

The Board of Commissioners for the County of Cabarrus met in regular session through a remote virtual meeting as allowed by the Board's Remote Participation Policy, during the Covid-19 state of emergency in Concord, North Carolina at 6:30 p.m. on Monday, May 18, 2020.

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

In presence in the Board of Commissioners Chambers
Live broadcast at 6:30 p.m. on Channel 22
<https://www.youtube.com/cabarruscounty>
<https://www.cabarruscounty.us/cabcotv>
(704) 920-2023, Pin 1234
E-mail: publiccomment@cabarruscounty.us

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; 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.

Chairman Morris provided information on the meeting format and the ability for the public to participate in informal public comments and the public hearings.

(A) APPROVAL OR CORRECTION OF MINUTES

UPON MOTION of Commissioner Shue, seconded by Commissioner Kiger and unanimously carried, the Board approved the minutes of April 6, 2020 (Work Session) and April 20, 2020 (Regular Meeting) as presented by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Poole and Shue. Nays: None. Absent: None.

(B) APPROVAL OF THE AGENDA

Chairman Morris reviewed the following changes to the agenda.

Additions:

New Business

G-3 Finance - Acceptance of Coronavirus Relief Funding

Closed Session

K-1 Closed Session - Pending Litigation

Updated:

New Business

G-1 Economic Development Investment - Project Paul - Public Hearing 6:30 p.m.

- Motion updated per new remote participation procedures

G-2 Finance - Debt Refunding of General Obligation, Certificates of Participation and Limited Obligation Bonds - Public Hearing 6:30 p.m.

- Motion updated per new remote participation procedures

UPON MOTION of Commissioner Shue, seconded by Commissioner Kiger and unanimously carried, the Board approved the agenda as amended by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Poole and Shue. Nays: None. Absent: None.

(C) RECOGNITIONS AND PRESENTATIONS

(C-1) Youth Commission - Recognition of Graduating Members

Tracy LeCompte, North Carolina Cooperative Extension Agent, recognized the following Cabarrus County Youth Commissioners for their work on the Youth Commission. They will be graduating from high school in June and will complete their work on the Youth Commission.

Abigail Bringle - A. L. Brown High School
Grace Pfister - Concord High School
Luke Linkel - Northwest Cabarrus High School

Sarah Houston - Early College High School
Cason Gardner - Homeschool

Several Youth Commission members were in attendance via electronic means. They each commented and expressed appreciation for the opportunities and work performed while on the committee.

Chairman Morris, Commissioner Kiger, Commissioner Shue and Vice Chairman Honeycutt provided encouraging comments.

(C-2) Proclamation - Memorial Day 2020

The Memorial Day proclamation recognizes the service and sacrifice of veterans who have fought and died for the freedom of our country.

Chairman Morris read the proclamation aloud.

UPON MOTION of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board adopted the proclamation by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Poole and Shue. Nays: None. Absent: None.

Proclamation No. 2020-07

MEMORIAL DAY PROCLAMATION

WHEREAS, our ancestors shaped the structure of our political system, laid the groundwork for higher discoveries in science and medical research, started long-lasting traditions that enrich our heritage, and fought in wars so that future generations would have freedom; and

WHEREAS, it is important to cherish the memories of our friends and family members who have died, and to remember their contributions towards making our lives better; and

WHEREAS, the veterans who fought and died for our country helped preserve the freedoms and rights guaranteed to all people under the U.S. Constitution; and

WHEREAS, on Memorial Day, Americans remember the enormous debt of gratitude we owe to our veterans who have lost their lives in the defense of freedom and pursuit of peace and we reflect on the past and renew our patriotism so that we may continue to live in freedom and seek peace so that our veterans will not have died in vain.

NOW, THEREFORE, BE IT PROCLAIMED that the Cabarrus County Board of Commissioners do hereby recognize May 25, 2020 as

MEMORIAL DAY 2020

in Cabarrus County and urges all residents in the county to take time on this special day of remembrance to honor those who have sacrificed and died to improve our quality of life, and to strengthen our nation.

ADOPTED this 18th day of May, 2020.

/s/ Stephen M. Morris

Stephen M. Morris, Chairman
Cabarrus County Board of Commissioners

ATTEST:

/s/ Lauren Linker

Lauren Linker, Clerk to the Board

(D) INFORMAL COMMENTS

Chairman Morris opened the meeting for Informal Public Comments at 6:50 p.m.

Chairman Morris asked the Clerk if there were any callers on the line, any one in person in the Board of Commissioners Chambers or receipt of any written comments to present. There were none.

With there being no one to address the Board; Chairman Morris closed that portion of the meeting.

(E) OLD BUSINESS

None.

(F) CONSENT

(F-1) Appointments - Agricultural Advisory Board

The terms for Louis Suther, Wendy Austin-Sellers and Bob Blackwelder on the Agricultural Advisory Board ended January 20, 2020. All three members are willing 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 Honeycutt, seconded by Commissioner Kiger and unanimously carried, the Board reappointed Louis Suther, Wendy Austin-Sellers and Bob Blackwelder to the Agricultural Advisory Board for three-year terms ending January 31, 2023; including an exception to the length of service provision of the Appointment Policy for Mr. Suther, Ms. Austin-Sellers and Mr. Blackwelder by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Poole and Shue. Nays: None. Absent: None.

(F-2) Appointments - Human Services Advisory Board

An application to serve on the Human Services Advisory Board was received from William Garrity. A letter of recommendation regarding his appointment to fill the vacant position was provided.

UPON MOTION of Vice Chairman Honeycutt, seconded by Commissioner Kiger and unanimously carried, the Board appointed William Garrity to the Human Services Advisory Board for a three-year term ending May 31, 2023 by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Poole and Shue. Nays: None. Absent: None.

(F-3) BOC - Reappointment of the Cabarrus County Tax Administrator

Michael David Thrift was appointed Tax Administrator by the Board of County Commissioners to a term ending June 30, 2020. NCGS 105-294 provides for reappointment of the county assessor to a term of not less than two or more than four years. NCGS 105-349 provides for concurrent appointment of a tax collector. Mr. Thrift meets the requirements of this position and is recommended for a four year appointment.

UPON MOTION of Vice Chairman Honeycutt, seconded by Commissioner Kiger and unanimously carried, the Board reappointed Michael David Thrift to a four-year term as county assessor and tax collector for Cabarrus County beginning July 1, 2020 and ending June 30, 2024 by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Poole and Shue. Nays: None. Absent: None.

(F-4) BOC - Resolution Amending the Board of Commissioners' 2020 Meeting Schedule

The Budget Public Hearing meeting has been canceled. The public hearing for the FY 21 Cabarrus County Budget has been moved to the June 15, 2020 regular meeting. A resolution was provided for the Board's review and consideration.

UPON MOTION of Vice Chairman Honeycutt, seconded by Commissioner Kiger and unanimously carried, the Board adopted the resolution by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Poole and Shue. Nays: None. Absent: None.

Resolution No. 2020-13

Resolution Amending the
Cabarrus County Board of Commissioners'
2020 Meeting Schedule

WHEREAS, on December 16, 2019, the Cabarrus County Board of Commissioners adopted a meeting schedule for calendar year 2020, which sets forth the dates, times and locations of various official county meetings; and

WHEREAS, the Board scheduled the Budget Public Hearing meeting on June 1, 2020 at 6:30 p.m. in the Commissioners' Meeting Room at the Governmental Center; and

WHEREAS, the budget public hearing is being moved to the June 15, 2020 regular meeting at 6:30 p.m., or as soon thereafter as persons may be heard, in the Commissioners' Meeting Room at the Governmental Center;

NOW, THEREFORE BE IT RESOLVED that the Cabarrus County Board of Commissioners hereby amends its 2020 Meeting Schedule as follows:

1. The Board of Commissioners' Budget Public Hearing Meeting scheduled for June 1, 2020 at 6:30 p.m. has been canceled.
2. The public hearing for the FY 21 budget will be held at the June 15, 2020 regular meeting at 6:30 p.m., or as soon thereafter as persons may be heard,

ADOPTED this 18th day of May, 2020.

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

ATTEST:

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

(F-5) DHS - Transportation Resolution Update

The North Carolina Department of Transportation (NCDOT) limited access to funding through 5311 and 5307 grants due to restrictions listed in the December 2016 Board of Commissioners' resolution. The resolution has been revised and reviewed by the NCDOT and Federal Transit Administration (FTA) attorney. The NCDOT stated as long as the county attorney reviewed and confirmed compliance, a new resolution would suffice. County attorney, Richard Koch, reviewed the document in January 2020 and confirmed it met all requirements.

UPON MOTION of Vice Chairman Honeycutt, seconded by Commissioner Kiger and unanimously carried, the Board approved the Transportation Resolution by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Poole and Shue. Nays: None. Absent: None.

Resolution No. 2020-14

CABARRUS COUNTY
Department of Human Services

A Resolution Summarizing Recommendations in the
Cabarrus County Transportation Service Proposal

Whereas, Cabarrus County Transportation Services (CCTS) has seen a dramatic increase in trip requests as well as a decrease in grant funding; and

Whereas, this has a direct impact on County funds and the ability to provide efficient transportation services to clients; and

Whereas, CCTS recommends strategies for providing critical transportation services within the allocated amount of grant funding while reducing dependency on contracted transportation and County subsidies;

THEREFORE, THE CABARRUS COUNTY BOARD OF COMMISSIONERS RESOLVES TO ADOPT THE FOLLOWING RECOMMENDATIONS OF THE CCTS TRANSPORTATION SERVICES PROPOSAL:

1. All grant related CCTS services will be provided within the funding given to the County and any required match.
2. All grant related CCTS services will be provided using only CCTS vehicles when available to accommodate the requested trips.
3. To ensure funding is available for entire year, daily trips will be allocated for each grant received, which will be the maximum number of trips provided on a given day.
4. Trips will be scheduled on a first come, first serve basis, and provided on capacity.
5. All Elderly and Handicapped Transportation Grant trips will have a one round trip-per-day limit for all eligible clients.
6. All Home and Community Care Block Grant trips will be prioritized for medical or congregate meal sites.
7. CCTS will follow any other directives, as provided by the Cabarrus County Board of Commissioners regarding grant-related CCTS services.

Adopted this 18th day of May, 2020.

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

Attest:

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

(F-6) Emergency Management - Cabarrus Stanly Union Regional Hazard Mitigation Plan Adoption

The development and implementation of a hazard mitigation plan can result in actions that reduce the long term risk to life and property from natural hazards. It is the intent of Cabarrus County to protect its citizens and property from the effects of natural hazards by preparing and maintaining a local hazard mitigation plan.

Through both Federal and State legislation, a Federal Emergency Management Agency (FEMA) approved hazard mitigation plan is required for communities to remain eligible for Hazard Mitigation Grant Program (HMGP) funding following a Presidential Disaster Declaration and for State Public Assistance (PA) funding following a State Disaster Declaration. A hazard mitigation plan is also required for communities to remain eligible for future grant funding available through FEMA's Pre-Disaster Mitigation (PDM) and Flood Mitigation Assistance (FMA) programs.

Per current FEMA guidance, a public hearing is not required for approval of the plan and adoption of this resolution.

UPON MOTION of Vice Chairman Honeycutt, seconded by Commissioner Kiger and unanimously carried, the Board approved the Cabarrus Stanly Union Regional Hazard Mitigation Plan and adopted the resolution by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Poole and Shue. Nays: None. Absent: None.

Resolution No. 2020-15

**RESOLUTION TO ADOPT THE
CABARRUS STANLY UNION REGIONAL HAZARD MITIGATION PLAN**

WHEREAS, Cabarrus County is vulnerable to an array of natural hazards that can cause loss of life and damages to public and private property; and

WHEREAS, Cabarrus County desires to seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the development and implementation of a hazard mitigation plan can result in actions that reduce the long-term risk to life and property from natural hazards; and

WHEREAS, it is the intent of the Cabarrus County Board of Commissioners to protect its citizens and property from the effects of natural hazards by preparing and maintaining a local hazard mitigation plan; and

WHEREAS, it is also the intent of the Cabarrus County Board of Commissioners to fulfill its obligation under North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive state and federal assistance in the event of a declared disaster affecting Cabarrus County; and

WHEREAS, Cabarrus County, in coordination with Stanly and Union Counties and the participating municipalities within those Counties has prepared a multi-jurisdictional hazard mitigation plan with input from the appropriate local and state officials;

WHEREAS, the North Carolina Division of Emergency Management and the Federal Emergency Management Agency are reviewing the Cabarrus Stanly Union Regional Hazard Mitigation Plan for legislative compliance and will approve the plan pending the completion of local adoption procedures;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Cabarrus County hereby:

1. Adopts the Cabarrus Stanly Union Regional Hazard Mitigation Plan; and

2. Agrees to take such other official action as may be reasonably necessary to carry out the proposed actions of the Plan.

