

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, December 21, 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](mailto:publiccomment@cabarruscounty.us)

Present - Chairman: Stephen M. Morris  
Vice Chairman: Diane R. Honeycutt  
Commissioners: F. Blake Kiger  
Lynn W. Shue  
Barbara C. Strang

Also present were Mike Downs, County Manager; Richard M. Koch, County Attorney; Jonathan Marshall, Deputy County Manager; Rodney Harris, Deputy County Manager; and Lauren Linker, Clerk to the Board.

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

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

#### **(A) APPROVAL OR CORRECTION OF MINUTES**

**UPON MOTION** of Commissioner Kiger, seconded by Vice Chairman Honeycutt and unanimously carried, the Board approved the minutes of October 21, 2020 (Cabarrus Summit), November 2, 2020 (Work Session), and November 16, 2020 (Regular Meeting) as presented by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

#### **(B) APPROVAL OF THE AGENDA**

Chairman Morris reviewed the following changes to the agenda.

##### Additions:

##### Recognitions and Presentations

C-2 Human Resources - Recognition of Susan Fearrington on Her Retirement from Cabarrus County Finance Department

##### New Business

G-2 Appointment and Removal - Juvenile Crime Prevention Council

G-3 Human Resources - Update on Families First Coronavirus Response Act (FFCRA)

G-4 Finance - Approval of New Signature Cards and Deposit Account Resolutions

##### Removals:

##### Recognitions and Presentations

Human Resources - Recognition of Emergency Management Director Robert "Bobby" Smith's Retirement

##### Moved from Consent Agenda to New Business

F-5 BOC - Designation of Voting Delegate for NCACC Legislative Goals Conference

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

#### **(C) RECOGNITIONS AND PRESENTATIONS**

(C-1) BOC - Officer Jason Shuping

Chairman Morris expressed condolences to the family and law enforcement officers in connection with the death of Officer Jason Shuping of the Concord Police Department.

A moment of silence was observed in honor and memory of Officer Shuping.

Chairman Morris additionally announced the Chamber of Commerce has been working with the City of Concord, Lowe's Home Improvement and GE (General Electric) to give away 600 blue light bulbs on December 28, 2020. Residents may burn the blue light outdoors through January 23, 2021 in memory of Officer Shuping. Residents may keep the light bulbs to use again to honor officers during Police Week, May 9 through May 15, 2021. Locations to pick up the light bulbs were provided.

**(C-2) Human Resources - Recognition of Susan Fearrington on Her Retirement from Cabarrus County Finance Department**

Mike Downs, County Manager, recognized Susan Fearrington on her retirement from Cabarrus County. Mr. Downs highlighted a number of Ms. Fearrington's accomplishments during her 25-year tenure with the County.

Susan Fearrington, Finance Director, graciously expressed appreciation.

Chairman Morris, Vice Chairman Honeycutt, and Commissioners Shue, Kiger and Strang provided additional comments.

**(C-3) Proclamation - Reverend Dr. Martin Luther King, Jr. Day**

Chairman Morris read the proclamation aloud.

**UPON MOTION** of Commissioner Kiger, 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, Shue and Strang. Nays: None. Absent: None.

Proclamation No. 2020-18

**PROCLAMATION**

WHEREAS, Reverend Dr. Martin Luther King, Jr., was born on January 15, 1929 in Atlanta, Georgia, and devoted his life to fighting poverty, injustice and racism in America; and

WHEREAS, Reverend Dr. King, through his practice of non-violent protest, promoted the importance of love, peace and freedom for humankind and challenged America to honor its promise of liberty and justice for all citizens; and

WHEREAS, during his lifetime, Reverend Dr. King sought to forge the common ground on which individuals of all ages, races and backgrounds could join together to address important community issues and provide service to their community; and

WHEREAS, the third Monday in January has been established as a national holiday to observe the anniversary of Reverend Dr. King's birth and commemorated as a national day of service; and

NOW THEREFORE, the Cabarrus County Board of Commissioners hereby proclaims Monday, January 18, 2021 as Reverend Dr. Martin Luther King, Jr. Day in Cabarrus County and encourages all citizens to join in the special programs and ceremonies to be held throughout the county honoring the life and work of Reverend Doctor King and his legacy of peace and equality for all citizens.

Adopted this 21<sup>st</sup> day of December, 2020.

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

Attest:

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

**(D) INFORMAL COMMENTS**

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

Chairman Morris opened the meeting for Informal Public Comments at 6:57 p.m. He 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 that portion of the meeting.

**(E) OLD BUSINESS**

None.

**(F) CONSENT**

**(F-1) Active Living and Parks - 2021 Fees and Charges Policy**

Each year, the Active Living and Parks Department reviews the Fees and Charges Policy, presents it to the Active Living and Parks Commission and Senior Centers Advisory Council, and recommends changes to the Board of Commissioners.

The documents provided in the agenda reflect the proposed changes to the Fees and Charges Policy and a summary of the requested changes. These items are addressed during this time of year so that they can be in place in January and for the entire calendar year. A fiscal year approval would split some of the sports and activity sessions.

Both the Senior Center Advisory Council and the Parks Commission unanimously approved this recommendation.

**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board approved the Active Living and Parks 2021 Fees and Charges by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

**(F-2) Appointments and Removals - Human Services Advisory Board**

The term of service for Human Services Advisory Board member Anne Laukaitis ends December 31st. She is eligible and is recommended to be reappointed to serve another term.

Bobby Conner has resigned from his position on this Board due to family illness. It is requested to remove his name from the roster.

**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board reappointed Anne Laukaitis to the Human Services Advisory Board for a three-year term ending December 31, 2023 by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board removed Bobby Connor from the Human Services Advisory Board roster and thanked him for his service by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

**(F-3) Appointments - Cabarrus-Rowan Metropolitan Planning Organization Technical Coordinating Committee (TCC) and Transportation Advisory Committee (TAC)**

Each year, the Board of Commissioners must appoint or reappoint representatives to the Cabarrus-Rowan Metropolitan Planning Organization Technical Coordinating Committee (TCC) and Transportation Advisory Committee (TAC).

Staff respectfully requested that Susie Morris, Planning and Zoning Manager, be appointed as the Cabarrus County TCC representative and that Phil Collins, Senior Planner, be appointed as the alternate representative.

The Board of Commissioners will also need to appoint a commission member to serve on the TAC as the regular member, along with an alternate member. Commissioner Poole currently serves as the representative for Cabarrus County and Commissioner Kiger serves as the alternate.

**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board reappointed Susie Morris, Planning and Zoning Manager, as the Cabarrus County TCC representative and Phil Collins, Senior Planner, as the alternate representative for one-year terms ending December 31, 2021 by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board appointed Commissioner Kiger as the regular member and Commissioner Strang as the alternate member to the TAC for one-year terms ending December 31, 2021 by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

**(F-4) BOC - Commissioner Appointments for 2021**

The following chart outlines commissioner appointments to various boards and committees and appointments as liaisons to the surrounding municipalities for 2021.

**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board approved the commissioner appointments for 2021 as set forth in the agenda by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

NAME OF BOARD	2021 APPOINTMENTS
ACT Work Ready Community Committee	Strang
Active Living and Parks Commission	Kiger
Cabarrus County Animal Protection Advisory Board	Strang
Cabarrus County Board of Education - Business Mtg.	Kiger/Honeycutt
Cabarrus County Board of Education - Work Session	Honeycutt/Kiger
Cabarrus County Partnership for Children (Smart Start)	Morris
Cabarrus Planning and Zoning Commission	Kiger/Shue
Cabarrus-Rowan Urban Area MPO Transportation Adv. Comm.	Kiger/Strang
Cardinal Innovations Commissioner Advisory Board	Strang
Centralina Council of Government Executive Board	Shue
Centralina Council of Government Board of Directors	Shue
Centralina Workforce Development Consortium	Strang
City of Concord	Kiger
City of Kannapolis	Morris
City of Locust	Morris
Cooperative Extension Service	Honeycutt
Early Childhood Task Force Advisory Board	Kiger/Harris
Fire Departments & First Responder Advisory Committee	Strang/Shue
Home and Community Care Block Grant Advisory Committee	Honeycutt
Human Services Advisory Board	Honeycutt
Juvenile Crime Prevention Council	Morris
Kannapolis Board of Education	Shue/Kiger
Library Board of Trustees	Morris
Local Emergency Planning Committee	Honeycutt
Mental Health Advisory Board	Strang
Public Health Authority of Cabarrus County	Morris
Region F Aging Advisory Committee	Shue
Rowan-Cabarrus Community College Board of Trustees	Morris
Senior Centers Advisory Council	Honeycutt
Soil & Water Conservation District	Shue
Tourism Authority	Honeycutt
Town of Harrisburg	Kiger
Town of Midland	Strang
Town of Mt. Pleasant	Shue
Transportation Advisory Board	Morris
Water and Sewer Authority	Shue/Marshall
Youth Council	Strang

**(F-5) BOC - Designation of Voting Delegate for NCACC Legislative Goals Conference**



Note: This item was moved to New Business as Item G-5.

**(F-6) BOC - Resolution Establishing the Board of Commissioners' 2021 Meeting Schedule**

The following resolution establishes the Boards' meeting schedule for 2021.

Regular meetings that will fall on Tuesday due to holidays are:

- January 19, 2021 (Martin Luther King, Jr.)

Work sessions that will fall on Tuesday due to holidays are:

- April 6, 2021 (Easter)
- July 6, 2021 (Independence Day)
- September 7, 2021 (Labor Day)

**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board adopted the Resolution Establishing the Regular meeting Schedule for Calendar Year 2021 by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

Resolution No. 2020-29

RESOLUTION  
ESTABLISHING THE REGULAR MEETING SCHEDULE  
FOR CALENDAR YEAR 2021

WHEREAS, the regular agenda work sessions of the Cabarrus County Board of Commissioners are currently held on the first Monday of each month at 4:00 p.m. in the Multipurpose Room at the Governmental Center; and

WHEREAS, the regular meetings of the Board of Commissioners are held on the third Monday of each month at 6:30 p.m. in the Commissioners' Meeting Room at the Governmental Center; and

WHEREAS, the Cabarrus County Board of Commissioners' 2021 meetings may be conducted remotely in a virtual setting, as allowed by the Board's Remote Participation Policy; and

WHEREAS, the Martin Luther King, Jr. holiday requires a change in the regular meeting date in January 2021; and

WHEREAS, the Easter, Independence Day, and Labor Day holidays require a change in the agenda work session meeting dates in April, July, and September 2021; and

NOW, THEREFORE, BE IT RESOLVED, the Cabarrus County Board of Commissioners, pursuant to North Carolina General Statute 153A-40(a), does hereby:

- (1) Establish the Board's regular agenda work session schedule to meet at 4:00 p.m. in the Multipurpose Room at the Governmental Center on the following dates:

January 4, 2021	July 6, 2021 (Tuesday)
February 1, 2021	August 2, 2021
March 1, 2021	September 7, 2021 (Tuesday)
April 6, 2021 (Tuesday)	October 4, 2021
May 3, 2021	November 1, 2021
June 7, 2021	December 6, 2021

- (2) Establish the Board's regular meeting schedule to meet at 6:30 p.m. in the Commissioner's Meeting Room at the Governmental Center on the following dates:

January 19, 2021 (Tuesday)	July 19, 2021
February 15, 2021	August 16, 2021
March 15, 2021	September 20, 2021
April 19, 2021	October 18, 2021
May 17, 2021	November 15, 2021
June 21, 2021	December 20, 2021

- (3) Sets quarterly summits for scheduled at the Cabarrus Arena and Events Center on January 20, 2021, April 21, 2021, July 21, 2021 and October 20, 2021 at 6:00 p.m.
- (4) The Board will hold a Budget Public Hearing meeting June 7, 2021 at 6:30 p.m. in the Commissioners; Meeting Room at the Governmental Center; and
- (5) Sets the NCACC Legislative Goals Conference in Raleigh, North Carolina on January 14 - 15, 2021; and
- (6) Sets a Board retreat, at the Multipurpose Room at the Governmental Center on February 26 at 4:00 p.m. and February 27 at 8:00 a.m.; and
- (7) Sets the NACo Legislative Conference in Washington, DC, on February 20-24, 2021; and
- (8) Sets the NCACC County Assembly Day and Legislative Reception in Raleigh TBD; and
- (9) Sets budget workshop meetings on April 15 and June 10, 2021 from 4:00 - 8:00 p.m. in the Multipurpose Room in the Governmental Center; and
- (10) Sets the NACo Annual Conference in Travis County, Austin, Texas on July 16 - 19, 2021; and
- (11) Sets the NCACC Annual Conference in Wilmington, NC on August 12 - 14, 2021; and

BE IT FURTHER RESOLVED that any recessed, special or emergency meeting will be held as needed with proper notice as required by North Carolina General Statute 153A-40.

