courthouse Reimbursement Resolution**

Susan Fearrington, Finance Director, requested approval of a resolution allowing the County to pay certain original expenditures associated with construction of the new Cabarrus County Courthouse and reimburse the County with the proceeds from the 2020 Limited Obligation Bonds.

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

**Library - Copier Fees**

Emery Ortiz, Library Director, requested approval of a new fee schedule for copies made by patrons. Ms. Ortiz advised this is due to the new copiers at all branch locations providing the option for color copies.

Ms. Dubois stated the copiers also accept credit card payment, which adds a fee to the County's cost.

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

**Tax Administration - Advertisement of 2018 Delinquent Taxes**

David Thrift, Tax Administrator, reported North Carolina General Statute 105-369 requires counties to report the amount of unpaid taxes for the current

year that are to be liens on the real property (unpaid taxes for 2018 is \$8,204,858.12). Mr. Thrift requested the Board approve the advertisement date of March 24, 2019.

A brief discussion ensued. During discussion, Mr. Thrift responded to questions from the Board.

**BOC - Approval of Regular Meeting Agenda**

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

**UPON MOTION** of Commissioner Shue, seconded by Commissioner Kiger and unanimously carried, the Board approved the February 18, 2019 agenda as follows:

Approval or Correction of Minutes

- Approval or Correction of Minutes

Recognitions and Presentations

- Active Living and Parks - Eagle Scout Service Project

Consent

- BOC - Rules of Procedures
- County Manager - Proposed Back Creek Greenway
- County Manager - Raw Water Line Easement at Coddle Creek
- Finance - Cabarrus County Courthouse Reimbursement Resolution
- Infrastructure and Asset Management - Design Contract and Proposed Project Schedule
- Library - Copier Fees
- Sheriff's Office - Government Services Division
- Sheriff's Office - Service Award of Duty Weapon
- Tax Administration - Advertisement of 2018 Delinquent Taxes
- Tax Administration - Refund and Release Reports - January 2019

New Business

- DHS - Transportation 5310 Elderly and Handicapped Grant - Public Hearing 6:30 p.m.

Appointments to Boards and Committees

- Appointments - Active Living and Parks Commission
- Appointments - Adult Care Home Community Advisory Committee
- Appointments - Firemen's Relief Fund Trustees
- Appointment and Removals - Home and Community Care Block Grant Advisory Committee

Reports

- Active Living and Parks Department - FY 17-18 Annual Report
- 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
- Cabarrus County Tourism Authority FY18 Year End Financials
- County Manager - Monthly Building Activity Reports
- County Manager - Monthly New Development Report
- EDC - January 2019 Monthly Summary Report
- Finance - Monthly Financial Update

**Closed Session - Pending Litigation and Economic Development**

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

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

**Adjourn**

**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Kiger and unanimously carried, the meeting adjourned at 6:45 p.m.

  
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 Lauren Linker, Clerk to the Board