Adopted this 18th day of May, 2020.

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

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

(F-7) Finance - Kannapolis City School Request for Kannapolis Middle School Final Funding

The Kannapolis City School Board requested additional funding to complete roadwork around the Kannapolis Middle School. There are available funds to cover the \$178,150.96 request from other Kannapolis Middle School project line items.

UPON MOTION of Vice Chairman Honeycutt, seconded by Commissioner Kiger and unanimously carried, the Board approved additional funding and authorized the Finance Director to prepare the associated budget amendment and project ordinance(s) by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Poole and Shue. Nays: None. Absent: None.

Date:	5/18/2020	Amount:	\$	80,941.93			
Dept. Head:	Susan Fearrington (Sarah Chesley)	Department:	Finance - 368 School Debt Fund				
<input type="checkbox"/> Internal Transfer Within Department		<input checked="" type="checkbox"/> Transfer Between Departments/Funds		<input type="checkbox"/> Supplemental Request			
This budget amendment is to request additional funding to complete road work around Kannapolis Middle School by increasing the Construction budget, decreasing the Architects, Land and Equipment budgets and increasing the Interest on Investments account.							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
368	9	7404-9820	Construction	36,895,594.00	80,941.93		36,976,535.93
368	9	7404-9607	Architects	2,230,694.00		36,084.57	2,194,609.43
368	9	7404-9801	Land	100,000.00		39,500.00	60,500.00
368	9	7404-9860	Equipment & Furniture	1,478,851.00		3,714.87	1,475,136.13
368	6	0000-6701	Interest on Investments	500,956.18	1,642.49		502,598.67

Ordinance No. 2020-19

CABARRUS COUNTY SCHOOL CONSTRUCTION DEBT FUND
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 Public Schools. Details of the projects are listed in section D. 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.

Capital Reserve Contribution	\$13,121,802
General Fund Contribution	1,336,500
Limited Obligation Bonds	84,944,452
Public School Building - Lottery funds	1,600,000
Interest Income	502,598
TOTAL REVENUES	\$101,505,352

- D. The following appropriations are made as listed.

Royal Oaks Elementary School	\$23,835,178
Mt. Pleasant Middle School	33,374,308

Kannapolis Middle School	41,627,630
Legal Fees/Closing Costs	743,455
Contribution to Capital Reserve Fund	1,750,700
Contribution to Capital Projects Fund	174.081
 TOTAL EXPENDITURES	 \$101,505,352
 GRAND TOTAL - REVENUES	 \$101,505,352
GRAND TOTAL - EXPENDITURES	\$101,505,352

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 18th day of May, 2020.

CABARRUS COUNTY BOARD OF COMMISSIONERS

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

ATTEST:

/s/ Lauren Linker
Clerk to the Board

(F-8) Human Resources - Delegation of Duties

Human Resources staff requested the Board authorize the County Manager to make the decisions to furlough employees and return them to work throughout the COVID-19 pandemic. This action will allow for more expeditious action for county employees.

UPON MOTION of Vice Chairman Honeycutt, seconded by Commissioner Kiger and unanimously carried, the Board authorized the County Manager to furlough and return employees as necessary during the COVID-19 pandemic by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Poole and Shue. Nays: None. Absent: None.

(F-9) Human Resources - Personnel Ordinance Changes

Changes for the Cost of Living Adjustment (COLA) and to the merit budget require matching changes to the Personnel Ordinance. Performance evaluation scores will be matched to the new merit pay levels or percentages. The addition of a new section concerning furloughs is needed to address the process for temporary lack of work.

UPON MOTION of Vice Chairman Honeycutt, seconded by Commissioner Kiger and unanimously carried, the Board approved the Personnel Ordinance changes by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Poole and Shue. Nays: None. Absent: None.

Article III. The Pay Plan

Section 3. Use of Salary Ranges

- (c) Merit Increase Administration. Each year, an employee shall receive a performance evaluation and be considered for a merit increase on the anniversary of his or her date in that position. Merit increases are determined by the score received on the evaluation and any program adjustments. An employee must receive a 2.01 rating or greater on the 5.00 point scale to qualify. If an employee qualifies, the department head recommends a merit increase **according to the chart below.** After administrative review by the Human Resources Director, the increase is added to the employee's base salary.

An employee that receives a rating of 2.00 or lower will normally require a Performance Improvement Plan (PIP) ~~and an individual competency score of 2 or 1 will also require a PIP to bring his or her performance to position expectations.~~ Department Heads are responsible for reasonable and appropriate action to assist an employee in attaining expected job performance. **Complete a PIP** for an overall 2.00 or lower or scores a 1 or 2 in an individual competency. ~~a Performance Improvement Plan (PIP) is~~

~~normally required.~~ If improvement is not made within three months' disciplinary measures in accordance with Article VII shall begin.

An employee is eligible for a merit increase in accordance with the following:

Performance Evaluation			Merit Pay Increase	
From	To	Point Spread	Levels	Percent
0.00	2.00	2.00	0	0.00
2.01	2.38	0.37	1	0.50
2.39	2.63	0.24	2	1.00
2.64	2.88	0.24	3	1.50
2.89	3.25	0.36	4	2.00
3.26	3.72	0.46	5	2.50
3.73	4.15	0.42	6	3.00
4.16	4.58	0.42	7	3.50
4.59	5.00	0.41	8	4.00

Employees at the maximum of their assigned salary range may participate in the merit process through a lump sum bonus award. The award is an annual one-time award in the amount of the employee's recommended merit increase. If the employee has not reached the maximum of the range but a merit recommendation will put them over, they may receive up to the range maximum as a salary addition and the remainder for that year as a lump sum payment.

- (d) Cost of Living Allowance: Adjustments are made at the beginning of each fiscal year based on the Consumer Price Index (CPI) increase for the previous calendar year, with a maximum of 1% adjustment subject to board approval.

Furlough related additions:

Article I. Organization of Personnel System

Section 3. Definitions

- (q) Furlough. Temporary leave without pay status during which the employee is instructed not to perform any work.

Article VI. Leaves of Absence

Section 18. Furlough

In the event work becomes temporarily unavailable for a department or division within the County, a furlough or temporary leave without pay status may be utilized for an employee or group of employees. The decision to furlough must be authorized or approved by the appointing authority as must recall once work becomes available.

Factors that will be considered in a furlough / recall decision include employee's position, employment status (full time or part time), length of service and job performance. While these factors will be used, the decision of who to furlough is at the discretion of County Management.

Advance notice of furlough status is desirable but may not be possible due to the situation necessitating the furlough action. Where possible, advance notice will be given.

Employees in temporary (9104), contracted (9114), and seasonal staff (9117) may also experience reduction in hours during a business slow down or facility closure. As they are only scheduled on an as-needed basis, they are not considered furloughed when hours are reduced or unavailable.

(F-10) Infrastructure and Asset Management - EMS Headquarters Update

County staff updated the Board of Commissioners on progress on programming, site analysis and estimated cost projections of the proposed EMS Headquarters. County staff recommended proposed next steps and construction delivery method for Board approval. The project is proposed to be funded in the FY 2020-2021 Capital Improvement Plan and any expenditure would be contingent on budget approval.

UPON MOTION of Vice Chairman Honeycutt, seconded by Commissioner Kiger and unanimously carried, the Board approved County staff to pursue a design contract and construction manager at risk delivery method by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Poole and Shue. Nays: None. Absent: None.

(F-11) Tax Administration - Refund and Release Reports - April 2020

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 Honeycutt, seconded by Commissioner Kiger and unanimously carried, the Board approved the April 2020 Refund and Release Reports as submitted, including the NCVTS Refund Report, and granted authority to the Tax Collector to process the refunds and releases. The report is hereby incorporated into the minutes by reference and is on file with the Clerk to the Board by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Poole and Shue. Nays: None. Absent: None.

(G) NEW BUSINESS

(G-1) Economic Development Investment - Project Paul - Public Hearing 6:30 p.m.

Chairman Morris announced in addition to the means available for public comments stated at the beginning of the meeting, an additional 24-hours will be available for written comments in connection with the public hearing.

Samantha Grass, Cabarrus County Economic Development Corporation, Recruitment Project Manager, presented a request for an economic development investment for Project Paul pursuant to North Carolina General Statute 158.7.1. Project Paul proposes to locate in an existing industrial spec building located at 700 Derita Road, Concord with a projected investment of approximately \$24,560,000 in real and personal property. There are 136 full-time jobs associated with the project with average wages above our current County average wage. A three-year grant equivalent to 85 percent of the ad valorem taxes on the increase in real and personal property tax values was requested. A public hearing is required.

Cabarrus County Economic Development Grant Analysis - Project Paul

		Year 1	Year 2	Year 3
Total Assessed Value (Real)		\$1,980,000	\$1,980,000	\$1,980,000
Total Assessed Value (Personal)		\$20,322,000	\$18,515,600	\$16,483,400
	\$22,580,000.00	\$20,322,000	\$18,515,600	\$16,483,400
County taxes at .74		\$165,035	\$151,667	\$136,629
Grant @ 85 %		\$140,280	\$128,917	\$116,135
Net Taxes to County		\$24,755	\$22,750	\$20,494
		Taxes	\$ 453,331	
		Grant	\$ 385,332	
		Net Taxes to County	\$ 68,000	

Chairman Morris opened the public hearing at 6:55 p.m. The Public Hearing Notice was posted the County's website (www.cabarruscounty.us) on May 5, 2020 in accordance with Article 2, Administration, Section 2.1 (Use of Electronic Means to Provide Public Notices) of the Cabarrus County Code of Ordinances.

Chairman Morris asked Lauren Linker, Clerk to the Board, if any written comments had been submitted, if anyone was waiting on the phone or present in the Board of Commissioners Chambers to present a comment. Ms. Linker stated no written comments were submitted and there was no one on the phone or present in the Board of Commissioners Chambers.

There were no comments nor anyone present via telephone or in person to address the Board; therefore, Chairman Morris closed the public hearing.

Vice Chairman Honeycutt **MOVED** to approve an economic development agreement (3 years, 85 percent) between Project Paul and Cabarrus County, made now, but to go into effect after the required 24-hour period and with any additional comments reviewed, and authorized the County Manager to execute the Agreement on behalf of the Board, subject to review or revision by the County Attorney. Commissioner Shue seconded the motion.

Following a brief discussion, the **MOTION** unanimously carried by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Poole and Shue. Nays: None. Absent: None.

(G-2) Finance - Debt Refunding of General Obligation, Certificates of Participation and Limited Obligation Bonds - Public Hearing 6:30 p.m.

Susan Fearrington, Finance Director, reported as discussed at the May work session, there is an opportunity to lower our future debt service payments by refunding a portion of our outstanding debt.

Ms. Fearrington advised actions needed to proceed with the refunding are as follows:

- 1) Introduce and Adopt General Obligation Refunding Bond Order
- 2) Adopt General Obligation Bond Sale Resolution
- 3) Conduct Public Hearing for 2020A-D Limited Obligation Bonds
- 4) Approve the 2020A-D Limited Obligation Bonds Financing

UPON MOTION of Commissioner Poole, seconded by Commissioner Shue and unanimously carried, the Board approved the General Obligation Refunding Bond Order and the General Obligation Bond Sale Resolution by the following roll call vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Poole and Shue. Nays: None. Absent: None.

ORDER AUTHORIZING \$20,830,000 REFUNDING BONDS

BE IT ORDERED by the Board of Commissioners for the County of Cabarrus, North Carolina:

1. That, pursuant to The Local Government Bond Act, as amended, the County of Cabarrus, North Carolina, is hereby authorized to contract a debt, in addition to any and all other debt which said County may now or hereafter have power or authority to contract, and in evidence thereof, to issue Refunding Bonds in an aggregate principal amount not exceeding \$20,830,000, for the purpose of providing funds, for (i) refunding all or a portion of the following outstanding general obligation bonds of said County:

\$18,625,000	General Obligation Refunding Bonds, Series 2013, dated May 15, 2013 and stated to mature on March 1, 2024 to March 1, 2027, inclusive;
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and (ii) paying expenses related thereto.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said Refunding Bonds.

3. That a sworn statement of debt shall be filed with the Clerk to the Board of Commissioners pursuant to N.C.G.S. § 159-55 and be open to public inspection.