Adopted this the 21<sup>st</sup> day of December, 2020.

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

Attest:

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

(F-7) EMS - Ambulance Fee Increase

This request is to adjust ambulance fees to align with the NC BCBS fee schedule to be consistent with common EMS industry practice. The attachment provides additional detail. The recommendation for the fee increase has been reviewed with the EMS Third Party Billing Vendor (EMS MC).

Level Of Service	2020 Medicare (Urban)	Cabarrus County Current Rates	NC BCBS fee schedule	Proposed Fee Changes.	Change
ALS NE A0426	\$270.03	\$400.00	\$436.29	\$436.29	\$36.29
ALS E A0427	\$427.55	\$612.71	\$690.78	\$690.78	\$78.07
BLS NE A0428	\$225.03	\$350.00	\$363.57	\$363.57	\$13.57
BLS E A0429	\$360.04	\$515.97	\$581.71	\$581.71	\$65.74
ALS 2 A0433	\$618.82	\$886.82	\$999.82	\$999.82	\$113.00
Specialty Care Transports A0434	\$731.33	\$1,048.05	\$1,181.60	\$1,181.60	\$133.55
Treatment No Transport Fee		\$200.00	\$143.18	\$200.00	No Change
Mileage A0425	\$7.62	\$10.91	\$12.30	\$12.30	\$1.39
DOA Transport	\$360.04	\$200.00		\$360.04	\$160.04

Level of Service	Med Center Air Rates
ALS NE A0426	270.03
ALS E A0427	427.55
BLS NE A0428	225.03
BLS E A0429	360.04
ALS 2 A0433	618.82
Rural Mileage A0425	7.62

UPON MOTION of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board approved the ambulance fee increase to be effective on January 1, 2021 by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

(F-8) Finance - Accounting Update of Capital Project Funds

As major projects are completed the Capital Project Funds need to be updated. Limited Obligation Bonds (LOBS) 2016, 2017, and 2018 and the School Capital Projects Funds are being updated through the enclosed budget amendment and project ordinance updates.

For account tracking purposes, the attached budget amendment closes out LOBS 2016, a portion of LOBS 2017 and LOBS 2018. This amendment will allow the remaining \$138,896.99 budget for Kannapolis Middle School to be tracked in the new School Capital Projects Fund. The amendment also transfers \$425,483.61 in available budget from the LOBS 2017 Fund to the Community Investment Fund to assist with the payment of debt service and future capital projects.

This agenda item includes Capital Project Ordinance updates to LOBS 2016, LOBS 2017, LOBS 2018 and School Capital Projects Fund based on the budget amendment. Also updated in each project ordinance is Section III. d. where additional direction is provided for excess funding to be returned to the General Fund, the Community Investment Fund or another Capital Project Fund based on the needs of the County.

**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board approved budget updates to the Limited Obligation Bonds series 2016, 2017, 2018 and the School Capital Projects Fund and the associated project ordinances by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

Date:12/21/2020

Amount:564,380.60

Dept. Head:Susan Fearrington

Department:Finance

☐ Internal Transfer Within Department

☐ Transfer Between Departments/Funds

☒ Supplemental Request

This budget amendment closes out Fund 368 LOBS 2016 a portion of Fund 370 LOBS 2018 and a portion of Fund 369 LOBS 2017 and for tracking purposes transfers the remaining \$138,896.99 budget for the Kannapolis Middle School to the School Capital Projects Fund. This budget amendment also transfers \$425,483.61 in available budget from the Fund 369 LOBS 2017 to the Community Investment Fund to assist with future debt service payments or free up County funding for capital projects.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
368	6	0000-6701	Interest on Investment	502,598.67	0.36		502,599.03
368	9	7404-9820	Construction - KMS (County Funded Portion)	36,976,535.93		41,685.96	36,934,849.97
368	9	7404-9825	Contra Sales Tax - KMS (County Funds)	(492,844.31)		17,425.87	(510,270.18)
368	9	7404-97404	Contribution to Capital Projects Fund (Fd 390)	-	59,112.19		59,112.19
370	9	0000-9704	Contribution to General Fund	943.60	2,507.33		3,450.93
370	6	0000-6701	Interest on Investment	221,795.00	14,364.51		236,159.51
370	9	7345-9825	Contra Sales Tax - HRES	(455,724.85)		49,399.06	(505,123.91)
370	9	0000-9708	Contribution to Capital Projects Fund (Fd 390)	528,958.19	61,256.24		590,214.43
			Interest to be drawn down within project fund 370 to cover items previously funded by County (originally non debt) freeing up County funds to be used on other projects				
369	9	0000-9704	Contribution to General Fund	3,363.72	3,071.81		6,435.53
369	6	6701-6701	Interest on Investment	1,083,333.98	447,083.98		1,530,417.96
369	9	0000-970118	Contribution to the Community Investment Fd	-	425,483.61		425,483.61
369	9	0000-97404	Contribution to Capital Projects Fund (Fd 390)	-	18,528.56		18,528.56
			Interest to be drawn down within project fund 368 to cover items previously funded by County (originally non debt) freeing up County funds to be used on other projects				
100	6	9120-6910-2017	Contribution from Capital Proj Fd - LOBS 2017	-	425,483.61		425,483.61
100	9	0000-9830-AVAIL	Other Improvements	5,401,695.00	425,483.61		5,827,178.61
				-			
390	6	7404-6910-KMS	Contribution from Capital Proj Fd - (LOBS 2016)	-	59,112.19		59,112.19
390	6	7404-6910-KMS	Contribution from Capital Proj Fd - (LOBS 2017)	59,112.19	18,528.56		77,640.75
390	6	7404-6910-KMS	Contribution from Capital Proj Fd - (LOBS 2018)	77,638.75	61,256.24		138,894.99
390	9	7404-9820-KMS	Construction - KMS	-	138,896.99		138,896.99

Ordinance No. 2020-42

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	502,599
<b>TOTAL REVENUES</b>	<b>\$101,505,353</b>

- 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	41,568,518
Legal Fees/Closing Costs	740,370
Contribution to Capital Reserve Fund	1,750,700
Contribution to Capital Projects Fund	233,193
Contribution to General Fund	3,086
<b>TOTAL EXPENDITURES</b>	<b>\$101,505,353</b>
<b>GRAND TOTAL - REVENUES</b>	<b>\$101,505,353</b>
<b>GRAND TOTAL - EXPENDITURES</b>	<b>\$101,505,353</b>

Section II.

- A. Special appropriations to non-profit organizations shall be distributed after the execution of an agreement which ensures that all County funds are used for statutorily permissible public purposes.
- B. The County Manager or designee is hereby authorized to transfer appropriations within or between funds, or modify revenue and expenditure projections as contained herein under the following conditions:
  - 1. The Manager may transfer amounts between objects of expenditure and revenues within a function without limitation.
  - 2. The County Manager may transfer amounts up to \$500,000 between functions of the same fund.
  - 3. The County Manager may transfer amounts between contingency funds which are set aside for a specific project for budgetary shortfalls or upon the appropriate approval of a change order.
  - 4. The County Manager is authorized to transfer funds from the General Fund or Capital Reserve Fund to the appropriate fund for projects approved within the Capital Improvement Plan for the current fiscal year.
  - 5. Upon notification of funding increases or decreases to existing grants or revenues, or the award of grants or revenues, the Manager or designee may adjust budgets to match, including grants that require a County match for which funds are available.
  - 6. The Manager or designee may adjust debt financing from estimated projections to actual funds received.
  - 7. The County Manager may enter into and execute change orders or amendments to construction contracts in amounts less than \$90,000 when the appropriate annual budget or capital project ordinance



contains sufficient appropriated but unencumbered funds.

8. The County Manager may award and execute contracts which are not required to be bid or which G.S. 143-131 allows to be let on informal bids so long as the annual budget or appropriate capital project ordinance contains sufficient appropriated but unencumbered funds for such purposes.
9. The County Manager may execute contracts with outside agencies to properly document budgeted appropriations to such agencies where G.S. 153 A-248(b), 259, 449 and any similar statutes require such contracts.
10. The County Manager may reject formal bids when deemed appropriate and in the best interest of Cabarrus County pursuant to G.S. 143-129(a).
11. The County Manager may reduce revenue projections consistent with prevailing economic conditions, and also reduce expenditures correspondingly.

### Section III.

This ordinance and the budget documents shall be the basis of the financial plan for the County of Cabarrus.

- a. The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy the requirements of the law.
- b. The Finance Director is directed to report, at the request of the Board, on the financial status of each project element in Section I and on the total revenues received or claimed.
- c. Copies of this capital project ordinance shall be furnished to the Clerk to the governing Board, and to the Finance Director for direction in carrying out this project.
- d. At the completion of a construction project, all unrestricted excess funds are transferred to the General Fund, Community Investment Fund or other Capital Projects Fund and the portion of the Capital Project associated with the project is closed.

Adopted this 21<sup>st</sup> day of December, 2020.

CABARRUS COUNTY BOARD OF COMMISSIONERS

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

ATTEST:

/s/ Lauren Linker  
Clerk to the Board

Ordinance No. 2020-43

### CABARRUS COUNTY LIMITED OBLIGATION BONDS 2017 PROJECT BUDGET ORDINANCE

BE IT ORDAINED by the Board of Commissioners of Cabarrus County, North Carolina that, Pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

### Section I.

- A. The project authorized is for the construction of a Parking Deck. Details of the project are listed in section C. of this Project Ordinance.
- B. The officers of this unit are hereby directed to proceed with this capital project within the terms of the Generally Accepted Accounting Principles (GAAP) and the budget contained herein.

It is estimated that the following revenues will be available to

complete capital projects as listed.

Debt Proceeds	\$79,194,879
General Fund Contribution	2,650,083
Capital Projects Fund	7,679,803
Capital Reserve Contribution	9,291,915
Interest Income	1,530,418
 TOTAL REVENUES	 \$100,347,098

C. The following appropriations are made as listed.

Financing Costs	\$741,338
General Government	1,653,083
Parking Deck Downtown Concord	13,044,004
Performance Learning Center	3,811,311
West Cabarrus High School	76,291,995
Contribution to General Fund	6,436
Contribution to Capital Reserve Fund	331,709
Contribution to Capital Projects Fund	4,041,738
Contribution to Community Investment Fund	425,484
 TOTAL EXPENDITURES	 \$100,347,098
 GRAND TOTAL - REVENUES	 \$100,347,098
GRAND TOTAL - EXPENDITURES	\$100,347,098

## 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.
- 12. The Manager, Finance Director, or designee may create debt financing amendments from estimated projections upon approval by the Board of Commissioners of the debt financing and adjust as needed upon closing.