4. That this order shall take effect upon its adoption.

Commissioner Elizabeth F. Poole then moved that the foregoing Bond Order be "introduced," such motion was seconded by Commissioner Lynn W. Shue, and a roll call vote thereon was as follows:

Ayes: Chairman Stephen M. Morris, Vice Chairman Diane R. Honeycutt and Commissioners F. Blake Kiger, Elizabeth F. Poole and Lynn W. Shue

Nays: None

Not Voting: None

The Board of Commissioners then designated the Finance Director as the officer whose duty it shall be to make and file with the Clerk to the Board of Commissioners the statement of estimated interest with respect to the bonds, which is required by The Local Government Bond Act, as amended, to be filed at the time the bond order is introduced.

Thereupon the Finance Director filed with the Clerk to the Board of Commissioners, in the presence of the Board of Commissioners, the statement of estimated interest with respect to the bonds as so required.

The Board of Commissioners then designated the Finance Director as the officer whose duty it shall be to make and file with the Clerk to the Board of Commissioners the sworn statement of debt of the County which is required by The Local Government Bond Act, as amended, to be filed after the bond order has been introduced.

Thereupon the Finance Director filed with the Clerk to the Board of Commissioners, in the presence of the Board of Commissioners, the sworn statement of debt as so required.

Commissioner Elizabeth F. Poole then moved the adoption of the Bond Order entitled "ORDER AUTHORIZING \$20,830,000 REFUNDING BONDS."

Commissioner Lynn W. Shue seconded the motion and the Bond Order was passed and adopted by the following roll call vote:

Ayes: Chairman Stephen M. Morris, Vice Chairman Diane R. Honeycutt and Commissioners F. Blake Kiger, Elizabeth F. Poole and Lynn W. Shue

Nays: None

Not Voting: None

The Clerk to the Board of Commissioners was thereupon directed to cause said Bond Order to be published, together with the appended statement as required by The Local Government Bond Act, as amended, once in The Independent Tribune.

On motion duly made, seconded and unanimously carried, the Board of Commissioners ratified and confirmed the appointment of Nexsen Pruet, PLLC as bond counsel with respect to said Refunding Bonds.

Resolution No. 2020-16

RESOLUTION PROVIDING FOR THE ISSUANCE OF
\$20,830,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020,
SUBJECT TO ADJUSTMENT AS PROVIDED HEREIN

BE IT RESOLVED by the Board of Commissioners (the "Board") of the County of Cabarrus, North Carolina (the "County"):

Section 1. The Board has determined and does hereby find, declare and represent:

(a) That an order (the "2020 Order") authorizing \$20,830,000 Refunding Bonds was adopted by the Board on May 18, 2020, which order has taken effect.

(b) That none of the bonds authorized to be issued by the 2020 Order have been issued, that no notes have been issued in anticipation of the receipt of the proceeds of the sale of the bonds and that it is necessary at this time to issue all or a portion of said bonds and to use the proceeds thereof, together with any other funds necessary, to refund all or a portion of each maturity of the County's outstanding Refunding Bonds, Series 2013, dated May 15, 2013 (the "Bonds to be Refunded").

(c) That the prospective Bonds to be Refunded advance refunded all or a portion of the County's then outstanding School Bonds, Series 2005 and Public Improvement Bonds, Series 2006 (collectively, the "Prior Bonds"), which Prior Bonds financed, together with any other funds necessary, various public school and other public facilities of the County.

(d) That the shortest period of time in which the Bonds to be Refunded can be finally paid without making it unduly burdensome on the taxpayers of the County, as determined by the Local Government Commission of North Carolina, is a period which expires not later than December 31, 2043.

Section 2. Pursuant to the 2020 Order there shall be issued bonds of the County in the aggregate principal amount of \$20,830,000, with such amount being subject to adjustment as hereinafter set forth, designated "[Taxable] General Obligation Refunding Bonds, Series 2020" and dated their date of delivery, or such other date or designation as may be designated by the County Manager or Finance Director (the "Series 2020 Bond"). The Chairman or Vice-Chairman of the Board, the County Manager or the Finance Director, respectively, each acting on behalf of the County, may increase or decrease the aggregate principal amount of the Series 2020 Bond by any amount, so long as such amount shall not exceed \$20,830,000, as determined to be in the best interest of the County, and may

make any such increase or decrease either before or after the bids are opened. The Series 2020 Bond shall be stated to mature (subject to adjustment as hereinafter set forth) annually, March 1 (or such other date designated in accordance with the immediately preceding sentence), \$505,000 2021, \$425,000 2022, \$430,000 2023, \$6,865,000 2024, \$6,360,000 2025, \$3,375,000 2026 and \$2,870,000 2027. The foregoing notwithstanding, the Chairman or Vice-Chairman of the Board, County Manager or Finance Director, respectively, each acting on behalf of the County, may increase or decrease the principal amount of the Series 2020 Bond maturing at each maturity, either before or after the opening of bids (including elimination or addition of one or more maturities), provided that the aggregate principal amount of the Series 2020 Bond shall not exceed \$20,830,000 and no Series 2020 Bond shall mature later than December 31, 2043. Notwithstanding the foregoing principal amortization schedule, the Chairman or Vice-Chairman of the Board, County Manager or Finance Director, respectively, each acting on behalf of the County, may determine in connection with the sale of the Series 2020 Bond that, in lieu of the serial maturities set forth above, that one or more maturities of the Series 2020 Bond will be issued as term bonds with annual installments of principal, together with such other changes to the remaining serial maturities of the Series 2020 Bond, all as specified by the Chairman or Vice-Chairman of the Board, County Manager or Finance Director, respectively, either before or after the opening of bids. The Series 2020 Bond shall bear interest at a rate or rates to be determined by the Local Government Commission of North Carolina at the time the Series 2020 Bond are sold, which interest to the respective maturities thereof shall be payable on [September 1, 2020] (or such other date as is designated by the County Manager or the Finance Director in connection with the sale of the Series 2020 Bond) and semiannually thereafter on [March 1 and September 1] of each year (or other semiannual dates designated by the County Manager or the Finance Director in connection with the sale of the Series 2020 Bond) until payment of such principal sum.

Notwithstanding the foregoing provisions of this resolution, since interest rates on a proposed sale date are unpredictable, at any time before the Series 2020 Bond are awarded, the County Manager or the Finance Director, respectively, acting on behalf of the County, may from time to time defer the sale of all or any portion of the Series 2020 Bond (including postponement to a later date, to a subsequently announced date or indefinitely).

Section 3. Each Series 2020 Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated upon an interest payment date in which event it shall bear interest from such interest payment date or (b) authenticated prior to the first interest payment date in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Series 2020 Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest and any redemption premium on the Series 2020 Bond shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof.

Section 4. The provisions of this Section 4 shall apply only if the Series 2020 Bonds are initially issued publicly by means of a book-entry system with no physical distribution of bond certificates to be made (except as hereinafter provided). Initially, one fully registered bond certificate for each stated maturity of the Series 2020 Bonds in the aggregate principal amount of the Series 2020 Bonds of such stated maturity and registered in the name of the Securities Depository Nominee (defined below), a nominee of the Securities Depository (defined below), will be issued and required to be deposited with the Securities Depository and immobilized in its custody. The book-entry system of the Securities Depository will evidence positions held in the Series 2020 Bonds by the Securities Depository's participants, with beneficial ownership of the Series 2020 Bonds in the principal amount of \$5,000 or any whole multiple thereof being evidenced in the records of such participants. Transfers of beneficial ownership will be effected on the records of the Securities Depository and its participants pursuant to rules and procedures established by the Securities Depository and its participants.

The County and the Bond Registrar (as defined hereinafter) will recognize the Securities Depository Nominee or the Securities Depository, as the case may be, while the registered owner of the Series 2020 Bonds, as the owner of the Series 2020 Bonds for all purposes, including payments of principal of, and redemption premium, if any, and interest on the Series 2020 Bonds, notices and voting. The principal of and any redemption premium on each Series 2020 Bond shall be payable to the Securities Depository Nominee or any other person appearing on the registration books of the County hereinafter provided for as

the registered owner of such Series 2020 Bond, or his registered assigns or legal representative at the office of the Bond Registrar or such other place as the County may determine upon the presentation and surrender thereof as the same shall become due and payable. Payment of the interest on each Series 2020 Bond shall be made by the Bond Registrar on each interest payment date to the registered owner of such Series 2020 Bond (or the previous Series 2020 Bond or Series 2020 Bonds evidencing the same debt as that evidenced by such Series 2020 Bond) at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his address as it appears on such registration books or, during the continuation of the book-entry system, by such other method of payment as the County may determine to be necessary or advisable with the concurrence of the Securities Depository. Transfer of principal and interest and any redemption premium payments to participants of the Securities Depository will be the responsibility of the Securities Depository, and transfer of principal and interest and any redemption premium payments to beneficial owners of the Series 2020 Bonds by participants of the Securities Depository will be the responsibility of such participants and other nominees of such beneficial owners. Such transfers of interest by the Securities Depository and by such participants and other nominees of such beneficial owners may be made to the owners of Series 2020 Bonds shown on their records on a date on or after said record date for such interest, pursuant to rules and procedures established by the Securities Depository and its participants. The County and the Bond Registrar will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing records maintained by the Securities Depository, its participants or persons acting through such participants.

In the event that (a) any Securities Depository determines not to continue to act as securities depository for the Series 2020 Bonds, or (b) the Finance Director of the County determines to discontinue the book-entry system with such Securities Depository, the County may identify another qualified Securities Depository to replace the predecessor Securities Depository and, in such event, the County will make arrangements with the predecessor Securities Depository and such other Securities Depository to effect such replacement and deliver replacement Series 2020 Bonds registered in the name of such other depository or its nominee in exchange for the outstanding Series 2020 Bonds, and all references in this resolution to any predecessor Securities Depository or Securities Depository Nominee shall thereupon be deemed to mean such other depository or its nominee. If the County does not identify another qualified Securities Depository to replace the predecessor Securities Depository, the County will deliver replacement Series 2020 Bonds in the form of fully registered certificates in the denomination of \$5,000 or any whole multiple thereof ("Certificated Series 2020 Bonds") in exchange for the outstanding Series 2020 Bonds as required by the predecessor Securities Depository and others. Upon the request of the Securities Depository, the County may also deliver one or more Certificated Series 2020 Bonds to any participant of the Securities Depository in exchange for Series 2020 Bonds credited to its account with the Securities Depository. The County and the Bond Registrar shall be entitled to rely upon the instructions of the Securities Depository as to the appropriate parties entitled to receive Certificated Series 2020 Bonds.

For purposes of this resolution "Securities Depository" means The Depository Trust Company, New York, New York, or other recognized securities depository selected by the County, which maintains the book-entry system in respect of the Series 2020 Bonds authorized by this resolution, and shall include any substitute for or successor to the securities depository initially acting as Securities Depository. For purposes of this resolution "Securities Depository Nominee" means, as to any Securities Depository, such Securities Depository or the nominee, if any, of such Securities Depository in whose name the Series 2020 Bond certificates shall be registered on the registration books maintained by the Bond Registrar during the continuation with such Securities Depository of the book-entry system authorized by this resolution. The Depository Trust Company, New York, New York, is hereby appointed as the initial Securities Depository, and Cede & Co., a nominee thereof, is hereby appointed as the initial Securities Depository Nominee for the Series 2020 Bonds.

Unless indicated otherwise, the provisions of this resolution that follow shall apply to all Series 2020 Bonds issued or issuable hereunder, whether initially or in replacement thereof.

Section 5. The provisions of this Section 5 shall apply only if the Series 2020 Bonds are initially issued by means of a private sale with physical distribution of bond certificates. Any of the Chairman or Vice-Chairman of the Board, the County Manager or the Finance Director, respectively, each acting on behalf of the County, are hereby authorized to determine if the Series 2020

Bonds are to be initially issued (i) by means of a private sale with physical distribution of bond certificates or (ii) publicly by means of a book-entry system with no physical distribution of bond certificates (except as otherwise provided in this resolution).

The Series 2020 Bonds shall be registered as to both principal and interest in the name of the financial institution designated in writing by the Chairman or Vice-Chairman of the Board, the County Manager or the Finance Director, respectively, each acting on behalf of the County, on the books of the County kept by the Finance Director of the County as Bond Registrar, and the transfer of the Series 2020 Bonds may thereafter be registered by the registered owner thereof only upon an execution of an assignment thereon duly executed by such registered owner or his attorney or legal representative. Notice of such assignment shall be given promptly by the assignor to the Bond Registrar by registered mail, such notice to be in such form as shall be satisfactory to the Bond Registrar, and upon receipt of such notice the Series 2020 Bonds shall be registered as to both principal and interest on such registration books in the name of the assignee named in such notice.

At the office of the Bond Registrar, in the manner and subject to the conditions provided in the Resolution, the Series 2020 Bonds may be exchanged for an equal aggregate principal amount of Series 2020 Bonds having maturities corresponding to the maturities of the installments of principal of the Series 2020 Bonds then unpaid, issuable in fully registered form in denominations of \$100 or any integral multiple thereof and bearing interest at the same rate.

The Bond Registrar shall not be required to exchange or register any transfer of (i) any Series 2020 Bonds during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of the Series 2020 Bonds and ending at the close of business on the day of such mailing or (ii) the Series 2020 Bonds if called for redemption in whole pursuant to the Resolution.

Section 6. The Series 2020 Bonds shall be executed with the manual or facsimile signatures of the Chairman or Vice Chairman of the Board and the Clerk to the Board, and the seal or a facsimile of the seal of the County shall be impressed or imprinted, as the case may be, on the Series 2020 Bonds.

The certificate of the Local Government Commission of North Carolina shall be endorsed on all Series 2020 Bonds, and shall bear the manual or facsimile signature of the Secretary of said Commission or on behalf of the Secretary by a Designated Assistant and the certificate of authentication of the Bond Registrar to be endorsed on all Series 2020 Bonds shall be executed as provided hereinafter.

In case any officer of the County or the Local Government Commission of North Carolina whose manual or facsimile signature shall appear on any Series 2020 Bonds shall cease to be such officer before the delivery of such Series 2020 Bonds, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery, and any Series 2020 Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of such Series 2020 Bond shall be the proper officers to sign such Series 2020 Bond, although at the date of such Series 2020 Bond, such persons may not have been such officers.

No Series 2020 Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

Section 7. The Series 2020 Bonds and the endorsements thereon shall be in substantially the following form if initially issued publicly by means of a book-entry system with no physical distribution of bond certificates (except as otherwise provided in this resolution):

[Front Side of Printed Bonds]

No. R-_____

\$_____

United States of America
State of North Carolina
COUNTY OF CABARRUS, NORTH CAROLINA
[Taxable] General Obligation Refunding Bonds, Series 2020

MATURITY DATE

INTEREST RATE

CUSIP

The County of Cabarrus, North Carolina (the "County"), is justly indebted and for value received hereby promises to pay to _____ or registered assigns or legal representative on the date specified above (or earlier as hereinafter referred to), upon the presentation and surrender hereof, at the office of the Finance Director of the County, currently at Cabarrus County Governmental Center, 65 Church Street, SE, Concord, North Carolina 28026 (the "Bond Registrar"), the principal sum of _____

DOLLARS

and to pay interest on such principal sum from the date hereof or from the March 1 or September 1 next preceding the date of authentication to which interest shall have been paid, unless such date of authentication is a March 1 or September 1 to which interest shall have been paid, in which case from such date, such interest to the maturity hereof being payable on [September 1, 2020] and semiannually thereafter on [March 1 and September 1] in each year, at the rate per annum specified above, until payment of such principal sum. The interest so payable on any such interest payment date will be paid to the person in whose name this Bond (or the previous Bond or Bonds evidencing the same debt as that evidenced by this Bond) is registered at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his address as it appears on the bond registration books of the County. Both the principal of and the interest on this Bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. For the prompt payment hereof, both principal and interest as the same shall become due, the faith and credit of the County are hereby irrevocably pledged.

[Printed Bonds are to include the following paragraph]

ADDITIONAL PROVISIONS OF THIS BOND ARE SET FORTH ON THE REVERSE HEREOF AND SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS IF SET FORTH HERE.

[Reverse Side of Printed Bonds]

This Bond is one of an issue of Bonds designated "[Taxable] General Obligation Refunding Bonds, Series 2020" (the "Bonds") and issued by the County for the purpose of providing funds, with any other funds necessary, for refunding all or a portion of the County's outstanding Refunding Bonds, Series 2013, dated May 15, 2013. This Bond is issued under and pursuant to The Local Government Bond Act, as amended, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina, an order adopted by the Board of Commissioners (the "Board") of the County which has taken effect as provided by law, and a resolution duly passed by the Board of the County (the "Resolution").

The Bonds maturing prior to [March 1, 20__] are not subject to redemption prior to maturity. The Bonds maturing on March 1, 20__ and thereafter may be redeemed, at the option of the County, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than March 1, 20__, at a redemption price equal to 100% of the principal amount of the Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption, without premium.

If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected by lot in such manner as the County in its discretion may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some whole multiple thereof and that, in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. If less than all of the Bonds stated to mature on different dates shall be called for redemption, the particular Bonds or portions thereof to be redeemed shall be called in such maturities and amounts of those maturities as shall be determined by the County.

Not more than 60 days nor less than 30 days before the redemption date of any Bonds to be redeemed, whether such redemption be in whole or in part, the County shall cause a notice of such redemption to be filed with the Bond Registrar and to be mailed, postage prepaid, to the registered owner of each Bond to be redeemed in whole or in part at the address of said owner appearing upon the registration books of the County. Failure to mail such notice or any defect therein as to any Bond or portion thereof shall not affect the validity of the redemption as to any Bond or portion thereof for which such notice was given as required hereby. On the date fixed for redemption, notice of such

call for redemption having been given as aforesaid and not revoked as hereinafter provided, the Bonds or portions thereof so called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to such date. If moneys for payment of such redemption price and the accrued interest are held by the Bond Registrar as provided in the Resolution, interest on the Bonds or the portions thereof called for redemption shall cease to accrue, such Bonds or portions thereof shall cease to be entitled to any benefits or security under the Resolution or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption. If a portion of this Bond shall be called for redemption, a new Bond or Bonds in principal amount equal to the unredeemed portion hereof will be issued to the registered owner hereof or the legal representative of said owner upon the surrender hereof.

The County shall have the right to revoke any call of Bonds for redemption if, on or prior to the third (3rd) business day preceding any date fixed for redemption of Bonds, the County gives written notice to the Bond Registrar and the registered owner of each Bond theretofore called for redemption that the County has elected to revoke its call of such Bonds for redemption.

[The following four paragraphs are to be included in the form of Bond so long as the Series 2020 Bonds are being issued pursuant to a book-entry system.]

The Bonds initially are being issued by means of a book-entry system with no physical distribution of Bond certificates to be made except as provided in the Resolution. Initially one fully registered Bond certificate for each stated maturity of the Bonds, in the aggregate principal amount of the Bonds of such stated maturity and registered in the name of the Securities Depository Nominee (as defined in the Resolution), a nominee of the Securities Depository (as defined in the Resolution), is being issued and required to be deposited with the Securities Depository and immobilized in its custody. The book-entry system of the Securities Depository will evidence positions held in the Bonds by the Securities Depository's participants, with beneficial ownership of the Bonds in the principal amount of \$5,000 or any whole multiple thereof being evidenced in the records of such participants. Transfers of beneficial ownership will be effected on the records of the Securities Depository and its participants pursuant to rules and procedures established by the Securities Depository and its participants.

The County and the Bond Registrar will recognize the Securities Depository Nominee or the Securities Depository, as the case may be, while the registered owner of this Bond, as the owner of this Bond for all purposes, including payments of principal of, redemption premium, if any, and interest on this Bond, notices and voting. Transfer of principal and interest and any redemption premium payments to participants of the Securities Depository will be the responsibility of the Securities Depository, and transfer of principal and interest and any redemption premium payments to beneficial owners of the Bonds by participants of the Securities Depository will be the responsibility of such participants and other nominees of such beneficial owners. The County and the Bond Registrar will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing records maintained by the Securities Depository, its participants or persons acting through such participants.

While the Securities Depository Nominee or the Securities Depository, as the case may be, is the owner of this Bond, notwithstanding the provisions hereinabove contained, payments of principal of, redemption premium, if any, and interest on this Bond shall be made to the Securities Depository Nominee or the Securities Depository, as the case may be, by wire transfer in immediately available funds to the account of said holder as may be specified in the bond registration books maintained by the Bond Registrar or by such other method of payment as the County may determine to be necessary or advisable with the concurrence of the Securities Depository. Further, so long as a book-entry system is used for determining beneficial ownership of Bonds, redemption notices shall be given to the Securities Depository Nominee by certified or registered mail or by such other method as the County may determine to be necessary or advisable with the concurrence of the Securities Depository. In addition, so long as a book-entry system is used for determining beneficial ownership of Bonds, if less than all of the Bonds of any one maturity shall be called for redemption, the Securities Depository shall determine by lot the amount of interest of each direct participant of the Securities Depository in the Bonds within such maturity to be redeemed.

In certain events, the County may replace the Securities Depository at the time with another qualified securities depository. In certain events, the

County may discontinue the book-entry system and deliver replacement Bonds in the form of fully registered certificates in the denomination of \$5,000 or any whole multiple thereof in exchange for the outstanding Bonds as provided in the Resolution.

At the office of the Bond Registrar, in the manner and subject to the conditions provided in the Resolution, Bonds may be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of authorized denominations and bearing interest at the same rate.

The Bond Registrar shall keep at its office the books of the County for the registration of transfer of Bonds. The transfer of this Bond may be registered only upon such books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for this Bond a new Bond or Bonds, registered in the name of the transferee, of authorized denominations, in an aggregate principal amount equal to the unredeemed principal amount of this Bond, of the same maturity and bearing interest at the same rate.

The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business 15 days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of such mailing or of any Bond called for redemption in whole or in part pursuant to the Resolution.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of North Carolina to happen, exist and be performed precedent to and in the issuance of this Bond have happened, exist and have been performed in regular and due form and time as so required; that provision has been made for the levy and collection of a direct annual tax upon all taxable property within the geographic boundaries of the County sufficient to pay the principal of and the interest on this Bond as the same shall become due; and that the total indebtedness of the County, including this Bond, does not exceed any constitutional or statutory limitation thereon.

[The following paragraphs through the Certificate of Authentication are to appear on the front side of printed Bonds.]

This Bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Resolution until this Bond shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

[Signatures begin on next page]

IN WITNESS WHEREOF, said County of Cabarrus, by resolution duly adopted by its Board, has caused this Bond to be executed with the manual or facsimile signatures of the [Chairman/Vice-Chairman] and the Clerk to the Board and its seal to be impressed or imprinted hereon, all as of the _____ day of _____, 2020.

COUNTY OF CABARRUS, NORTH CAROLINA
[Manual or Facsimile Signature _____]
[Chairman/Vice-Chairman]

[SEAL] [Manual or Facsimile Signature _____]
Clerk to the Board of Commissioners

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within Bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

[Manual or Facsimile Signature _____]
Secretary, Local Government Commission

[By: _____]
[Designated Assistant]

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds of the series designated herein and issued under the provisions of the within-mentioned Resolution.

COUNTY OF CABARRUS, NORTH CAROLINA

as Bond Registrar

By: _____
Finance Director

Date of Authentication: _____, 2020

ASSIGNMENT

FOR VALUE RECEIVED the undersigned registered owner thereof hereby sells,
assigns _____ and _____ transfers
unto _____

the within bond and all rights thereunder and hereby irrevocably constitutes
and appoints _____

attorney to register the transfer of said bond on the books kept for registration
thereof, with full power of substitution in the premises.

Dated: _____

Assignor's Signature

Signature Guaranteed: _____

NOTICE: The assignor's signature to this assignment must correspond with the
name of the registered owner as it appears upon the face of the within bond in
every particular, without alteration or enlargement or any change whatever.

[End of Bond Form]

Certificated Bonds issuable hereunder shall be in substantially the form
of the Series 2020 Bonds registered in the name of the Securities Depository
Nominee with such changes as are necessary to reflect the provisions of this
resolution that are applicable to Certificated Bonds.

Section 8. The Series 2020 Bonds and the endorsements thereon shall be
in substantially the following form if initially issued by means of a private
sale with physical distribution of bond certificates:

[Bond Form Begins on Next Page] [Front Side of Printed Bonds]

No. R- _____ \$ _____

REGISTERED BOND WITHOUT COUPONS
(Registered as to both principal and interest)
United States of America
State of North Carolina
COUNTY OF CABARRUS, NORTH CAROLINA

[Taxable] General Obligation Refunding Bonds, Series 2020

The County of Cabarrus, North Carolina, is justly indebted and for value
received hereby promises to pay to

or registered assigns or legal representative, the principal sum of
_____ DOLLARS

in annual installments, and to pay interest from the date hereof on the unpaid
part of such principal sum to the maturity hereof in semi-annual installments,
on the dates and in the amounts set forth in the following schedule:

	Principal Amount	Interest Amount
_____/01/20____		
_____/01/20____		

The interest so payable on any such interest payment date will be paid to
the person in whose name this bond is registered at the close of business on
the record date for such interest, which shall be the 15th day (whether or not
a business day) of the calendar month next preceding such interest payment date.
Both the principal of and the interest on this bond are payable in any coin or

currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. For the prompt payment hereof, both principal and interest as the same shall become due, the faith and credit of the County are hereby irrevocably pledged.