Section III.

This ordinance and the budget documents shall be the basis of the financial plan for the County of Cabarrus.

- a. The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy the requirements of the law.
- b. The Finance Director is directed to report, at the request of the Board, on the financial status of each project element in Section I and on the total revenues received or claimed.
- c. Copies of this capital project ordinance shall be furnished to the Clerk to the governing Board, and to the Finance Director for direction in carrying out this project.
- d. At the completion of a construction project, all unrestricted excess funds are transferred to the General Fund, Community Investment Fund or other Capital projects Fund and the portion of the Capital Project associated with the project is closed.

Adopted this 21<sup>st</sup> day of December, 2020.

CABARRUS COUNTY BOARD OF COMMISSIONERS

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

ATTEST:

/s/ Lauren Linker  
Clerk to the Board

Ordinance No. 2020-44

CABARRUS COUNTY  
LIMITED OBLIGATION BONDS 2018 PROJECT  
BUDGET ORDINANCE

BE IT ORDAINED by the Board of Commissioners of Cabarrus County, North Carolina that, Pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section I.

- A. The project authorized is for the construction and renovations of Public Schools. Details of the project are listed in section C. of this Project Ordinance.
- B. The officers of this unit are hereby directed to proceed with this capital project within the terms of the Generally Accepted Accounting Principles (GAAP) and the budget contained herein.

It is estimated that the following revenues will be available to complete capital projects as listed.

General Fund Contribution	\$ 901,000
Interest Income	236,160
Capital Project Fund Contribution	668,032
Debt Proceeds	54,680,000
Capital Reserve Contribution	7,942,288

TOTAL REVENUES	\$64,427,480
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C. The following appropriations are made as listed.

Legal Fees	\$ 416,293
HVAC Replacement - Mt. Pleasant High-CCS	3,691,183
Mobile Units - CCS	2,095,676
HVAC Replacement - JN Fries Middle-CCS	3,597,029
Hickory Ridge Elementary-CCS	35,295,150
RCCC - Advanced Technology Center	17,017,484
Land - RCCC	1,721,000
Contribution to General Fund	3,451
Contribution to Capital Projects Fund	590,214
 TOTAL EXPENDITURES	 \$64,427,480
 GRAND TOTAL - REVENUES	 \$64,427,480
GRAND TOTAL - EXPENDITURES	\$64,427,480

## Section II.

- A. Special appropriations to non-profit organizations shall be distributed after the execution of an agreement which ensures that all County funds are used for statutorily permissible public purposes.
- B. The County Manager or designee is hereby authorized to transfer appropriations within or between funds, or modify revenue and expenditure projections as contained herein under the following conditions:
  1. The Manager may transfer amounts between objects of expenditure and revenues within a function without limitation.
  2. The County Manager may transfer amounts up to \$500,000 between functions of the same fund.
  3. The County Manager may transfer amounts between contingency funds which are set aside for a specific project for budgetary shortfalls or upon the appropriate approval of a change order.
  4. The County Manager is authorized to transfer funds from the General Fund or Capital Reserve Fund to the appropriate fund for projects approved within the Capital Improvement Plan for the current fiscal year.
  5. Upon notification of funding increases or decreases to existing grants or revenues, or the award of grants or revenues, the Manager or designee may adjust budgets to match, including grants that require a County match for which funds are available.
  6. The Manager or designee may adjust debt financing from estimated projections to actual funds received.
  7. The County Manager may enter into and execute change orders or amendments to construction contracts in amounts less than \$90,000 when the appropriate annual budget or capital project ordinance contains sufficient appropriated but unencumbered funds.
  8. The County Manager may award and execute contracts which are not required to be bid or which G.S. 143-131 allows to be let on informal bids so long as the annual budget or appropriate capital project ordinance contains sufficient appropriated but unencumbered funds for such purposes.
  9. The County Manager may execute contracts with outside agencies to properly document budgeted appropriations to such agencies where G.S. 153 A-248(b), 259, 449 and any similar statutes require such contracts.
  10. The County Manager may reject formal bids when deemed appropriate and in the best interest of Cabarrus County pursuant to G.S. 143-129(a).
  11. The County Manager may reduce revenue projections consistent with prevailing economic conditions, and also reduce expenditures



correspondingly.

Section III.

This ordinance and the budget documents shall be the basis of the financial plan for the County of Cabarrus.

- a. The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy the requirements of the law.
- b. The Finance Director is directed to report, at the request of the Board, on the financial status of each project element in Section I and on the total revenues received or claimed.
- c. Copies of this capital project ordinance shall be furnished to the Clerk to the governing Board, and to the Finance Director for direction in carrying out this project.
- d. At the completion of a construction project, all unrestricted excess funds are transferred to the General Fund, Community Investment Fund or other Capital Projects Fund and the portion of the Capital Project associated with the project is closed.

Adopted this 21<sup>st</sup> day of December, 2020.

CABARRUS COUNTY BOARD OF COMMISSIONERS

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

ATTEST:

/s/ Lauren Linker  
Clerk to the Board

Ordinance No. 2020-45

CABARRUS COUNTY  
SCHOOL CAPITAL PROJECTS  
BUDGET ORDINANCE

BE IT ORDAINED by the Board of Commissioners of Cabarrus County, North Carolina that, Pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section I.

- A. The project authorized is for the construction and renovations of School Facilities. Details of the project are listed in section C. of this Project Ordinance.
- B. The officers of this unit are hereby directed to proceed with this capital project within the terms of the Generally Accepted Accounting Principles (GAAP) and the budget contained herein.

It is estimated that the following revenues will be available to complete capital projects as listed.

Contribution from General Fund	\$	670,509
Contribution from Capital Projects Fund		9,522,511
Debt Proceeds 2020 Draw Note		49,635,043
Debt Proceeds 2022 Draw Note		6,496,609
Contribution from Capital Reserve Fund		1,662,314
TOTAL REVENUES		\$67,986,986

- C. The following appropriations are made as listed.

CCS Mobile Unit Renovation	\$	500,000
Concord High Fire Alarm Replacement		89,314
Northwest High Fire Alarm Replacement		89,314
JM Robinson Renovation		81,195
R. Brown McAllister Replacement		450,000
CCS New Middle School		55,299,331

CCS New High School Land	5,214,821
Kannapolis Middle School	138,897
AL Brown Football Stadium ADA/Drainage	228,000
AL Brown Roof Replacement	190,000
RCCC Building 1000 Boiler	105,000
RCCC Building 2000 Roof Replacement	335,000
RCCC CBTC HVAC	265,000
Contribution to Capital Reserve	5,001,114
 TOTAL EXPENDITURES	 \$67,986,986
 GRAND TOTAL - REVENUES	 \$67,986,986
GRAND TOTAL - EXPENDITURES	\$67,986,986

## Section II.

- A. Special appropriations to non-profit organizations shall be distributed after the execution of an agreement which ensures that all County funds are used for statutorily permissible public purposes.
- B. The County Manager or designee is hereby authorized to transfer appropriations within or between funds, or modify revenue and expenditure projections as contained herein under the following conditions:
  1. The Manager may transfer amounts between objects of expenditure and revenues within a function without limitation.
  2. The County Manager may transfer amounts up to \$500,000 between functions of the same fund.
  3. The County Manager may transfer amounts between contingency funds which are set aside for a specific project for budgetary shortfalls or upon the appropriate approval of a change order.
  4. The County Manager is authorized to transfer funds from the General Fund or Capital Reserve Fund to the appropriate fund for projects approved within the Capital Improvement Plan for the current fiscal year.
  5. Upon notification of funding increases or decreases to existing grants or revenues, or the award of grants or revenues, the Manager or designee may adjust budgets to match, including grants that require a County match for which funds are available.
  6. The Manager or designee may adjust debt financing from estimated projections to actual funds received.
  7. The County Manager may enter into and execute change orders or amendments to construction contracts in amounts less than \$90,000 when the appropriate annual budget or capital project ordinance contains sufficient appropriated but unencumbered funds.
  8. The County Manager may award and execute contracts which are not required to be bid or which G.S. 143-131 allows to be let on informal bids so long as the annual budget or appropriate capital project ordinance contains sufficient appropriated but unencumbered funds for such purposes.
  9. The County Manager may execute contracts with outside agencies to properly document budgeted appropriations to such agencies where G.S. 153 A-248(b), 259, 449 and any similar statutes require such contracts.
  10. The County Manager may reject formal bids when deemed appropriate and in the best interest of Cabarrus County pursuant to G.S. 143-129(a).
  11. The County Manager may reduce revenue projections consistent with prevailing economic conditions, and also reduce expenditures correspondingly.

## Section III.

This ordinance and the budget documents shall be the basis of the financial plan for the County of Cabarrus.

- a. The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy the requirements of the law.
- b. The Finance Director is directed to report, at the request of the Board, on the financial status of each project element in Section I and on the total revenues received or claimed.
- c. Copies of this capital project ordinance shall be furnished to the Clerk to the governing Board, and to the Finance Director for direction in carrying out this project.
- d. At the completion of a construction project, all unrestricted excess funds are transferred to the General Fund, Community Investment Fund or other Capital Project Fund and the portion of the Capital Project associated with the project is closed.

Adopted this 21<sup>st</sup> day of December, 2020.

CABARRUS COUNTY BOARD OF COMMISSIONERS

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

ATTEST:

/s/ Lauren Linker  
Clerk to the Board

**(F-9) Finance - Cabarrus County Reimbursement Resolution for New EMS Headquarters**

It is requested that the County advance its own funds to pay certain original expenditures associated with the establishment of a new EMS Headquarters. Approval of the attached resolution will allow for the County to pay original expenditures then reimburse itself with proceeds from the Limited Obligation Bond debt to be incurred by the County in the spring of 2022.

**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board adopted the reimbursement resolution for the establishment of a new EMS Headquarters by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

Resolution No. 2020-30

RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE  
EXPENDITURES WITH PROCEEDS OF DEBT PURSUANT TO UNITED STATES  
DEPARTMENT OF TREASURY REGULATIONS

BE IT RESOLVED by the Board of Commissioners of Cabarrus County:

1. The Board hereby finds, determines and declares as follows:

(a) Treasury Regulations Section 1.150-2 (the "Regulations"), promulgated by the United States Department of Treasury on June 17, 1993, prescribes certain specific procedures applicable to certain obligations issued by the County after June 30, 1993, including, without limitation, a requirement that the County timely declare its official intent to reimburse certain expenditures with the proceeds of debt to be issued thereafter by the County.

(b) The County has advanced and/or will advance its own funds to pay certain capital costs (the "Original Expenditures") associated with financing, in whole or in part, (i) the design, acquisition, construction, installation and equipping of one or more new buildings to be used as new EMS headquarter facilities for the County, including the acquisition of any necessary land, easements and rights-of-way, (ii) site development, (iii) any and all related utilities relocation and (iv) various real and/or personal property improvements related to any of the foregoing (collectively, the "EMS Project").

(c) The funds heretofore advanced or to be advanced by the County to pay the Original Expenditures are or will be available only on a temporary basis, and do not consist of funds that were otherwise earmarked or intended to be used by the County to permanently finance the Original Expenditures.

(d) As of the date hereof, the County reasonably expects that it will reimburse itself for such Original Expenditures with the proceeds of debt to be incurred by the County, and the maximum principal amount of debt to be incurred with respect to the EMS Project is expected to be \$[16,000,000].

(e) All Original Expenditures to be reimbursed by the County were paid no more than 60 days prior to, or will be paid on or after the date of, this declaration of official intent. The County understands that such reimbursement must occur not later than 18 months after the later of (i) the date the Original Expenditure was paid; or (ii) the date the EMS Project is placed in service or abandoned, but in no event more than 3 years after the Original Expenditure was paid.