Payment of the installments of principal and interest when due and payable on this bond shall be made at the direction of the registered owner of this bond or at the office of such fiscal agent as the registered owner shall designate without presentation or surrender hereof. Upon receipt of said payments of principal and interest, written acknowledgment of the receipt thereof shall be given promptly to the Finance Director of the County as Bond Registrar and the County shall be fully discharged of its obligation on this bond to the extent of the payment so made. Upon final payment, this bond shall be surrendered to the Bond Registrar for cancellation.

This Bond is one of an issue of Bonds designated "[Taxable] General Obligation Refunding Bonds, Series 2020" (the "Bonds") and issued by the County for the purpose of providing funds, with any other funds necessary, for refunding a portion of the County's outstanding Refunding Bonds, Series 2013, dated May 15, 2013. This Bond is issued under and pursuant to The Local Government Bond Act, as amended, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina, an order adopted by the Board of Commissioners (the "Board") of the County which has taken effect as provided by law, and a resolution duly passed by the Board of the County (the "Resolution").

[The Bonds may be redeemed, at the option of the County, from any moneys that may be made available for such purpose, in whole on any date at a redemption price equal to 10% of the principal amount of the Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption, without premium. The County shall cause a written notice of redemption to be delivered to the registered owner of the Bonds to be redeemed at the address of said owner appearing upon the registration books of the County not less than 30 days before the redemption date of the Bonds.]

On the date fixed for redemption, notice having been given as aforesaid and moneys for payment of the redemption price being held in trust for such purpose, all as provided in the Resolution, this Bond shall become and be due and payable, and the interest on this Bond so redeemed shall cease to accrue.

This Bond is registered as to both principal and interest in the name of [insert name of financial institution] on books of the County kept by the Finance Director of the County as Bond Registrar, and the transfer of this bond may hereafter be registered by the registered owner hereof only upon an execution of an assignment hereon duly executed by such registered owner or his attorney or legal representative. Notice of such assignment shall be given promptly by the assignor to the Bond Registrar by registered mail, such notice to be in such form as shall be satisfactory to the Bond Registrar, and upon receipt of such notice this bond shall be registered as to both principal and interest on such registration books in the name of the assignee named in such notice.

At the office of the Bond Registrar, in the manner and subject to the conditions provided in the Resolution, this bond may be exchanged for an equal aggregate principal amount of bonds having maturities corresponding to the maturities of the installments of principal of this bond then unpaid, issuable in fully registered form in denominations of \$100 or any integral multiple thereof and bearing interest at the same rate.

The Bond Registrar shall not be required to exchange or register any transfer of (i) this Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of this Bond and ending at the close of business on the day of such mailing or (ii) this Bond if called for redemption in whole pursuant to the Resolution.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of North Carolina to happen, exist and be performed precedent to and in the issuance of this Bond have happened, exist and have been performed in regular and due form and time as so required; that provision has been made for the levy and collection of a direct annual tax upon all taxable property within the geographic boundaries of the County sufficient to pay the principal of and the interest on this Bond as the same shall become due; and that the total indebtedness of the County, including this Bond, does not exceed any constitutional or statutory limitation thereon.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Resolution until this Bond shall

have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, said County of Cabarrus, by resolution duly adopted by its Board, has caused this Bond to be executed with the manual or facsimile signatures of the [Chairman/Vice-Chairman] and the Clerk to the Board and its seal to be impressed or imprinted hereon, all as of the ____ day of _____, 2020.

COUNTY OF CABARRUS, NORTH CAROLINA

[Manual or Facsimile Signature ____]
[Chairman/Vice-Chairman]

[SEAL]

[Manual or Facsimile Signature ____]
Clerk to the Board of Commissioners

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within Bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

[Manual or Facsimile Signature ____]
Secretary, Local Government Commission

[By: ____]
[Designated Assistant]

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds of the series designated herein and issued under the provisions of the within-mentioned Resolution.

COUNTY OF CABARRUS, NORTH CAROLINA
as Bond Registrar

By: ____
Finance Director

Date of Authentication: ____, ____, 2020

ASSIGNMENT

FOR VALUE RECEIVED the undersigned registered owner thereof hereby sells, assigns and transfers unto _____

the within bond and all rights thereunder and hereby irrevocably constitutes and appoints _____

attorney to register the transfer of said bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Assignor's Signature

Signature Guaranteed: _____

NOTICE: The assignor's signature to this assignment must correspond with the name of the registered owner as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever.

[End of Bond Form]

Section 9. The various maturities of the Series 2020 Bonds will be subject to redemption prior to their respective maturity as set forth herein or as otherwise designated by the County Manager or Finance Director at the time of sale of the Series 2020 Bonds. All or any of the maturities of the Series 2020 Bonds, as so designated by the County Manager or Finance Director, may be nonredeemable prior to their stated maturity. If the Series 2020 Bonds are initially issued by means of a private sale with physical distribution of bond certificates, the Series 2020 Bonds shall be redeemable at such times and upon such terms as is designated in writing by the by the County Manager or Director of Finance at the time of sale of the Series 2020 Bonds. If the Series 2020 Bonds are initially issued publicly by means of a book-entry system with no physical distribution of bond certificates (except as otherwise provided in this resolution), and any of such Series 2020 Bonds are to be redeemable before their stated maturity, the provisions set forth in the remainder of this Section

9 shall apply; but such provisions shall be inapplicable if none of the Series 2020 Bonds so issued are subject to redemption prior to their stated maturity.

The Series 2020 Bonds maturing prior to [March 1, 20__] will not be subject to redemption prior to maturity. The Series 2020 Bonds maturing on March 1, 20__ and thereafter will be redeemable, at the option of the County, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than March 1, 20__ at a redemption price equal to 100% of the principal amount of the Series 2020 Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption, without premium.

If less than all of the Series 2020 Bonds of any one maturity shall be called for redemption then, subject to the sentence immediately following, the particular Bonds, or portions of Bonds, of such maturity to be redeemed shall be selected by lot in such manner as the County in its discretion may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some whole multiple thereof and that, in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. So long as a book-entry system is used for determining beneficial ownership of Bonds if less than all of the Series 2020 Bonds of any one maturity shall be called for redemption, the Securities Depository shall determine by lot the amount of interest of each direct participant of the Securities Depository in the Series 2020 Bonds within such maturity to be redeemed. If less than all of the Series 2020 Bonds stated to mature on different dates shall be called for redemption, the particular Bonds, or portions thereof to be redeemed shall be called in such maturities and amounts of those maturities as shall be determined by the County.

Not more than 60 days nor less than 30 days before the redemption date of any Bonds to be redeemed, whether such redemption be in whole or in part, the County shall cause a notice of such redemption to be filed with the Bond Registrar and to be mailed, postage prepaid, to the registered owner of each Bond to be redeemed in whole or in part at the address of said owner appearing upon the registration books of the County; provided, however, so long as a book-entry system is used for determining beneficial ownership of Bonds, such notice shall be given to the Securities Depository Nominee by certified or registered mail or by such other method as the County may determine to be necessary or advisable with the concurrence of the Securities Depository. Failure to mail such notice or any defect therein as to any Bond or portion thereof shall not affect the validity of the redemption as to any Bond or portion thereof for which such notice was given as required hereby. Each such notice shall set forth the date designated for redemption, the redemption price to be paid and the maturities of the Series 2020 Bonds to be redeemed. In the event that Certificated Bonds are outstanding, each such notice to the registered owners thereof shall also set forth, if less than all of the Series 2020 Bonds of any maturity then outstanding shall be called for redemption, the distinctive numbers and letters, if any, of such Bonds to be redeemed and, in the case of any Bond to be redeemed in part only, the portion of the principal amount thereof to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall state also that on or after the redemption date, upon surrender of such Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of such Bond will be issued.

The County shall have the right to revoke any call of Bonds for redemption if, on or prior to the third (3rd) business day preceding any date fixed for redemption of Bonds, the County gives written notice to the Bond Registrar and the registered owner of each Bond theretofore called for redemption that the County has elected to revoke its call of such Bonds for redemption.

If any Bonds, or portions thereof, are to be redeemed, the Bond Registrar shall open a separate account for the sole benefit of the bondholders whose Bonds are being redeemed, which account may be maintained by the Bond Registrar or by an agent. On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar in its capacity as such for deposit in such account to pay the principal of and the redemption premium, if any, on the Series 2020 Bonds or portions thereof called for redemption as well as the interest accruing thereon to the redemption date thereof.

On the date fixed for redemption, notice of such call for redemption having been given in the manner and under the conditions hereinabove provided and not revoked as hereinabove provided, the Series 2020 Bonds, or portions thereof so called for redemption shall be due and payable from the moneys required to be deposited in such account at the redemption price provided therefor, plus accrued interest to such date. If moneys sufficient to pay the redemption price of the Series 2020 Bonds, or portions thereof to be redeemed,

plus accrued interest thereon to the date fixed for redemption, are held by the Bond Registrar in such account in trust for the registered owners of Bonds, or portions thereof to be redeemed, interest on the Series 2020 Bonds or portions thereof called for redemption shall cease to accrue, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his attorney or legal representative shall present and surrender such Bond to the Bond Registrar for payment of the principal amount thereof so called for redemption and the redemption premium, if any, on such principal amount, and the Bond Registrar shall authenticate and deliver to or upon the order of such registered owner or his legal representative, without charge therefor, for the unredeemed portion of the principal amount of the Series 2020 Bonds so surrendered, a Bond or Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

Section 10. The provisions of this Section 10 relating to the exchange and transfer of Series 2020 Bonds are subject to the provisions for operation of the book-entry system provided in Section 4 of this resolution, including the immobilization of Series 2020 Bond certificates with a Securities Depository during the continuation of the book-entry system. Series 2020 Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Series 2020 Bonds of the same maturity, or having maturities corresponding to the maturities of the installments of principal of the Series 2020 Bonds then unpaid, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

The transfer of any Series 2020 Bond may be registered only upon the registration books of the County upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for such Series 2020 Bond a new Series 2020 Bond or Series 2020 Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of such Series 2020 Bond so surrendered, of the same maturity, or having maturities corresponding to the maturities of the installments of principal of the Series 2020 Bonds then unpaid, and bearing interest at the same rate.

In all cases in which Series 2020 Bonds shall be exchanged or the transfer of Series 2020 Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Series 2020 Bonds in accordance with the provisions of this resolution. All Series 2020 Bonds surrendered in any such exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The County or the Bond Registrar may make a charge for every such exchange or registration of transfer of Series 2020 Bonds sufficient to reimburse it for shipping charges, out-of-pocket costs and any tax, fee or other governmental charge required to be paid with respect to such exchange or registration of transfer, but no other charge shall be made by the County or the Bond Registrar for exchanging or registering the transfer of Series 2020 Bonds under this resolution. The Bond Registrar shall not be required to exchange or register the transfer of any Series 2020 Bond during a period beginning at the opening of business 15 days before the day of the mailing of a notice of redemption of Series 2020 Bonds or any portion thereof and ending at the close of business on the day of such mailing or of any Series 2020 Bond called for redemption in whole or in part pursuant to Section 7 of this resolution.

As to any Series 2020 Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or redemption price of any such Series 2020 Bond and the interest on any such Series 2020 Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Series 2020 Bond, including the redemption premium, if any, and interest thereon, to the extent of the sum or sums so paid.

The County shall appoint such registrars, transfer agents, depositaries or other agents as may be necessary for the registration, registration of transfer and exchange of Series 2020 Bonds within a reasonable time according to then current commercial standards and for the timely payment of principal, interest and any redemption premium with respect to the Series 2020 Bonds. The County is to act as the initial registrar, transfer agent and paying agent for the Series 2020 Bonds (collectively the "Bond Registrar"), subject to the right of the governing body of the County to appoint another Bond Registrar. The Finance Director (or such other officer who shall from time to time perform the duties of finance officer within the meaning of North Carolina General Statutes, Section 159-24, as it may be amended from time to time, or any successor statute), is hereby designated to act on behalf of the County in carrying out its responsibilities as Bond Registrar, subject to the right of the governing body of the County to designate another officer to act on its behalf, and as such shall keep at the office of the Finance Director of the County, currently at Cabarrus County Governmental Center, 65 Church Street, SE, Concord, North Carolina 28026, the books of the County for the registration, registration of transfer, exchange and payment of the Series 2020 Bonds.

Section 11. If the Series 2020 Bonds are to be sold by competitive bid, the actions of the County Manager and the Finance Director of the County in applying to the Local Government Commission of North Carolina to advertise and sell the Series 2020 Bonds are hereby approved, ratified and confirmed. If the Series 2020 Bonds are to be sold by competitive bid, then the Local Government Commission of North Carolina is hereby requested to ask for sealed bids for the Series 2020 Bonds by publishing notices and printing and distributing a Preliminary Official Statement and an Official Statement, including any supplement thereto, relating to the sale of the Series 2020 Bonds. The Chairman or Vice-Chairman of the Board, the County Manager and the Finance Director, respectively, of the County are each hereby authorized to participate in the preparation of the Preliminary Official Statement or Official Statement, to approve the form of the Preliminary Official Statement or Official Statement, to approve any supplement to such Preliminary Official Statement or Official Statement and to execute such Official Statement and any supplement to such Official Statement for and on behalf of the County.

Section 12. If the Series 2020 Bonds are to be sold by private sale, the Local Government Commission of North Carolina is hereby requested sell the Series 2020 Bonds at private sale without advertisement to any purchaser or purchasers thereof, at such prices as said Commission determines to be in the best interest of the County, subject to the approval of the Chairman or Vice-Chairman of the Board; provided, however, that the purchase price of the Series 2020 Bonds shall not be less than 98% of the face value of the Series 2020 Bonds, plus 100% of any accrued interest, and the maximum interest rate shall not exceed [_____] percentum (____.0%) per annum. The Chairman or Vice-Chairman of the Board is hereby authorized to approve the purchase price of the Series 2020 Bonds and the rate(s) of interest on the Series 2020 Bonds in connection with a private sale of the Series 2020 Bonds, subject to the provisions of this Section 12.

Section 13. The Chairman or Vice-Chairman of the Board, the County Manager and the Finance Director, respectively, of the County are each hereby authorized, in the event they determine, in their discretion, such action to be appropriate and in the best interests of the County in connection with the issuance of the Series 2020 Bonds, to engage a qualified bank or trust company to serve as escrow agent in connection with the refunding of the Bonds to be Refunded as described in this resolution, and to negotiate, execute and deliver, on behalf of the County, with the advice of bond counsel to the County, an Escrow Deposit Agreement to accomplish the refunding of the Bonds to be Refunded and to perform the obligations of the County under said Escrow Deposit Agreement. The Chairman or Vice-Chairman of the Board, the County Manager and the Finance Director, respectively, of the County are each hereby further authorized, in the event they determine, in their discretion, such action to be appropriate and in the best interests of the County in connection with the issuance of the Series 2020 Bonds to engage a qualified verification agent to render the customary services of an escrow verification agent in connection with the refunding of the Bonds to be Refunded.

Section 14. There may be printed on the reverse of each of any printed Bonds the legal opinion of Nexsen Pruet PLLC, bond counsel to the County, with respect to the validity of the Series 2020 Bonds, and there may be printed immediately following such legal opinion a certificate bearing the manual or facsimile signature of the Chairman or Vice-Chairman of the Board of the County, said certificate to be in substantially the following form:

"I HEREBY CERTIFY that the foregoing is a true and correct

copy of the legal opinion on the bonds therein described which was manually signed by Nexsen Pruet PLLC, Charlotte, North Carolina, and was dated as of the date of delivery of and payment for said bonds.

[Manual or Facsimile Signature]
Chairman/Vice-Chairman of the
County of Cabarrus, North Carolina"

Section 15. If the Series 2020 Bonds are issued as tax-exempt bonds for purposes of federal income taxation, then the County covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will do and perform all acts and things to comply with the requirements of the Internal Revenue Code of 1986, as amended (the "Code"), and any related regulations and procedures in order to assure that interest paid on the Series 2020 Bonds will not be includable in the gross income of the owners thereof for purposes of federal income taxation, except to the extent that the County obtains an opinion of bond counsel to the effect that noncompliance would not result in interest on the Series 2020 Bonds being includable in the gross income of the owners of the Series 2020 Bonds for purposes of federal income taxation.

As necessary or appropriate in connection with the issuance of the Series 2020 Bonds, all officers, employees and agents of the County are authorized and directed to provide certifications of material facts and estimates as to the reasonable expectations of the County as of the date(s) the Series 2020 Bonds are delivered and on behalf of the County to sign agreements or acknowledge instructions regarding compliance with the requirements of the Code and any related regulations and procedures relating to the Series 2020 Bonds.

Section 16. There are hereby created, as may be needed, appropriate funds and accounts of the County for the receipt and expenditure of the proceeds of the Series 2020 Bonds, and appropriate debt service funds and accounts of the County for the receipt and disbursement of debt service payments on the Series 2020 Bonds.

Section 17. If the Series 2020 Bonds are sold in a "primary offering" as defined under Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12"), the County hereby undertakes, for the benefit of the beneficial owners of the Series 2020 Bonds to provide:

(a) by not later than seven months from the end of each fiscal year of the County, commencing with the fiscal year ending June 30, 2020, to the Municipal Securities Rulemaking Board ("MSRB"), audited financial statements of the County for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the County are not available by seven months from the end of such fiscal year, unaudited financial statements of the County for such fiscal year to be replaced subsequently by audited financial statements of the County to be delivered within 15 days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each fiscal year of the County, commencing with the fiscal year ending June 30, 2020, to the MSRB, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under heading "The County - Debt Information and - Tax Information" in the Official Statement relating to the Series 2020 Bonds (excluding any information on overlapping or underlying units) and (ii) the combined budget of the County for the current fiscal year, to the extent such items are not included in the financial statements referred to in (a) above;

(c) in a timely manner, not in excess of ten (10) Business Days after the occurrence of the event, notice to the MSRB of any of the following events with respect to the Series 2020 Bonds:

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on any credit enhancements reflecting financial difficulties;
- (5) substitution of any credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or material events affecting the tax status of the Series 2020 Bonds;
- (7) modification to rights of the beneficial owners of the Series 2020 Bonds, if material;

- (8) call of any of the Series 2020 Bonds, if material, and tender offers;
- (9) defeasance of any of the Series 2020 Bonds;
- (10) release, substitution or sale of any property securing repayment of the Series 2020 Bonds, if material;
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership or similar event of the County;
- (13) the consummation of a merger, consolidation, or acquisition involving the County or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to such actions, other than pursuant to its terms, if material;
- (14) appointment of a successor or additional trustee or the change of name of a trustee, if material;
- (15) incurrence of a financial obligation by the County, if material, or agreement to covenants, events of default, remedies, priority rights or other similar terms of a financial obligation of the County, any of which affect beneficial owners of the Series 2020 Bonds, if material;
- (16) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the County, any of which reflect financial difficulties; and

(d) in a timely manner, to the MSRB, notice of a failure of the County to provide the required annual financial information described in (a) or (b) above on or before the date specified.

The County shall provide the documents referred to above to the MSRB in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

For purposes of the preceding paragraphs (15) and (16), the term "financial obligation" means a (i) debt obligation; (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (iii) guarantee of (i) or (ii). The term financial obligation shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with Rule 15c2-12.

The County may discharge its undertaking described above by transmitting the documents referred to above to any entity and by any method authorized by the SEC.

If the County fails to comply with the undertaking described above, any beneficial owner of the Series 2020 Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Series 2020 Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Series 2020 Bonds.

The County reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the County, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the County;

(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 as of the date of the Official Statement relating to the Series 2020 Bonds after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(c) any such modification does not materially impair the interests of the beneficial owners, as determined either by parties unaffiliated with the County (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Series 2020 Bonds pursuant to the terms of this bond resolution, as it may be amended from time to time, at the time of the amendment.

Any annual financial information containing modified operating data or financial information shall explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Series 2020 Bonds.

Section 18. The Chairman or Vice-Chairman of the Board, the Clerk to the Board, the County Manager, the Finance Director and the other officers of the County are each hereby authorized and directed to execute and deliver for and on behalf of the County any and all financing statements, certificates, documents or other papers, including, without limitation, Letter(s) of Representations to Securities Depositories and agreements relating to investment of proceeds of the Series 2020 Bonds, and to perform any and all acts they may deem necessary or appropriate in order to carry out the intent of this resolution and the matters herein authorized.

Section 19. This resolution shall take effect upon its passage.

Upon motion of Commissioner Elizabeth F. Poole, seconded by Commissioner Lynn W. Shue, the foregoing resolution entitled: "RESOLUTION PROVIDING FOR THE ISSUANCE OF \$20,830,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020, SUBJECT TO ADJUSTMENT AS PROVIDED HEREIN" was passed by the following roll call vote:

Ayes: Chairman Stephen M. Morris, Vice Chairman Diane R. Honeycutt and Commissioners F. Blake Kiger, Elizabeth F. Poole and Lynn W. Shue

Noes: None

Chairman Morris opened the public hearing at 7:02 p.m. The Public Hearing Notice was published on May 3, 2020 in *The Independent Tribune*. The Public Hearing Notice was also posted on the County's website (www.cabarruscounty.us) on May 55, 2020 in accordance with Article 2, Administration, Section 2.1 (Use of Electronic Means to Provide Public Notices) of the Cabarrus County Code of Ordinances.

Chairman Morris asked Lauren Linker, Clerk to the Board, if any written comments had been submitted, if anyone was waiting on the phone or present in the Board of Commissioners Chambers to present a comment. Ms. Linker stated no written comments were submitted and there was no one on the phone or present in the Board of Commissioners Chambers.

There were no comments nor anyone present via telephone or in person to address the Board; therefore, Chairman Morris closed the public hearing.

UPON MOTION of Commissioner Poole, seconded by Commissioner Shue and unanimously carried, the Board approved the Series 2020 A-D Limited Obligation Bond Financing made now, but to go into effect after the required 24-hour period and with any additional comments reviewed, by the following roll call vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Poole and Shue. Nays: None. Absent: None.

Resolution No. 2020-17

RESOLUTION APPROVING REFINANCING OF PRIOR INSTALLMENT FINANCING CONTRACT FINANCINGS IN AN AGGREGATE PRINCIPAL AMOUNT UP TO \$56,500,000; THE EXECUTION AND DELIVERY BY THE CABARRUS COUNTY DEVELOPMENT CORPORATION OF ONE OR MORE SERIES OF LIMITED OBLIGATION BONDS RELATED THERETO; AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED DOCUMENTS IN CONNECTION THEREWITH; AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS

WHEREAS, the Board of Commissioners desires to approve a proposed plan of refinancing in an aggregate principal amount of up to \$56,500,000, which plan would involve the entry by the County into one or more installment financing contracts (or amendments to one or more outstanding installment financing contracts) with the Cabarrus County Development Corporation (the "Corporation") or one or more third parties pursuant to North Carolina General Statutes §160A-20, as amended, the proceeds of which would be used to refinance all or a portion of one or more installment financing contracts previously executed and delivered by the County, which prior installment financing contracts paid all or a portion of the costs of acquiring, constructing and equipping various public facilities and related improvements and costs (collectively, the "Refinanced Projects"), and under said one or more installment financing

contracts (or amendments to one or more outstanding installment financing contracts) the County would secure the repayment by the County of the moneys advanced pursuant to such one or more installment financing contracts (or amendments to one or more outstanding installment financing contracts) by granting a security interest in and lien on all or some portion of the Refinanced Projects and/or in all or some portion of the real property on which the Refinanced Projects are located;

WHEREAS, as part of said proposed plan of refinancing, the Corporation will execute and deliver one or more series of Limited Obligation Bonds in said one or more installment financing contracts (or amendments to one or more outstanding installment financing contracts) in an aggregate principal amount not exceeding \$56,500,000 to finance the advancement of moneys to the County pursuant to said one or more installment financing contracts (or amendments to one or more outstanding installment financing contracts) between the County and the Corporation or one or more third parties;

WHEREAS, there have been submitted to this meeting draft forms of the following documents (the "Financing Documents") with respect to the refinancing of said one or more prior installment financing contracts and the Refinanced Projects:

(1) Amendment Number Two, proposed to be dated as of July 1, 2020 (the "2001 Second Contract Amendment"), to the Installment Financing Contract dated as of March 1, 2001 (the "Original 2001 Contract" and, as heretofore amended by Amendment Number One, dated as of September 1, 2010, and as further amended by the 2001 Second Contract Amendment, the "2010 Contract"), each between the County and the Corporation as counterparty, pursuant to which the Corporation will advance moneys to the County to refinance all or a portion of the 2010 Contract and the portion of the Refinanced Projects financed thereby and the County agrees to make periodic installment payments (the "2010 Installment Payments") to repay the moneys so advanced, with interest;