2. This resolution shall take effect immediately.

Vice Chairman Diane R. Honeycutt moved to approve the passage of the foregoing resolution and Commissioner Lynn W. Shue seconded the motion, and the resolution was passed by the following vote:

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

Nays: [None.]

Not Voting: [None.]

**(F-10) Finance - Transfer of Funds for 15 Percent Fund Balance Policy and Closure of Capital Reserve Fund**

Per the FY 2021 Budget Ordinance, the sum of General Operating Fund, fund balance in excess of 15 percent is available for transfer and appropriation to the Community Investment Fund. A summary of the 15 Percent Fund Balance calculation was included for review. Three projects have been identified to fund and the remaining portion can be set aside in the Community Investment Fund for future project allocation.

The Community Investment Fund was established with the FY 2021 Budget year. With the establishment of this fund, there is no longer a need to maintain a separate Capital Reserve Fund. A \$2,400,530.25 budget amendment is required to liquidate the Capital Reserve Fund. This will transfer the tracking of Occupancy Tax reserved for Facility/Field Expansion to the County Capital Projects Fund and the remaining unallocated funds to the Community Investment Fund.

**Cabarrus County**  
**Fund Balance Calculation of excess of 15% Policy**  
**June 30, 2020**  
**As of 9-25-2020**

Fund Balance 6/30/19	\$	87,885,641	
Revenues over (under) Expenditures FY 20		8,408,639	
Legally budgeted sinking fund principal payment		<u>1,330,000</u>	
Ending Fund Balance 6/30/20		97,624,280	
<b>Nonspendable</b>			
Inventories	\$	280,927	
Prepaid Items		73,658	
<b>Restricted</b>			
Reserve by State Statute ( Primarily Accounts Receivable & P/O/Contract carry forward)		18,060,428	
Re-appropriations		278,222	
Debit Payments		7,442,697	
White Goods - Fund Balance		335,724	<<< Includes COP5 2011A Sinking fund
<b>Committed</b>			
Unpaid Tax Incentives	\$	3,688,651	
Pension Trust (balance from 6-30-15)		1,576,476	
Re-appropriations		<u>679,845</u>	
<b>Total unavailable for appropriation</b>	\$	32,416,628	net \$ 65,207,652
Less:			
Assigned	\$	6,652,997	
"Reserved" by 15% Fund Balance Policy		<u>\$ 42,291,870</u>	FY 21 Budget 9-14-20 281,945,802
Balance to transfer to Capital Reserve Fund/CLF per policy - Preliminary		<u>\$ 16,262,785</u>	Unassigned Fund Balance 6-30-20 \$ 58,554,655
<b>Recap:</b>			agrees to Exhibit 3 in 6-30-20 CAFR
FY 20 Revenues over (under) Expenditures	\$	8,408,639	
Legally budgeted sinking fund principal payment		1,330,000	
Change in Nonspendable/Restricted/Committed since FY19		(3,418,811)	



Released Assignments - since 6-30-20	(646,191)	
Change in 15% set aside	70,832	
Excess transfer from FY 19, budgeted but not used	10,518,316	
	<u>\$ 16,262,785</u>	
New Fund Balance Assignments/Commitments in new Year		
FY21 Capital Projects	\$ 3,036,022	7-21-20 BOC
Excess for future projects	<u>\$ 13,226,763</u>	
Other needs		
EMS Headquarters	\$ 3,500,000	Transfer to County Capital Projects Fd
Frank Liske Park Barn	3,500,000	Transfer to County Capital Projects Fd
Cabarrus County Mobile Unit - Schools	400,000	Transfer to School Capital Projects Fd
Balance to transfer to Community Investment Fund	<u>\$ 5,826,763</u>	

UPON MOTION of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board approved the transfer of funds to the School Capital Projects Fund, the County Capital Projects Fund and the Community Investment Fund based on the 15 percent Fund Balance Policy and the closure of the Capital Reserve Fund by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

UPON MOTION of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board approved the associated budget amendments, and project ordinances by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

Date:12/21/2020

Amount:13,226,763.00

Dept. Head: Susan Fearington

Department: Finance

☐ Internal Transfer Within Department

☐ Transfer Between Departments/Funds

☒ Supplemental Request

Based on the 15% Fund Balance policy, \$13,226,763 of funds are being transferred from the General Fund to identified Board approved projects and the Community Investment Fund.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	1960-9708	Contribution to Capital Projects Fund	7,764,572.00	7,400,000.00		15,164,572.00
001	9	1960-970118	Contribution to Community Investment Fund	40,220,000.00	5,826,763.00		46,046,763.00
001	6	1960-6901	Fund Balance Appropriated	3,036,022.00	13,226,763.00		16,262,785.00
				-			0.00
380	6	2730-6902-EMSHQ	Contribution from General Fund	2,500,000.00	3,500,000.00		6,000,000.00
380	9	2730-9820-EMSHQ	Construction	2,670,000.00	3,500,000.00		6,170,000.00
				-			0.00
380	6	8140-6902-BARN	Contribution from General Fund	-	3,500,000.00		3,500,000.00
380	9	8140-9820-BARN	Construction	634,424.00	3,500,000.00		4,134,424.00
				-			0.00
390	6	7210-6902-MOBIL	Contribution from General Fund	500,000.00	400,000.00		900,000.00
390	9	7210-9830-MOBIL	Other Improvements	500,000.00	400,000.00		900,000.00
				-			0.00
100	6	0000-6902-AVAIL	Contribution from General Fund-Available	-	5,826,763.00		5,826,763.00
100	9	0000-9830-AVAIL	Other Improvements-Available	5,401,695.00	5,826,763.00		11,228,458.00
				-			0.00

Date:12/21/2020

Amount:2,400,530.25

Dept. Head: Susan Fearington

Department: Finance - Capital Reserve Fund

☐ Internal Transfer Within Department

☐ Transfer Between Departments/Funds

☒ Supplemental Request

This budget amendment moves the account tracking of the Occupancy Tax reserved for Facility/Field Expansion currently in the Capital Reserve Fund to the County Capital Projects Fund and the remaining unallocated Capital Reserve funds to the Community Investment Fund.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
450	6	8140-6923	Contribution from Convention & Visitors	1,932,937.00	14,327.02		1,947,264.02
450	9	8140-9708-PARKS	Contribution to Capital Projects Fund (Fd 380)	1,932,937.00	14,327.02		1,947,264.02
380	6	8140-6921-PARKS	Contribution from Capital Reserve Fund	-	14,327.02		14,327.02
380	9	8140-9830-UNAL	Other Improvements - Unallocated	-	14,327.02		14,327.02
			Recognized unbudgeted revenue and transfer to County Capital Projects Fund	-			
450	6	7220-6701	Interest on Investment	938,341.00	30,900.98		969,241.98
450	9	7220-9821	Building and Renovations	2,369,629.27		2,369,629.27	0.00

450	9	7220-970118	Contribution to Community Investment Fund	-	2,400,530.25		2,400,530.25
				-			0.00
100	6	0000-6921	Contribution from Capital Reserve Fund	-	2,400,530.25		2,400,530.25
100	9	0000-9830-AVAIL	Other Improvements	5,401,695.00	2,400,530.25		7,802,225.25
				-			0.00
			Recognized unbudgeted revenue and transfer to Community Investment Fund	-			0.00

Ordinance No. 2020-46

CABARRUS COUNTY  
COUNTY CAPITAL PROJECTS  
BUDGET ORDINANCE

BE IT ORDAINED by the Board of Commissioners of Cabarrus County, North Carolina that, Pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section I.

- A. The project authorized is for the construction and renovations of County Facilities. Details of the project are listed in section C. of this Project Ordinance.
- B. The officers of this unit are hereby directed to proceed with this capital project within the terms of the Generally Accepted Accounting Principles (GAAP) and the budget contained herein.

It is estimated that the following revenues will be available to complete capital projects as listed.

Debt Proceeds 2020 Draw Note	\$ 77,592,977
Debt Proceeds 2022 Draw Note	49,126,301
Contributions from Capital Projects Fund	25,017,039
Contribution from General Fund	14,358,029
Contribution from Capital Reserve Fund	3,657,664
Contribution from Internal Service Fund	1,065,425
TOTAL REVENUES	\$170,817,435

- C. The following appropriations are made as listed.

Courthouse Site Enabling Construction & Renovation	\$ 134,859,518
Governmental Center Skylight & Roof Replacement	2,577,722
Contribution to Capital Reserve (Reimb for Skylight Project)	2,085,000
Artificial Turf Fields	4,401,748
Frank Liske Barn Replacement	4,565,425
Legal / Closing Expenses	952,508
Governmental Center Parking Deck Sealing	350,000
Operations Center Renovations	4,918,787
Fiber Infrastructure Improvement	420,000
Jail Annex HVAC Replacement	240,000
Sheriff Training & Firing Range Renovations	1,900,000
Human Services HVAC	180,000
Facility/Field Expansion	14,327
Frank Liske Park ADA Renovations	1,100,000
Frank Liske Park Water Line	780,000
Frank Liske Park Playground Replacement	120,000
Camp Spencer Vending & Archery Building	625,000
West Cabarrus Library & Senior Center	2,400,000
Deferred Maintenance Projects	2,157,400
EMS Headquarters	6,170,000
TOTAL EXPENDITURES	\$170,817,435
GRAND TOTAL - REVENUES	\$170,817,435
GRAND TOTAL - EXPENDITURES	\$170,817,435

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.
2. 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.
3. 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.
4. 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.
5. The Manager or designee may adjust debt financing from estimated projections to actual funds received.
6. 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.
7. 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.
8. 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.
9. 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).
10. 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 21<sup>st</sup> day of December, 2020.

CABARRUS COUNTY BOARD OF COMMISSIONERS

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

ATTEST:

/s/ Lauren Linker  
Clerk to the Board

Ordinance No. 2020-47

CABARRUS COUNTY  
SCHOOL CAPITAL PROJECTS  
BUDGET ORDINANCE

BE IT ORDAINED by the Board of Commissioners of Cabarrus County, North Carolina that, Pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section I.

- A. The project authorized is for the construction and renovations of School Facilities. Details of the project are listed in section C. of this Project Ordinance.
- B. The officers of this unit are hereby directed to proceed with this capital project within the terms of the Generally Accepted Accounting Principles (GAAP) and the budget contained herein.

It is estimated that the following revenues will be available to complete capital projects as listed.

Contribution from General Fund	\$	1,070,509
Contribution from Capital Projects Fund		9,522,511
Debt Proceeds 2020 Draw Note		49,635,043
Debt Proceeds 2022 Draw Note		6,496,609
Contribution from Capital Reserve Fund		1,662,314
TOTAL REVENUES		\$68,386,986

- C. The following appropriations are made as listed.

CCS Mobile Unit Renovation	\$	900,000
Concord High Fire Alarm Replacement		89,314
Northwest High Fire Alarm Replacement		89,314
JM Robinson Renovation		81,195
R. Brown McAllister Replacement		450,000
CCS New Middle School		55,299,331
CCS New High School Land		5,214,821
Kannapolis Middle School		138,897
AL Brown Football Stadium ADA/Drainage		228,000
AL Brown Roof Replacement		190,000
RCCC Building 1000 Boiler		105,000
RCCC Building 2000 Roof Replacement		335,000
RCCC CBTC HVAC		265,000
Contribution to Capital Reserve		5,001,114
TOTAL EXPENDITURES		\$68,386,986
GRAND TOTAL - REVENUES		\$68,386,986
GRAND TOTAL - EXPENDITURES		\$68,386,986

Section II.

- A. Special appropriations to non-profit organizations shall be distributed after the execution of an agreement which ensures that all County funds are used for statutorily permissible public purposes.
- B. The County Manager or designee is hereby authorized to transfer appropriations within or between funds, or modify revenue and expenditure projections as contained herein under the following conditions:
  - 1. The Manager may transfer amounts between objects of expenditure and revenues within a function without limitation.
  - 2. The County Manager may transfer amounts up to \$500,000 between



functions of the same fund.

3. The County Manager may transfer amounts between contingency funds which are set aside for a specific project for budgetary shortfalls or upon the appropriate approval of a change order.
4. The County Manager is authorized to transfer funds from the General Fund or Capital Reserve Fund to the appropriate fund for projects approved within the Capital Improvement Plan for the current fiscal year.
5. Upon notification of funding increases or decreases to existing grants or revenues, or the award of grants or revenues, the Manager or designee may adjust budgets to match, including grants that require a County match for which funds are available.
6. The Manager or designee may adjust debt financing from estimated projections to actual funds received.
7. The County Manager may enter into and execute change orders or amendments to construction contracts in amounts less than \$90,000 when the appropriate annual budget or capital project ordinance contains sufficient appropriated but unencumbered funds.
8. The County Manager may award and execute contracts which are not required to be bid or which G.S. 143-131 allows to be let on informal bids so long as the annual budget or appropriate capital project ordinance contains sufficient appropriated but unencumbered funds for such purposes.
9. The County Manager may execute contracts with outside agencies to properly document budgeted appropriations to such agencies where G.S. 153 A-248(b), 259, 449 and any similar statutes require such contracts.
10. The County Manager may reject formal bids when deemed appropriate and in the best interest of Cabarrus County pursuant to G.S. 143-129(a).
11. The County Manager may reduce revenue projections consistent with prevailing economic conditions, and also reduce expenditures correspondingly.

### Section III.

This ordinance and the budget documents shall be the basis of the financial plan for the County of Cabarrus.

- a. The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy the requirements of the law.
- b. The Finance Director is directed to report, at the request of the Board, on the financial status of each project element in Section I and on the total revenues received or claimed.
- c. Copies of this capital project ordinance shall be furnished to the Clerk to the governing Board, and to the Finance Director for direction in carrying out this project.
- d. At the completion of a construction project, all unrestricted excess funds are transferred to the General Fund, Community Investment Fund or other Capital Project Fund and the portion of the Capital Project associated with the project is closed.

Adopted this 21<sup>st</sup> Day of December, 2020.

CABARRUS COUNTY BOARD OF COMMISSIONERS

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

ATTEST:

/s/ Lauren Linker  
Clerk to the Board

Ordinance No. 2020-48

CABARRUS COUNTY CAPITAL RESERVE  
CAPITAL PROJECT BUDGET ORDINANCE

BE IT ORDAINED by the Board of Commissioners of Cabarrus County, North Carolina that, Pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section I.

- A. The project authorized is for the purpose of accumulating and appropriating funds specifically for future County and School capital projects.
- 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.

Interest on Investments	\$ 969,242
Contributions from General Fund	53,951,568
Contributions from Capital Projects Fund	9,553,830
Contributions from CVB	1,947,264
Contributions from other Governments	3,000,000
 TOTAL REVENUES	 \$69,421,904

- D. The following appropriations are made as listed:

Mt. Pleasant Middle School	3,627,164
Mt. Pleasant Elementary School - Electrical Svc	568,700
Royal Oaks Elementary	4,476,490
Kannapolis Middle School	5,018,148
RCC CBTC A/C Unit Replacement Phase II	330,000
RCCC South Campus Fire Alarm Replacement	112,000
CCS Site Study- Multiple Schools	42,000
J.N. Fries Upfit to Traditional Middle School (FY18)	300,000
AL Brown High School Paving	500,000
CCS 20 Mobile Units-Multiple Schools BC20	2,600,000
CCS Security Cameras	415,246
CCS CCS buses for WCHS & HRES	880,000
New Middle School	240,000
Available for School Construction Projects	65,513
CCS Performance Learning Center	590,709
West Cabarrus High School	7,649,942
Hickory Ridge Elementary School	5,217,804
RCCC Advanced Technology Center (ATC)	2,724,484
Operations Center Building Improvements	850,000
Enterprise Physical Security	300,000
Training & Firing Range Renovations	1,750,000
Public Safety Training Center	75,000
Carolina Thread Trail	59,329
FLP - Lower Lot Restroom	530,595
County Website Development	283,750
Courthouse Expansion	12,519,000
EMS Relocation to Concord Fire #10	375,000
Door Access & Security Camera Network-Sheriff	70,000
ITS - Fiber Infrastructure Improvements	120,000
Radio Network & Ethernet Backhaul & Edge	500,000
Arena Lighting Control System Replacement	235,000
Frank Liske Park Playground Replacement	100,000
EMS Headquarters-Consultant	170,000
Concord Literacy Office	50,000
Operations Center	500,000
Governmental Center Skylight/Roof Repairs	1,611,894
Available for the Construction & Renovation Projects	7,380
Downtown Parking Deck	910,000
Warehouse	141,264
Rob Wallace Park	3,091,047
Arena - Storage Building Replacement	161,000
CVB/Park Projects from Occupancy Tax	1,947,264
Turf fields Capital Projects Fund	500,000

Governmental Center Parking Deck Sealing	350,000
Operations Center Renovations	150,000
Fiber Infrastructure Improvement	300,000
Jail Annex HVAC Replacement	240,000
Sheriff Training & Firing Range Renovations	120,000
Human Services HVAC	180,000
Frank Liske Park ADA Renovations	1,100,000
Frank Liske Park Water Line	420,000
Frank Liske Park Playground Replacement	120,000
Camp Spencer Vending & Archery Building Project	163,337
KCS - AL Brown Football Stadium ADA/Drainage	228,000
KCS - AL Brown Roof Replacement	190,000
RCCC - Building 2000 Reroof	335,000
RCCC - CBTC HVAC Replacement Phase III/IV	265,000
RCCC - South Campus Building 1000 Boiler	105,000
R. Brown McAllister Replacement	450,000
Northwest High Fire Alarm Replacement	89,314
Other County Capital Projects	2,400,530
 TOTAL EXPENDITURES	 \$69,421,904
 GRAND TOTAL - REVENUES	 \$69,421,904
GRAND TOTAL - EXPENDITURES	\$69,421,904

## 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 \$100,000 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 21st day of December, 2020.

### CABARRUS COUNTY BOARD OF COMMISSIONERS

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

ATTEST:

/s/ Lauren Linker  
Clerk to the Board

### (F-11) Finance - Update of Courthouse Funding

For account tracking purposes, an increase in the GMP #3 for the old Courthouse renovation is required. The funding for the phase of the project will be available in February 2022. Originally the estimate was \$14,090,357. Latest estimates show the cost of GMP #3 at \$16,738,515. A budget amendment and project ordinance were included for review.

**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board approved the update to the Courthouse GMP#3 renovation estimate and approved the associated budget amendment and project ordinance by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

Date: <u>12/21/2020</u>	Amount: <u>2,648,158.00</u>						
Dept. Head: <u>Susan Fearrington (Prepared by Sarah Chesley)</u>	Department: <u>Finance - County Capital Projects</u>						
<input type="checkbox"/> Internal Transfer Within Department <input type="checkbox"/> Transfer Between Departments/Funds <input checked="" type="checkbox"/> Supplemental Request							
<b>This budget amendment increases the Courthouse Building &amp; Renovations account by \$2,648,158 for a total budget of \$16,738,515 to match the latest GMP #3 estimate. The increase will be funded through the LOBS 2022 draw program.</b>							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
380	9	2210-9821-COURT	Building & Renovations	14,090,357.00	2,648,158.00		16,738,515.00
380	6	2210-6918-2022A	Proceeds from COPS/LOBS	46,178,143.00	2,648,158.00		48,826,301.00

Ordinance No. 2020-49

### CABARRUS COUNTY COUNTY CAPITAL PROJECTS BUDGET ORDINANCE

BE IT ORDAINED by the Board of Commissioners of Cabarrus County, North Carolina that, Pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section I.

- A. The project authorized is for the construction and renovations of County Facilities. Details of the project are listed in section C. of this Project Ordinance.
- B. The officers of this unit are hereby directed to proceed with this capital project within the terms of the Generally Accepted Accounting Principles (GAAP) and the budget contained herein.

It is estimated that the following revenues will be available to complete capital projects as listed.

Debt Proceeds 2020 Draw Note	\$ 77,592,977
Debt Proceeds 2022 Draw Note	49,126,301
Contributions from Capital Projects Fund	25,017,039
Contribution from General Fund	7,358,029
Contribution from Capital Reserve Fund	3,643,337
Contribution from Internal Service Fund	1,065,425
<b>TOTAL REVENUES</b>	<b>\$163,803,108</b>

- C. The following appropriations are made as listed.

Courthouse Site Enabling Construction & Renovation	\$ 134,859,518
Governmental Center Skylight & Roof Replacement	2,577,722
Contribution to Capital Reserve (Reimb for Skylight Project)	2,085,000
Artificial Turf Fields	4,401,748
Frank Liske Barn Replacement	1,065,425
Legal / Closing Expenses	952,508
Governmental Center Parking Deck Sealing	350,000
Operations Center Renovations	4,918,787
Fiber Infrastructure Improvement	420,000
Jail Annex HVAC Replacement	240,000
Sheriff Training & Firing Range Renovations	1,900,000
Human Services HVAC	180,000
Frank Liske Park ADA Renovations	1,100,000
Frank Liske Park Water Line	780,000
Frank Liske Park Playground Replacement	120,000
Camp Spencer Vending & Archery Building	625,000
West Cabarrus Library & Senior Center	2,400,000
Deferred Maintenance Projects	2,157,400
EMS Headquarters	2,670,000
<b>TOTAL EXPENDITURES</b>	<b>\$163,803,108</b>
<b>GRAND TOTAL - REVENUES</b>	<b>\$163,803,108</b>
<b>GRAND TOTAL - EXPENDITURES</b>	<b>\$163,803,108</b>

## 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 21<sup>st</sup> day of December, 2020.

CABARRUS COUNTY BOARD OF COMMISSIONERS

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

ATTEST:

/s/ Lauren Linker  
Clerk to the Board

### **(F-12) Finance - Update of Investment Officers**

A list of Investment Officers by position is being submitted for approval. This will be a change from the previous list of investment officers by name.

The current Investment Policy and a list of approved institutions was included in the agenda for your information as a reference. No changes have been made to the policy which was last updated and approved by the Board of Commissioners on November 18, 2019. No changes have been made to the approved institution list which was last updated and approved by the Board of Commissioners on June 15, 2020.

Authorized Investment Officers

Attachment A

Finance Director  
Deputy Finance Director  
Accounting Supervisor

**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board approved the Investment Officer position list by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

**(F-13) Infrastructure and Asset Management - Cabarrus County Courthouse Expansion Construction Manager at Risk Contract Extension (GMP 2)**

Currently Cabarrus County has a GMP (Guaranteed Maximum Price) based contract with Messer Construction for Courthouse expansion Construction Manager at Risk services. On December 13, 2019, Messer Construction bid out the scope of work for the site enabling portion of the project. This will be referred to as GMP (Guaranteed Maximum Price) #1 and is considered an extension to their original contract which was for preconstruction services. GMP 1.5 was executed in August of 2020 and included the bid packages for the rammed aggregate piers, below grade concrete, and tower crane. Messer has now received an official GMP # 2 bid which represents the remainder of the bid packages for new Courthouse building.

**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board approved the GMP #2 bid award and authorized the County Manager to execute the contract extension between Cabarrus County and Messer Construction, subject to revision by the County Attorney by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

**(F-14) Infrastructure and Asset Management - Transfer of Radar Trailer Asset to the Town of Harrisburg**

The Town of Harrisburg has requested a surplus radar trailer (asset 8207) from the Sheriff's Department.