(2) Supplemental Indenture, Number 2, proposed to be dated as of July 1, 2020 (the "2001 Second Supplement"), to the Indenture of Trust dated as of March 1, 2001 (the "Original 2001 Trust Indenture" and, as heretofore supplemented and amended by Supplemental Indenture, Number 1, dated as of September 1, 2010, and as further supplemented and amended by the 2001 Second Supplement, the "2010 Trust Indenture"), each between the Corporation and the trustee named therein, as trustee (the "2010 Trustee"), pursuant to which there are to be executed and delivered the Corporation's Limited Obligation Refunding Bonds (County of Cabarrus, North Carolina), Series 2020A (the "2020A Limited Obligation Refunding Bonds"), the proceeds of which will be used to refinance all or a portion of the Corporation's Refunding Certificates of Participation (County of Cabarrus, North Carolina Installment Financing Contract), Series 2010A;

(3) Amendment Number Two, proposed to be dated as of July 1, 2020 (the "2002 Second Contract Amendment"), to the Installment Financing Contract dated as of August 15, 2002 (the "Original 2002 Contract" and, as heretofore amended by Amendment Number One, dated as of August 1, 2011, and as further amended by the 2002 Second Contract Amendment, the "2011B Contract"), each between the County and the Corporation as counterparty, pursuant to which the Corporation will advance moneys to the County to refinance all or a portion of the 2011B Contract and the portion of the Refinanced Projects financed thereby and the County agrees to make periodic installment payments (the "2011B Installment Payments") to repay the moneys so advanced, with interest;

(4) Supplemental Indenture, Number 2, proposed to be dated as of July 1, 2020 (the "2002 Second Supplement"), to the Indenture of Trust dated as of August 15, 2002 (the "Original 2002 Trust Indenture" and, as heretofore supplemented and amended by Supplemental Indenture, Number 1, dated as of August 1, 2011, and as further supplemented and amended by the 2002 Second Supplement, the "2011B Trust Indenture"), each between the Corporation and the trustee named therein, as trustee (the "2011B Trustee"), pursuant to which there are to be executed and delivered the Corporation's Limited Obligation Refunding Bonds (County of Cabarrus, North Carolina), Series 2020B (the "2020B Limited Obligation Refunding Bonds"), the proceeds of which will be used to refinance all or a portion of the Corporation's Certificates of Participation (County of Cabarrus, North Carolina Installment Financing Contract), Series 2011B ;

(5) Amendment Number Two, proposed to be dated as of July 1, 2020 (the "2003 Second Contract Amendment"), to the Installment Financing Contract dated as of July 15, 2003 (the "Original 2011C Contract" and, as heretofore amended by Amendment Number One, dated as of August 1, 2011, and as further amended by the 2003 Second Contract Amendment, the "2011C Contract"), each between the County and the Corporation as counterparty, pursuant to which the Corporation will advance moneys to the County to refinance all or a portion of the 2011C Contract and the portion of the Refinanced Projects financed thereby and the

County agrees to make periodic installment payments (the "2011C Installment Payments") to repay the moneys so advanced, with interest;

(6) Supplemental Indenture, Number 2, proposed to be dated as of July 1, 2020 (the "2003 Second Supplement"), to the Indenture of Trust dated as of July 15, 2003 (the "Original 2003 Trust Indenture" and, as heretofore supplemented and amended by Supplemental Indenture, Number 1, dated as of August 1, 2011, and as further supplemented and amended by the 2003 Second Supplement, the "2011C Trust Indenture"), each between the Corporation and the trustee named therein, as trustee (the "2011C Trustee"), pursuant to which there are to be executed and delivered the Corporation's Limited Obligation Refunding Bonds (County of Cabarrus, North Carolina), Series 2020C (the "2020C Limited Obligation Refunding Bonds"), the proceeds of which will be used to refinance all or a portion of the Corporation's Certificates of Participation (County of Cabarrus, North Carolina Installment Financing Contract), Series 2011C;

(7) Amendment Number One, proposed to be dated as of July 1, 2020 (the "2016 First Contract Amendment"), to the Installment Financing Contract dated as of March 1, 2016 (the "Original 2016 Contract" and, as amended by the 2016 First Contract Amendment, the "2016 Contract"), each between the County and the Corporation as counterparty, pursuant to which the Corporation will advance moneys to the County to refinance all or a portion of the 2016 Contract and the portion of the Refinanced Projects financed thereby and the County agrees to make periodic installment payments (the "2016 Installment Payments") to repay the moneys so advanced, with interest; and

(8) Supplemental Indenture, Number 1, proposed to be dated as of July 1, 2020 (the "2016 First Supplement"), to the Indenture of Trust dated as of March 1, 2016 (the "Original 2016 Trust Indenture" and, as supplemented and amended by the 2016 First Supplement, the "2016 Trust Indenture"), each between the Corporation and the trustee named therein, as trustee (the "2016 Trustee"), pursuant to which there are to be executed and delivered the Corporation's Limited Obligation Refunding Bonds (County of Cabarrus, North Carolina), Series 2020D (the "2020D Limited Obligation Refunding Bonds"), the proceeds of which will be used to refinance all or a portion of the Corporation's Certificates of Participation (County of Cabarrus, North Carolina Installment Financing Contract), Series 2016;

WHEREAS, the obligations of the County to make (a) the 2010 Installment Payments and other payments pursuant to the 2010 Contract, (b) the 2011B Installment Payments and other payments pursuant to the 2011B Contract, (c) the 2011C Installment Payments and other payments pursuant to the 2011C Contract and (d) the 2016 Installment Payments and other payments pursuant to the 2016 Contract, respectively, shall constitute limited obligations of the County payable solely from currently budgeted appropriations of the County and shall not constitute a pledge of the faith and credit of the County within the meaning of any constitutional debt limitation;

WHEREAS, no deficiency judgment may be rendered against the County in any action for breach of a contractual obligation under the 2010 Contract, the 2011B Contract, the 2011C Contract or the 2016 Contract, respectively, and the taxing power of the County is not and may not be pledged in any way directly or indirectly or contingently to secure any moneys due under the 2010 Contract, the 2011B Contract, the 2011C Contract or the 2016 Contract, respectively; and

WHEREAS, the Board of Commissioners desires to approve the Financing Documents and to authorize other actions in connection therewith;

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

Section 1. All actions taken by or on behalf of the County to date to effectuate the proposed plan of refinancing, including the selection of Piper Sandler & Co., as Underwriter and/or Placement Agent and Nexsen Pruet, PLLC, as special counsel, are hereby ratified, approved and authorized pursuant to and in accordance with the transactions contemplated by the Financing Documents.

Section 2. The Board of Commissioners hereby finds and confirms that (i) the refinancing of all or a portion of the prior installment financing contracts previously executed and delivered by the County and the Related Projects by one or more installment financing contracts to be executed and delivered by the County is necessary and expedient for the County; (ii) the refinancing of all or a portion of the prior installment financing contracts previously executed and delivered by the County and the Related Projects by one or more installment financing contracts to be executed and delivered by the County, under the circumstances, is preferable to a bond issue by the County; (iii) the sums to fall due under said one or more installment financing contracts to be executed and delivered by the County are adequate and not excessive for their proposed purpose; (iv) the County's debt management procedures and policies are good and its debt will continue to be managed in strict compliance with law; (v) the increase in taxes, if any, necessary to meet the sums to fall due under said one or more installment financing contracts to be executed and delivered by the

County will not be excessive; and (vi) the County is not in default regarding its debt service obligations.

Section 3. The refinancing of all or a portion of the prior installment financing contracts and the Refinanced Projects, and the granting of security interests therein, all as provided in the Financing Documents referenced in this Resolution, are hereby ratified and approved.

Section 4. Each of the 2001 Second Contract Amendment, the 2002 Second Contract Amendment, the 2003 Second Contract Amendment and the 2016 First Contract Amendment is hereby approved in substantially the form submitted to this meeting, and each of the Chairman of the Board of Commissioners or the County Manager is hereby authorized to execute and deliver each of those documents in the name and on behalf of the County, with such changes, insertions or omissions as the persons executing such documents may approve, including but not limited to changes, insertions or omissions related to obtaining a policy of municipal bond insurance with respect to all or a portion of the 2020A Limited Obligation Refunding Bonds, with respect to all or a portion of the 2020B Limited Obligation Refunding Bonds, with respect to all or a portion of the 2020C Limited Obligation Refunding Bonds, or with respect to all or a portion of the 2020D Limited Obligation Refunding Bonds, respectively, the execution and delivery of the 2020A Limited Obligation Refunding Bonds, the 2020B Limited Obligation Refunding Bonds, the 2020C Limited Obligation Refunding Bonds and/or the 2020D Limited Obligation Refunding Bonds, respectively, to constitute conclusive evidence of such approval. The Clerk to the Board is hereby authorized to affix the seal of the County to each of said documents as may be appropriate and to attest to the same.

Section 5. The 2001 Second Supplement (including the form of 2020A Limited Obligation Refunding Bond and/or Certificate) is hereby approved in substantially the form submitted to this meeting, with such changes, insertions or omissions as appropriate, including but not limited to changes, insertions or omissions related to obtaining a policy of municipal bond insurance with respect to all or a portion of the 2020A Limited Obligation Refunding Bonds, as the representative(s) of the County executing the 2001 Second Contract Amendment may approve, the execution and delivery of the 2001 Second Contract Amendment to constitute conclusive evidence of such approval. The Board of Commissioners hereby approves the sale or placement of the 2020A Limited Obligation Refunding Bonds by the Corporation in an aggregate principal amount not in excess of the amount of moneys to be advanced to the County pursuant to the 2001 Second Contract Amendment.

Section 6. The 2002 Second Supplement (including the form of 2020B Limited Obligation Refunding Bond and/or Certificate) is hereby approved in substantially the form submitted to this meeting, with such changes, insertions or omissions as appropriate, including but not limited to changes, insertions or omissions related to obtaining a policy of municipal bond insurance with respect to all or a portion of the 2020B Limited Obligation Refunding Bonds, as the representative(s) of the County executing the 2002 Second Contract Amendment may approve, the execution and delivery of the 2002 Second Contract Amendment to constitute conclusive evidence of such approval. The Board of Commissioners hereby approves the sale or placement of the 2020B Limited Obligation Refunding Bonds by the Corporation in an aggregate principal amount not in excess of the amount of moneys to be advanced to the County pursuant to the 2002 Second Contract Amendment.

Section 7. The 2003 Second Supplement (including the form of 2020C Limited Obligation Refunding Bond and/or Certificate) is hereby approved in substantially the form submitted to this meeting, with such changes, insertions or omissions as appropriate, including but not limited to changes, insertions or omissions related to obtaining a policy of municipal bond insurance with respect to all or a portion of the 2020C Limited Obligation Refunding Bonds, as the representative(s) of the County executing the 2003 Second Contract Amendment may approve, the execution and delivery of the 2003 Second Contract Amendment to constitute conclusive evidence of such approval. The Board of Commissioners hereby approves the sale or placement of the 2020C Limited Obligation Refunding Bonds by the Corporation in an aggregate principal amount not in excess of the amount of moneys to be advanced to the County pursuant to the 2003 Second Contract Amendment.

Section 8. The 2016 First Supplement (including the form of 2020D Limited Obligation Refunding Bond and/or Certificate) is hereby approved in substantially the form submitted to this meeting, with such changes, insertions or omissions as appropriate, including but not limited to changes, insertions or omissions related to obtaining a policy of municipal bond insurance with respect to all or a portion of the 2020D Limited Obligation Refunding Bonds, as

the representative(s) of the County executing the 2016 First Contract Amendment may approve, the execution and delivery of the 2016 First Contract Amendment to constitute conclusive evidence of such approval. The Board of Commissioners hereby approves the sale or placement of the 2020D Limited Obligation Refunding Bonds by the Corporation in an aggregate principal amount not in excess of the amount of moneys to be advanced to the County pursuant to the 2016 First Contract Amendment.

Section 9. Each of the Chairman of the Board of Commissioners, the County Manager and the Director of Finance are authorized to approve all details of the refinancing of all or a portion of the Original 2010 Contract and the related portion of the Refinanced Projects, including, without limitation, the amount advanced under the 2001 Second Contract Amendment and the aggregate principal amount of the 2020A Limited Obligation Refunding Bonds (which, when combined with the aggregate principal amount of the 2020B Limited Obligation Refunding Bonds, the 2020C Limited Obligation Refunding Bonds and the 2020D Limited Obligation Refunding Bonds, shall not exceed \$56,500,000), the maturities, the principal amounts and the interest amounts of the 2010 Installment Payments and the 2020A Limited Obligation Refunding Bonds, which interest amounts (calculated with respect to the 2020A Limited Obligation Refunding Bonds) shall not exceed 6.0% per annum on an effective interest cost basis, the prepayment terms and prices (which shall not exceed 103% of the principal amount being prepaid) and the Underwriters' discount (exclusive of any original issue discount) or Placement Agents' compensation (which shall not exceed 2.0% of the principal amount of the 2020A Limited Obligation Refunding Bonds). Execution of the 2001 Second Contract Amendment by the Chairman of the Board of Commissioners or the County Manager shall conclusively evidence such approval of all such details of said refinancing.