The radar trailer would be used by the Harrisburg Division of the Cabarrus County Sheriff's Department for localized law enforcement services within the Town.

The actual radar equipment on the trailer is in disrepair and uses an outdated type of radar. The town plans to up fit the trailer with modern radar equipment.

**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board declared asset 8207 from the Sheriff's Office fleet as surplus property and authorized the transfer in accordance with the County's surplus property policy by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

**(F-15) Infrastructure and Asset Management - Transfer of Surplus Vehicle to Allen Volunteer Fire Department**

Allen Volunteer Fire Department has requested one surplus vehicle from the Cabarrus County Sheriff's Office fleet. County staff have identified asset 8347 (VIN - 1FAHP2MK6EG131671), a 2014 Police Interceptor with 146,286 miles, as a match for their request.

According to the request from the fire department, the vehicle will primarily be used for the Chief's to run errands, attend required meetings and trainings, community outreach, and public relations.

**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board declared asset 8347 from the Sheriff's Office fleet as surplus property and authorized disposition in accordance with the County's Vehicle Replacement Policy by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

**(F-16) ITS - Contract for Telecommunications**

Requesting approval to enter a 36-month agreement with Windstream for telecommunication services. ITS will facilitate conversion from PRI (Primary

Rate Interface) to SIP (Session Initiation Protocol) connections for telephony services. This contract will also standardize pricing for B-1 phone lines.

These are budgeted services and will actually reduce annual pricing.

**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board approved the contract between Cabarrus County and Windstream; and authorized the County Manager to execute the contract on behalf of Cabarrus County, subject to review or revisions by the County Attorney by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

**(F-17) Register of Deeds - Refund of Excise Tax**

Hartsell and Williams law firm recorded a Deed in both Stanly and Cabarrus Counties as required for a tract overlapping both counties. By statue, all the excise tax should have been paid to Stanly County as the most valuable portion of the tract is located in that county. Instead, the excise tax was prorated and \$234.00 was mistakenly paid to the Cabarrus County Register of Deeds Office by Hartsell and Williams and should be refunded. Hartsell and Williams has since paid the appropriate full amount of excise tax to Stanly County.

**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, in compliance with NCGS 105-228.37, the Board authorized a refund to Hartsell and Williams law firm in the amount of \$234.00 by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

**(F-18) Sheriff's Office - (BWC) Body-Worn Camera Funding Update**

Cabarrus County was not awarded Bureau of Justice Administration grant funding for our Body-Worn Camera program. The Commissioners have previously approved the program and program funding however the funding was based on the grant being awarded (\$240,000).

**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board adopted the budget amendment and approved to fund the BWC program in its entirety without supplemental grant funding by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

Date:12/21/2020

Amount:47,906.29

Dept. Head:Chief Bailey

Department:Sheriffs Office

☐ Internal Transfer Within Department

☒ Transfer Between Departments/Funds

☐ Supplemental Request

This BA is for funding the Body Worn Camera Program locally, as a result of it not being awarded though the Bureau of Justice Adminstration. Some of this is being covered though remaining funds from the Motorola contract that is housed in the same account. This Budget Amendment covers the rest.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	2110 9331	Minor Office Equipment & Furn	168,700.00		7,700.00	161,000.00
001	9	2110 9316	Supplies	119,098.75		10,805.00	108,293.75
001	9	1910 9109	Salary Adjustment	2,597,337.38		29,401.29	2,567,936.09
001	9	2110 9445	Purchased Services	1,046,197.00	47,906.29		1,094,103.29

**(F-19) Tax Administration - Refund and Release Reports - November 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 Shue and unanimously carried, the Board approved the November 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, by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None. The report is hereby incorporated into the minutes by reference and is on file with the Clerk to the Board.

**(G) NEW BUSINESS****(G-1) Emergency Management - Adoption of Ordinance Amending Chapter 34, Fire Prevention and Protection of the Cabarrus County Code of Ordinances - Public Hearing 6:30 p.m.**

Chairman Morris stated the Cabarrus County Emergency Management/Fire Marshal's Office has recommended revisions to Chapter 34, Fire Prevention and Protection, Section 34-30 (2) of the Cabarrus County Code of Ordinances, to clarify the intent of the section on voting eligibility concerning fire district matters.

Steve Langer, Emergency Management Director, was in attendance via virtual means.

Chairman Morris opened the public hearing at 7:00 p.m. The public hearing notice was posted on the County's website ([www.cabarruscounty.us](http://www.cabarruscounty.us)) on December 9, 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 no one was present in the Board of Commissioners Chambers. There was no one on the phone.

There were no comments, no one in person, nor any comments via the phone on this matter; therefore, Chairman Morris closed the public hearing.

**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Kiger and unanimously carried, the Board adopted the ordinance amending Chapter 34, Fire Prevention and Protection of the Cabarrus County Code of Ordinances, made now, but to go into effect after the required 24-hour period and with any additional comments reviewed, by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

Note: There were no comments received during the 24-hour period following the vote.

Ordinance No. 2020-50

ORDINANCE AMENDING CHAPTER 34  
(FIRE PREVENTION AND PROTECTION)  
OF THE  
CABARRUS COUNTY CODE OF ORDINANCES

BE IT ORDAINED by the Cabarrus County Board of Commissioners that Chapter 34, Fire Prevention and Protection, of the Code of Ordinances, Cabarrus County, North Carolina, is hereby amended to read as follows:

ARTICLE I. IN GENERAL

Secs. 34-1--34-25. Reserved.

ARTICLE II. FINANCIAL ASSISTANCE TO FIRE DEPARTMENTS

Sec. 34-26. Offered to qualified departments.

The County will offer financial assistance for the maintenance and operation of any volunteer fire department of a fire district qualifying for financial assistance under the terms of this article in an amount determined by the county manager, consistent with the policies of the Cabarrus County Board of Commissioners, not to exceed \$3,000.00 per year, and by revenue collected from the fire district tax, provided a tax district has been established in accordance with G.S. 69-25.1 et seq. for the area served, and by revenues generated by sales tax when the County selects ad valorem sales tax calculation. (Ord. of 12-2-85, § 1; Ord. of 4-3-86, § t; Ord. of 4-7-86, § 1; Ord. of 6-17-96)

Sec. 34-27. Participating departments to file budgets with Cabarrus County Fire Marshal's Office.

A volunteer fire department desiring financial assistance under this article shall file a budget with the Cabarrus County Fire Marshal's Office by April 15

each year for the following fiscal year. Budgets will be submitted on forms provided by the Fire Marshal's Office.

(Ord. of 12-2-85, § 2; Ord. of 4-3-86, § 2; Ord. of 4-7-86, § 2)

Sec. 34-28. Inspections of participating fire departments by the Cabarrus County Fire Marshal.

The Cabarrus County Fire Marshal shall make regular inspections of each fire department receiving payments under this article. At least one inspection shall be made annually, but the Fire Marshal may make other such inspections as deemed necessary. During the course of such inspections, the Fire Marshal shall determine whether the department is continuing to meet the minimum standards as specified in this article, and the findings reported to the Cabarrus County Board of Commissioners.

(Ord. of 12-2-85, § 3; Ord. of 4-3-86, § 3; Ord. of 4-7-86, § 3)

Sec. 34-29. Notice of deficiency; time period for corrections.

If during any inspection the Fire Marshal determines that the fire department is not meeting the minimum standards as set forth in this article, a notice of deficiency must be given in writing by the Fire Marshal to the fire chief and at least two officers of the corporation of the fire department. This notice shall specify the period of time within which the deficiencies must be corrected, provided that the length-of the period of time shall be reasonable and in any event shall not be less than 15 days. At the end of the specified period, an inspection shall be made by the Fire Marshal to determine if the deficiencies have been corrected. If the deficiencies have not been corrected, the Fire Marshal shall notify the Cabarrus County Board of Commissioners with a recommendation to contract with another department to provide service until deficiencies have been corrected.

(Ord. of 12-2-85, § 4; Ord. of 4-3-86, § 4; Ord. of 4-7-86, § 4)

Sec. 34-30. Minimum standards for qualification.

Each fire department desiring to qualify for the financial assistance provided for under this article shall meet the following minimum standards:

(1) The fire department shall be incorporated as a nonprofit corporation under state law. A copy of the department's charter and current by-laws shall be on file in the Fire Marshal's Office.

(2) Elections of at least a portion of the board of directors for the incorporated fire department shall be held at least every year by the voting membership of the corporation. The voting membership must include ~~but is not~~ ~~limited to~~ either residents of the fire tax district which have registered with the Cabarrus County Board of Elections and are eligible to vote in a general election, or all resident property owners of the district.

(3) No absentee or proxy votes will be allowed, nor shall such election be conducted by mail.

(4) Notice of an annual meeting to elect officers shall be given by notice in local newspapers and as prescribed in the department's by-laws, or be a fire department lawfully established by a city, town or sanitary district and operate under the laws and provisions governing such departments.

(5) Each fire department shall have a fire chief, an assistant chief, other necessary officers and personnel with a minimum of 19 firefighters who are eligible firemen, in accordance with G.S. 118-38. A list of all members, their addresses, their telephone numbers, and social security numbers must be given to the Cabarrus County Fire Marshal's Office on or before July 1 of each year and within ten days of the addition of new members.

(6) All active members of a fire department in good standing shall have a County issued ID card, and a department issued car plate to identify them as a bona fide firefighter. No one other than an active or retired member in good standing shall be allowed to have this identification in his possession. The department issued car plate will be visible from the front of any vehicle running emergency warning devices as defined by NC General Statutes.

(7) Each fire department shall maintain a class 9 or better rating with the insurance services office and shall have and maintain equipment as required by the state department of insurance for initial certification. These are minimum requirements; therefore, efforts should be made toward improving fire protection through equipment purchases and water supply development. All equipment specified shall be kept in good condition and operative at all times. Primary



pumpers shall be subjected to an annual service test, as prescribed by the ISO, and records of the test shall be filed with the Cabarrus County Fire Marshal's Office.

(8) Each department shall carry liability insurance on its personnel and equipment in the indemnity amount of at least \$1,000,000.00, and further holding the county harmless from any responsibility for damages, claims, or expenses resulting from the activities of its firefighters or from the operation of its equipment. Each fire department shall also carry worker's compensation insurance on its active members in order to provide those members with the benefits of the worker's compensation act. A certificate of insurance for each department shall be on file at the Fire Marshal's Office.

(9) The fire department shall carry out an organized training program which shall provide a minimum of 36 hours per year training. The training program shall include the training and qualifying of apparatus drivers. Written records shall be kept on all drills and include subject taught, instructor, hours, and members attending.

(10) The fire chief for each department is responsible for stressing safety throughout the department and all phases of the department activities. Emphasis shall be placed on safe driving of department owned apparatus and the firefighter's personal automobile to emergencies, as well as on safe practices while fighting a fire. Only qualified drivers shall drive the fire apparatus. Drivers shall operate apparatus with caution at all times and allow no one but active firefighters to ride the apparatus when it is on call to a fire or other emergency.

(11) The senior fire officer within whose area a fire emergency occurs is the authority on the fire scene or when a fire occurs outside a recognized fire district the senior fire officer of the first arriving department shall be the authority, unless incident falls under jurisdiction of other agency as granted by NCGS.

(12) The senior fire officer responsible for the fire emergency shall make a full investigation of each fire to determine, if possible, the cause of the fire. A report of the findings of this investigation shall be forwarded to the Fire Marshal within 30 days of the fire on forms designed by the National Fire Reporting System. If evidence shows the fire may be incendiary or if persons are injured or a fatality occurs, the Fire Marshal and other necessary state and local officials shall be notified immediately.

(13) The department shall furnish to the Cabarrus County Board of Commissioners an independent audit of receipts and disbursements for the fiscal year conducted by an accountant certified by the state. This audit, including a financial statement for the previous fiscal year and an auditor's opinion. shall be submitted to the Fire Marshal's Office by December 31 of each year for previous fiscal year.

(14) The fire chief shall be responsible for filing all reports required by local, state and federal agencies.

(15) Each department involved with the medical first responders program shall provide basic life support to sick and injured persons and shall work under the guidelines set forth by the first responder ordinance.

(16) Each department shall provide a means of notifying members of a fire call. (Ord. of 12-2-85, § 5; Ord. of 4-3-86, § 5; Ord. of 4-7-86, § 5)

(17) Departmental operational policies will be in accordance with all local, state and federal standards. Policies adopted by 2/3 majority of the Cabarrus County Fire Service Board (CCFSB). and approved by the Cabarrus County Fire Marshal's Office will be considered county-wide policy and will be followed by all contracted fire departments. Failure to follow policies by departments will be considered deficiencies under Section 34-29 of this ordinance.

(18) The Fire Marshal will maintain a current manual on all approved policies, and provide a copy to all contracted fire services. The Fire Marshal is responsible for updating each department issued manual. The copy maintained on file in the Fire Marshal's office will be considered the official manual.

(19) Approved policies will be reviewed annually by the Fire Marshal, changes or deletions will be brought before the CCFSB. The Fire Marshal can change or delete policies based upon changes in state or federal requirements without approval of the CCFSB.. All agencies will be notified at least 60 days prior to any effective changes.

## Sec. 34-31. Duties of Fire Marshal.

The duties of the Cabarrus County Fire Marshal are:

- (1) Act as a liaison between the fire departments and the County Manager and the Cabarrus County Board of Commissioners and shall keep them informed on matters involving fire departments, fire districts, and tax districts.
  - (2) Aid in planning, organizing and developing new departments, facilities and districts.
  - (3) Be an advisor to the County Manager and the Cabarrus County Board of Commissioners concerning insurance ratings of fire districts.
  - (4) Assist in developing a comprehensive training program for all county fire departments.
  - (5) Advise fire departments on equipment purchases, maintenance, and repair.
  - (6) Make yearly inspections of all departments to see that they conform to minimum standards on insurance services offices, class 9 rating and the requirements of the county fire ordinance.
  - (7) Make fire prevention inspections of schools, as required by G.S. Ch. 115; day care facilities, as authorized by G.S. Ch. 110; inspections required by the department of social services.
  - (8) Administer the county fire prevention code and make inspections relevant to enforcement of the code.
  - (9) Make investigations, along with other officials, of fires, as required by G.S. 58-79-1.
  - (10) Assist fire departments in developing fire prevention and pre-fire planning programs within their respective districts.
  - (11) Assist school authorities, businesses, and other citizens in developing fire prevention and life safety education programs for their respective facilities.
  - (12) Maintain reporting system for the collection and use of data concerning fires.
  - (13) Coordinate the use of the communications system by the fire departments to ensure prompt notification and response to all fire calls.
  - (14) Respond to major fires to assist the officer in charge in coordinating the activities of fire departments at that call.
- Ord. of 12-2-85, § 6; Ord. of 4-3-86~ § 6: Ord. of 4-7-86, § 6)

## Secs. 34-32-34-50. Fireworks

In addition to the rules and regulations stated in Chapter 33 of the North Carolina State Fire Prevention Code, which is adopted by reference in this chapter, the Board of County Commissioners adopts the following provisions:

- (1) The County Fire Marshal is here by authorized by the Board of Commissioners pursuant to N.C. G.S. § 14-413, to issue permits for use of pyrotechnics (fireworks) within the County. The County Board of Commissioners also delegates the authority to the governing bodies of The City of Kannapolis, City of Concord, and Town of Harrisburg in Cabarrus County to approve public exhibitions of pyrotechnics to be exhibited, used, or discharged within the corporate limits of each respective jurisdiction listed, pursuant to the provisions of NCGS § 14-413 (a1). The fire code official of the local jurisdiction must hold a fire level III certification, inspect the display site, and ensure the display can be performed in full compliance with the North Carolina State Fire code, NFPA standards and issue appropriate permit(s) where applicable. The Cabarrus County Fire Marshal Office will issue permits for all other municipal jurisdictions within Cabarrus County and the unincorporated areas of the County.
- (2) No person shall engage in the use of pyrotechnics for public display without first completing an application and obtaining approval from the

Fire Marshal's Office 10 days in advance of such use. The names and addresses of all operators and assistants must appear on the application and a copy of the license issued by the Office of State Fire Marshal for each operator and assistant must be provided with the application.

- (3) The County Fire Marshal shall issue a permit only after all requirements of this ordinance and the State Fire Code have been met, the appropriate fees paid, and the applicant has posted a bond or certificate of insurance. The bond or certificate of insurance shall be in the amount of at least \$500,000.00 to cover damages to real or personal property and an additional \$500,000.00 to cover damages for personal injuries.

#### ARTICLE III. FIRE PREVENTION CODE

##### Sec. 34-51. Adoption.

(a) Except as hereinafter amended, the provisions of the North Carolina Fire Prevention Code with all included Appendixes, (hereafter referred to as the N.C. Fire Code) current edition, adopted by the North Carolina Building Code Council is hereby adopted and made applicable as the Fire Prevention Code of Cabarrus County. The specific provisions of the aforesaid state building code herein referred to as the Fire Prevention Code are hereby incorporated into this section as fully as if set out herein verbatim.

(b) The listed standards and publications which comprise a part of the Fire Prevention Code, as the same may be periodically revised and updated, shall be applicable and enforced within the county.

(c) Amendments' to the North Carolina Fire Prevention Code, which are adopted and published by the North Carolina state Building Code Council, shall be effective on the date prescribed by the North Carolina State Building Code Council.

(d) The North Carolina State Building Code volume that is titled Administration & Enforcement Requirements is hereby referenced for the administration of the North Carolina Fire Prevention Code, current edition for periodic inspection of building altered, repaired or rehabilitated in accordance with the Existing Building Code.

##### Sec. 34-52. Penalties.

(a) Any person who violates or fails to comply with any provision of the N.C. Fire Code, as adopted, amended, or augmented, or who shall violate or fail to comply with any order made in connection with the fire prevention code, or who shall build in violation of any specifications or plans submitted under the N.C. Fire Code, or any certificate or permit issued there under, shall be guilty of a misdemeanor and punished in accordance with section 1-7.

(b) The imposition of a penalty for any violation shall not excuse the violation or permit it to continue and all such violations shall be corrected within the time specified.

(c) Violations of this code shall constitute either a misdemeanor or, at the election of the county, shall subject the offender to a civil penalty upon the issuance of a citation for the violations.

(d) In addition to the civil penalties, any provision of the code that makes unlawful a condition existing upon or use made of real property may be enforced by injunction and order abatement by the general court of justice. When a violation of such provision occurs, the county may apply to the appropriate division of the general court of justice for a mandatory or prohibitory injunction and/or order of abatement commanding the defendant to correct the unlawful condition or cease the unlawful use of the property. The action shall be governed in all respects by the laws and rules governing civil proceedings including the rules of civil procedure.

(e) An order of abatement may direct that the buildings or other structures on the property be closed, demolished or removed; that fixtures, furniture or other movable property be removed from any building on the property; that abandoned or junked vehicles be removed; that improvements or repairs be made; or that any other action be taken that is necessary to bring the property into compliance with the N.C. Fire Code. If the defendant fails or refuses to comply with an injunction or with an order of abatement within the time allowed by the court, he may be cited for contempt, and the county may execute the order of abatement. The county shall have a lien on the property for the cost of executing an order of abatement in the nature of a mechanic's and material-man's lien. The

defendant may secure cancellation of an order of abatement by paying all cost of the proceedings and posting a bond for compliance with the order. The bond shall be given with sureties to the clerk of superior court in an amount approved by the judge before whom the matter is heard and shall be conditioned on the defendant's full compliance with the terms of the order of abatement within a time fixed by judicial order. Cancellation of an order of abatement shall not suspend or cancel an injunction issued in conjunction therewith.  
(Ord. of 8-16-93, § 4)

Sec. 34-53. Enforcement and duties.

(a) N.C. Fire Code, shall be enforced by the Cabarrus County Emergency Management Department or by such other organization designated to undertake such activities or by contract executed and entered into with other appropriate fire prevention organizations.

(b) Fire Inspectors will be appointed as required to enforce the Code and to perform required inspections. The Fire Inspectors will report to their supervisors in their respective departments. Assignment of specific areas of responsibility shall be made by the county manager. (Ord. of 8-16-93, § 2)

Sec. 34-54. Periodic inspections.

(a) Subject to the limitations and condition stated in the N.C. Fire Code, it shall be the duty of the Fire Inspectors to inspect all buildings, structures, and premises within this jurisdiction for the purposes of ascertaining and causing to be corrected any condition which may cause a fire or an explosion or endanger life from fire or explosion. The inspector shall determine any violations of the provisions of the code or any other ordinances pertaining to fire or explosion hazards. These inspections and determinations will be done in accordance with the periodic inspection schedule for occupancies as approved by the state building code council or upon complaint by interested parties or if there is probable cause for such inspections.

(b) Fire inspections shall be conducted in accordance with the following schedule or more frequently:

(1) Group 1. Annual inspections shall be conducted in the following hospitals, nursing homes, chemical plants, movie theaters, auditoriums, high rise buildings, businesses storing hazardous materials, gymnasiums, restaurants, stadiums with capacities of 100 or more persons and interior common areas of multi-occupant residential structures.

(2) Group 2. Biennial inspections shall be conducted in industries and educational buildings other than public schools.

(3) Group 3. Triennial inspections shall be conducted at all other businesses. Example: offices, banks, barber shops, bowling alleys, florists, retail stores, churches and synagogues.

(4) Group 4. Public schools shall be inspected at least two times per year. (Ord. of 8-16-93, § 3)

State law reference-Investigation of fires and inspection of premises. G.S. 58-79-1 et seq.

Sec. 34-55. Issuance of notice of violation by Fire Inspectors.

(a) Fire Inspectors are empowered to issue notices of violation when such Fire Inspectors have reasonable cause to believe that any person has violated any provision of the N.C. Fire Code.

(b) The service of orders or notices for the correction of violations of the code shall be made upon the owner, occupant or other person responsible for the conditions, either by personally delivering a copy of same to such person or by delivering the same to and leaving it with any person in charge of the premises or by sending a copy of the order or notices by certified or registered mail to the owner's last known address.

(c) When buildings or their premises are occupied by one other than the owner under a lease or agreement, the orders or notices issued to correct violations of the code shall apply to the occupant thereof; provided that where the order or notices require the making of additions to or changes in the premises themselves which may become part of the real property of the owner, then in such cases, the orders or notices shall also be issued to the owner of the premises or real property. Failure to deliver an order or notice to the owner, if other than the occupant, shall not invalidate such order or notices.



(d) The notice of violation shall specify the penalty to be imposed on the violator and shall direct the violator to submit the penalty payment to the Emergency Management Department within 15 business days to pay the penalty. The penalty imposed shall be adopted by the Cabarrus County Board of Commissioners by resolution and posted in the fee schedule by the Cabarrus County Fire Marshal.

(e) The notice of violation may specify a period during which the violator must correct the violation. If the violation is not corrected within the specified time, the violator shall be guilty of a new and separate offense.

(f) If the violator does not pay the penalty within the 15 business days after the issuance of the notice of violation, a delinquency charge as listed in the adopted fee schedule, shall be added to the amount specified in the notice of violation and notice of the delinquency charge shall be mailed to the violator. The delinquency notice shall also inform the violator that a criminal summons will be issued against him if the specified penalty and the delinquency charge are not paid within five business days after the date of the delinquency notice.