Section 10. Each of the Chairman of the Board of Commissioners, the County Manager and the Director of Finance are authorized to approve all details of the refinancing of all or a portion of the Original 2011B Contract and the related portion of the Refinanced Projects, including, without limitation, the amount advanced under the 2002 Second Contract Amendment and the aggregate principal amount of the 2020B Limited Obligation Refunding Bonds (which, when combined with the aggregate principal amount of the 2020A Limited Obligation Refunding Bonds, the 2020C Limited Obligation Refunding Bonds and the 2020D Limited Obligation Refunding Bonds, shall not exceed \$56,500,000), the maturities, the principal amounts and the interest amounts of the 2011B Installment Payments and the 2020B Limited Obligation Refunding Bonds, which interest amounts (calculated with respect to the 2020B Limited Obligation Refunding Bonds) shall not exceed 6.0% per annum on an effective interest cost basis, the prepayment terms and prices (which shall not exceed 103% of the principal amount being prepaid) and the Underwriters' discount (exclusive of any original issue discount) or Placement Agents' compensation (which shall not exceed 2.0% of the principal amount of the 2020B Limited Obligation Refunding Bonds). Execution of the 2002 Second Contract Amendment by the Chairman of the Board of Commissioners or the County Manager shall conclusively evidence such approval of all such details of said refinancing.

Section 11. Each of the Chairman of the Board of Commissioners, the County Manager and the Director of Finance are authorized to approve all details of the refinancing of all or a portion of the Original 2011C Contract and the related portion of the Refinanced Projects, including, without limitation, the amount advanced under the 2003 Second Contract Amendment and the aggregate principal amount of the 2020C Limited Obligation Refunding Bonds (which, when combined with the aggregate principal amount of the 2020A Limited Obligation Refunding Bonds, the 2020B Limited Obligation Refunding Bonds and the 2020D Limited Obligation Refunding Bonds, shall not exceed \$56,500,000), the maturities, the principal amounts and the interest amounts of the 2011C Installment Payments and the 2020C Limited Obligation Refunding Bonds, which interest amounts (calculated with respect to the 2020C Limited Obligation Refunding Bonds) shall not exceed 6.0% per annum on an effective interest cost basis, the prepayment terms and prices (which shall not exceed 103% of the principal amount being prepaid) and the Underwriters' discount (exclusive of any original issue discount) or Placement Agents' compensation (which shall not exceed 2.0% of the principal amount of the 2020C Limited Obligation Refunding Bonds). Execution of the 2003 Second Contract Amendment by the Chairman of the Board of Commissioners or the County Manager shall conclusively evidence such approval of all such details of said refinancing.

Section 12. Each of the Chairman of the Board of Commissioners, the County Manager and the Director of Finance are authorized to approve all details of the refinancing of all or a portion of the Original 2016 Contract and the related portion of the Refinanced Projects, including, without limitation, the amount advanced under the 2016 First Contract Amendment and the aggregate

principal amount of the 2020D Limited Obligation Refunding Bonds (which, when combined with the aggregate principal amount of the 2020A Limited Obligation Refunding Bonds, the 2020B Limited Obligation Refunding Bonds and the 2020C Limited Obligation Refunding Bonds, shall not exceed \$56,500,000), the maturities, the principal amounts and the interest amounts of the 2016 Installment Payments and the 2020D Limited Obligation Refunding Bonds, which interest amounts (calculated with respect to the 2020D Limited Obligation Refunding Bonds) shall not exceed 6.0% per annum on an effective interest cost basis, the prepayment terms and prices (which shall not exceed 103% of the principal amount being prepaid) and the Underwriters' discount (exclusive of any original issue discount) or Placement Agents' compensation (which shall not exceed 2.0% of the principal amount of the 2020D Limited Obligation Refunding Bonds). Execution of the 2016 First Contract Amendment by the Chairman of the Board of Commissioners or the County Manager shall conclusively evidence such approval of all such details of said refinancing.

Section 13. The Chairman of the Board of Commissioners, the County Manager, the Director of Finance and the County Attorney are hereby authorized to take any and all such further action, including approval of modifications to the Financing Documents, and to execute and deliver for and on behalf of the County such other documents and certificates (including, without limitation, agreements with securities depositories, financing statements, one or more escrow deposit agreements, one or more contracts of purchase or purchase agreements, one or more placement agreements, one or more private placement agreements or other offering documents or memoranda, tax certificates and agreements and other documents and agreements (including repurchase agreements) relating to the investment of the proceeds from the execution and delivery of the 2010 Contract, the 2011B Contract, the 2011C Contract or the 2016 Contract, respectively) as they may deem necessary or advisable to carry out the intent of this resolution and to effect the refinancing pursuant to the 2001 Second Contract Amendment, the 2002 Second Contract Amendment, the 2003 Second Contract Amendment, the 2016 First Contract Amendment and the other Financing Documents. The Clerk to the Board is hereby authorized to affix the seal of the County to such documents and certificates as may be appropriate and to attest to the same and to execute and deliver the same as may be needed. In addition, said officers are hereby authorized to cooperate with the Underwriters and/or Placement Agents in preparing and filing such filings under state securities or "blue sky" laws (including special consents to service of process) as the Underwriters and/or Placement Agents may request and as the Chairman of the Board of Commissioners, the County Manager or the Director of Finance shall determine.

Section 14. The Finance Director shall prepare and file a sworn statement of debt with the LGC and the Clerk to the Board in accordance with North Carolina General Statutes Section 159-150.

Section 15. If any of the 2020A Limited Obligation Refunding Bonds, the 2020B Limited Obligation Refunding Bonds, the 2020C Limited Obligation Refunding Bonds or the 2020D Limited Obligation Refunding Bonds, respectively, are issued as tax-exempt bonds for purposes of federal income taxation, then the County covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will do and perform all acts and things to comply with the requirements of the Internal Revenue Code of 1986, as amended (the "Code"), in order to assure that interest paid with respect to the 2020A Limited Obligation Refunding Bonds, the 2020B Limited Obligation Refunding Bonds, the 2020C Limited Obligation Refunding Bonds and the 2020D Limited Obligation Refunding Bonds, respectively, will not be includable in the gross income of the owners thereof for purposes of federal income taxation, except to the extent that the County obtains an opinion of bond counsel to the effect that noncompliance would not result in interest with respect to the 2020A Limited Obligation Refunding Bonds, the 2020B Limited Obligation Refunding Bonds, the 2020C Limited Obligation Refunding Bonds, or the 2020D Limited Obligation Refunding Bonds, respectively, being includable in the gross income of the owners of the 2020A Limited Obligation Refunding Bonds, the 2020B Limited Obligation Refunding Bonds, the 2020C Limited Obligation Refunding Bonds or the 2020D Limited Obligation Refunding Bonds, respectively, for purposes of federal income taxation.

Section 16. This Resolution shall become effective immediately upon its adoption.

Thereupon, upon motion of Commissioner Elizabeth F. Poole, seconded by Commissioner Lynn W. Shue, the foregoing resolution entitled "RESOLUTION APPROVING REFINANCING OF PRIOR INSTALLMENT FINANCING CONTRACT FINANCINGS IN AN AGGREGATE PRINCIPAL AMOUNT UP TO \$56,500,000; THE EXECUTION AND DELIVERY BY THE CABARRUS COUNTY DEVELOPMENT CORPORATION OF ONE OR MORE SERIES OF LIMITED OBLIGATION BONDS RELATED THERETO; AUTHORIZING THE EXECUTION AND DELIVERY OF

RELATED DOCUMENTS IN CONNECTION THEREWITH; AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS" was adopted and passed by the following roll call vote:

AYES: Chairman Stephen M. Morris, Vice Chairman Diane R. Honeycutt and Commissioners F. Blake Kiger, Elizabeth F. Poole and Lynn W. Shue

NOES: None

(G-3) Finance - Acceptance of Coronavirus Relief Funding

Susan Fearrington, Finance Director, reported Cabarrus County has been notified that we will receive \$3,771,761 in Coronavirus Relief Funding. The Federal Funds will be distributed to the State who will in turn distribute them to counties that have a population less than 500,000. The funds will be placed in the General Fund and will be spent to assist with appropriate COVID19 expenditures.

Additionally, the County has been notified we will received \$58,008 in formula funds from the Department of Justice for the HVAC Pressurization Program at the Sheriff's Office Detention Center.

The County will also receive \$151,402 stimulus funds for Emergency Medical Services (EMS) for lost revenues.

A brief discussion ensued.

UPON MOTION of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board accepted the Coronavirus Relief Funding and authorized the Finance Director to prepare the appropriate budget amendment by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Poole and Shue. Nays: None. Absent: None.

Date:18-May-20

Amount:3,771,761.00

Dept. Head:Susan Fearrington (Prepared by Becky Crabtree)

Department:Finance

☐ Internal Transfer Within Department

☐ Transfer Between Departments/Funds

☒ Supplemental Request

Purpose: This budget amendment appropriates the Cares Act Relief Funds we anticipate receiving in May. Funds are being temporarily placed in the unallocated expenditure account until the county decides where the funds will be used.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	1925-6384-CARES	Cares Act Relief Payment	-	3,771,761.00		3,771,761.00
001	9	1925-9397-UNAL	Miscellaneous Un-allocated Funds	-	3,771,761.00		3,771,761.00

(H) REPORTS

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

None.

(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 - 7 Vacant Positions
- Board of Equalization and Review - 3 Terms Expiring Soon
- Centralina Workforce Development Board - 2 Terms Expiring Soon
- Concord Planning and Zoning Commission (ETJ) - 1 Vacant Position
- Harrisburg Fire Advisory Board (ETJ) - 1 Vacant Position
- Juvenile Crime Prevention Council - 3 Vacant Positions (Police Chief and School Superintendent/Designee) and 5 Terms Expiring Soon
- Library Board of Trustees - 1 Term Expiring Soon
- Nursing Home Community Advisory Committee - 8 Vacant Positions
- Public Health Authority - 2 Terms Expiring Soon
- Region F Aging Advisory Committee - 1 Vacant Position and 2 Terms Expiring Soon
- Tourism Authority - 4 Terms Expiring Soon
- Transportation Advisory Board - 3 Vacant Positions (Midland, NC mental health, and clergy) and 3 Terms Expiring Soon
- Water and Sewer Authority of Cabarrus County - 1 Term Expiring Soon
- Youth Commission - 5 Vacant Positions (Hickory Ridge, Jay M. Robinson, Mount Pleasant and At-Large High Schools) and 4 Terms Expiring Soon

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

(H-3) County Manager - Monthly Building Activity Reports

The Board received the Cabarrus County Construction Standards Dodge Report for April 2020 and the Cabarrus County Commercial Building Plan Review Summary for April 2020 for informational purposes. No action was required of the Board.

(H-4) 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-5) Economic Development Corporation - April 2020 Monthly Summary Report

The Board received the Cabarrus Economic Development Corporation (EDC) monthly report for the month of April 2020 for informational purposes. No action was required of the Board.

(H-6) Finance - Monthly Financial Update

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

(I) GENERAL COMMENTS BY BOARD MEMBERS

Chairman Morris commented on the importance for citizens to participate in the census. The information reported aids in receipt of federal funds for the community.

Chairman Morris also reminded the public of safety guidelines and the importance of taking the necessary precautions as communities and businesses reopen during Covid-19.

Commissioner Shue expressed appreciation for the schools and Charlotte Motor Speedway for the efforts in connection with high school graduations.

(J) WATER AND SEWER DISTRICT OF CABARRUS COUNTY

None.

(K) CLOSED SESSION

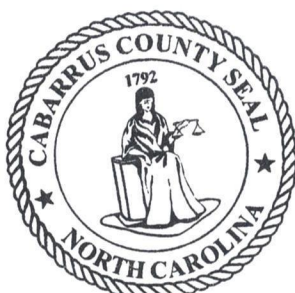
(K-1) Closed Session - Pending Litigation

UPON MOTION of Commissioner Shue, seconded by Vice Chairman Honeycutt 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) by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Poole and Shue. Nays: None. Absent: None.

UPON MOTION of Vice Chairman Honeycutt, seconded by Commissioner Kiger and unanimously carried, the Board moved to come out of closed session by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Poole and Shue. Nays: None. Absent: None.

(L) ADJOURN

UPON MOTION of Commissioner Shue, seconded by Vice Chairman Honeycutt and unanimously carried, the meeting adjourned at 7:42 p.m. by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Poole and Shue. Nays: None. Absent: None.




Lauren Linker, Clerk to the Board