(g) If the penalty and delinquency charges are not paid within the time allowed, the Cabarrus County Emergency Management Department may have a criminal summons issued against the violator of the N.C. Fire Code. Upon conviction, the violator shall be subject, in addition to any criminal penalty the court may impose pursuant to the provisions contained in the state building code, to the penalty specified in the notice of violation and the delinquency charge.

(Ord. of 8-16-93, § 5)

#### Sec. 34-56. Permits.

(a) It shall be the duty of the Fire Inspectors to evaluate applications and issue, if approved, all permits as prescribed in N.C. Fire Code.

(b) No person shall maintain, store or handle materials or conduct processes which produce conditions hazardous to life or property or install equipment used in connection with such activities without a permit as required by the N.C. Fire Code. Before a permit may be issued, the Cabarrus County Fire Marshal or his/her representative shall inspect and approve the receptacles, vehicles, buildings, structures, storage areas, devices, processes or conditions related to the permit.

(c) Applications for permits required pursuant to N.C. Fire Code shall be made to the Fire Inspectors on forms provided by the county. All applications shall be accompanied by the applicable permit fee as established by the county. The required permit fee shall be in a fee schedule. Printed schedules of the permit fees shall be available to the public at the Emergency Management Department, and shall be on file at the county clerk's office

(d) The fire inspector is authorized to waive the permit fee for governmental, religious or charitable organizations.

(Ord. of 8-16-93, § 6)

#### Sec. 34-57. Permit fees.

The schedule of fire prevention permit fees is not printed in this article but is on file and available in the county offices. (Ord. of 8-16-93, § 8)

#### Sec. 34-58. Administrative procedures.

(a) *Fire code violations.* Fire code violations shall be handled as follows:

(1) If an inspector writes a citation (two part form), the yellow copy is given to the violator and the white copy is filed with the Emergency Management Department.

(2) The violator will make payment to the county Emergency Management department. The Emergency Management Department will process the payment and forward the collected fees to the Cabarrus County Finance Department.

(4) The Emergency Management Department will match the copy of the citation sent to the finance department with the copy on file. If a payment is delinquent, the Cabarrus County Fire Marshal will be notified for code enforcement.

(5) The fire official pursues payment, assigns late fees, issues additional citations, or initiates prosecution.



(b) *Permits*. Permit requests shall be handled as follows:

- (1) The Department receives permit requests and permit payments.
- (2) Application and payment are reviewed to insure that the application is complete and correct payment has been received.
- (3) A ledger entry will contain date, type of permit, address of applicant, check number and amount of check.
- (4) The permit application is processed by the permit type, any violations are reviewed, and the date of last inspection noted.
- (5) The permit is signed by the fire official for issue.
- (6) The permit is issued and a copy filed. (Ord, of 8-16-93, § 7)

Sec. 34-59. Open Burning Regulations

(a) Open burning within 100 feet of a structure will be regulated by the Cabarrus County Fire Marshal's Office.

(1) Open burning must meet all provisions of the N. C. Fire Code and North Carolina Administrative Code Title 15A, Chapter 2, Subchapter 2D, . 1900, Control and Prohibition of Open Burning, prior to the issuance of any permit. "No burning of refuse that is in violation of any state or local Air Quality Open Burning Regulations will be allowed."

(2) Debris burning falling under the jurisdiction of the North Carolina Department of Natural Resources shall meet their required permit conditions. All requirements of the N. C. Fire Code shall be met along with any other State Laws.

(b) Burning Site Requirements

(1) The location of the material to be burned shall be a minimum of 50 feet from any structure. If a possible hazard exists, the Fire Official may require this distance to be increased.

(2) Piles of material to be burned should be done in a safe manner. This would also include BONFIRES for different events. Bonfires used for ceremonial and religious purposes (schools, civic groups, churches) may take place when all regulations are met. Materials used for Bonfires must also comply with the Air Quality regulations.

(3) Only natural materials, such as limbs, brush, grass, leaves, or wood may be burned.

(4) A competent person shall constantly attend the fire until such fire is extinguished.

(5) A garden hose with suitable water supply or other fire extinguishing equipment, as deemed acceptable by the fire official, shall be readily available for immediate use during the course of the fire until such fire is extinguished.

(c) Permits

(1) A permit from the Cabarrus County Fire Marshal is required for bonfires and certain land clearing and may include the following:

(A) A site inspection may be required before burning is to be done.

(B) The applicant shall verify all information and shall read all the rules and regulations on the permit. The applicant will then be required to sign the permit acknowledging responsibility to obey these regulations.

(C) It will be the responsibility of the applicant to keep this permit available at the burn site at all times.

(2) A permit is required to conduct any live fire training exercises for fire department personnel. All applicable N. C. State permits and notifications must be obtained by the instructor prior to conducting the training. A complete copy of all paperwork required to conduct a live burn exercise must be on file

with the Cabarrus County Fire Marshal's Office before a permit will be issued for the exercise.

(d) Nuisance Burning

(1) If any time during the burning, the smoke and/or odors create a nuisance by causing physical irritation exacerbating a documented medical condition, visibility impairment or causes a hazard determined by the fire official, the fire official may order the fire to be extinguished. Open burning / nuisance burning is enforceable by the Cabarrus County Fire marshal Office within 100 feet of structures.

(2) If at any time during the burning, the regulations regarding open burning are not met or are neglected in any way, the fire shall be extinguished

(3) All open burning which includes, but is not limited to brush, limbs, leaves, farm lands, fields and clearing of land shall stop in the event of a burning ban issued by the North Carolina Forest Service or the Cabarrus County Fire Marshal Office.

(4) Willful neglect and/or willful violations of the N. C. Fire Code shall be subject to a civil citation.

(e) Burning Ban

(1) In the event that the Cabarrus County Fire Marshal's Office issues a ban on outdoor burning within 100 feet of a structure, then all local Open Burning Permits issued shall be deemed invalid with no issuance of any new permits until such ban is lifted by the Cabarrus County Fire Marshal's Office. During this ban, no open burning shall be conducted at all within 100 feet of a structure; this includes any outdoor burning at residences. A civil citation will be issued for violations.

(2) A burning ban on outdoor burning within 100 feet of a structure may be issued by the Cabarrus County Fire Marshal's Office in the event that atmospheric conditions or local circumstance make such fire hazardous.

(3) Local conditions that may warrant a burning ban include, but are not limited to:

(A) Flammable and/or combustible liquid spills or leaks close to a burning site.

(B) A hazardous materials incident where the proximity of the burn site could cause a possible ignition source or prove hazardous to operations controlling the incident.

(C) The proximity of adjacent structures or other such hazards.

(4) In the event a burning ban is issued all permit holders shall be notified through the news media that the permit is invalid and fires shall be extinguished immediately. In conjunction with North Carolina Forest Service burning ban the Cabarrus County Fire Marshal's Office shall issue a burning ban of all-open burning within 100 feet of a structure and all fires shall be extinguished immediately. The local press shall be notified by the Fire Marshal's Office that such ban is in effect and that no permits will be issued until such ban is lifted and no open burning will be allowed.

(5) Any burning ban issued by the Fire Marshal's Office shall be repealed in the same manner.

(f) Extinguishing illegal fires, nuisance burning, and fires when burning bans are in effect or all other fires that fall under this ordinance, the N. C. Fire Code and the State regulations.

(1) The responding fire department has the authority to extinguish any fire that does not meet this ordinance, the N. C. Fire Code and State regulations which includes but are not limited to illegal fires, nuisance burning and fires when burning bans are in effect.

(2) The Fire Marshal's Office or its authorized representative has the authority to extinguish any fire that does not meet this ordinance, the N. C. Fire Code and State regulations which includes, but are not limited to illegal fires and nuisance burning and fires when burning bans are in effect..

(3) The Fire Marshal's Office or its authorized representative does not have to be present to order the extinguishment of the fire. If the owner or person burning refuses to let the fire department extinguish the fire then the fire department can have the Fire Marshal's Office paged and a representative from that office will respond to assist the fire department.

(4) The Fire Marshal's Office may respond to any nuisance burning when the person will not allow the fire department to extinguish the fire.

(5) The Fire Marshal or a representative of that office may respond to any illegal burning when requested. The Fire Marshal or a representative of that office does not need to be present to order the fire extinguished. The fire department can extinguish the fire and fax any information about the fire to the Fire Marshal's Office and they will investigate. If there is a problem with the person who is burning, the Fire Marshal or a representative of that office will respond to assist the fire department.

(6) If any citations are to be issued that fall under this ordinance or N. C. Fire Code it will be issued by the Fire Marshal's Office.

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

Attest:

/s/ Lauren Linker  
Clerk to the Board

**(G-2) Appointments and Removals - Juvenile Crime Prevention Council**

Chairman Morris reported Juvenile Crime Prevention Council member Susan Fearrington will be retiring from her position as Finance Director for the County January 1st. Ms. Fearrington has served on this committee since 2012. It is requested to remove her name from the roster.

Rodney Harris, Deputy County Manager, has submitted an application to fill Ms. Fearrington's vacancy and is eligible to fill that position. Mr. Harris also serves on the Early Childhood Task Force Advisory Board. An exception to the service on multiple boards provision of the Appointment Policy will be needed for him.

**UPON MOTION** of Commissioner Shue, seconded by Commissioner Strang and unanimously carried, the Board removed Susan Fearrington from the Juvenile Crime Prevention roster and thanked her for her many years of service by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

**UPON MOTION** of Commissioner Strang, seconded by Commissioner Kiger and unanimously carried, the Board appointed Rodney Harris to the Juvenile Crime Prevention Council as the County Manager/Designee representative to complete an unexpired term ending September 30, 2021; including an exception to the service on multiple boards provision of the Appointment Policy by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

**(G-3) Human Resources - Update on Families First Coronavirus Response Act (FFCRA)**

Lundee Covington, Human Resources Director, reported the Families First Coronavirus Response Act (FFCRA) is set to expire on December 31, 2020. She presented a report to the Board on the impact of FFCRA to operations and potential next steps if the Act is not extended via a PowerPoint presentation titled "After Families First Coronavirus Response Act (FFCRA) Expires" (December 31, 2020). The following topics were addressed:

- Review of FFCRA
  - Basic Provisions
    - Emergency Family & Medical Leave Expansion Act
    - Emergency Paid Sick Leave Act
  - Effective Dates
    - April 1, 2020 to December 31, 2020
- Basic Categories under FFCRA
  - Medical
    - Quarantine
    - Self-Quarantine

- Symptoms/diagnosis
  - o Caregiving (2/3 pay)
    - Care for Quarantine / Self-Quarantine Individual
    - Childcare
    - Substantially Similar Situation
- Exclusions under FFCRA (First responders)
- Request to Include First Responders
- Additional Sick Time Beyond FFCRA
- New Content - Recommendation Going Forward
  - o Pros of FFCRA
  - o Cons of FFCRA
- Clinical Guidance
- Quarantine Pay
- Process
- Crossover

A discussion ensued. During discussion, Ms. Covington, Mike Downs, County Manager, and Debbie Brannan, Area Manager of Innovation and Technology, responded to questions from the Board.

**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board approved the extension of Quarantine pay by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

**(G-5) BOC - Designation of Voting Delegate for NCACC Legislative Goals Conference**

Chairman Morris announced Commissioner Shue was designated to serve as the voting delegate for the NCACC Legislative Goals Conference at the December Work Session, however, since that time, he has a schedule conflict. Therefore, Commissioner Kiger has agreed to serve as the voting delegate and Chairman Morris as an alternate.

**UPON MOTION** of Chairman Morris, seconded by Commissioner Shue and unanimously carried, the Board approved Commissioner Kiger to serve as the voting delegate at the NCACC Legislative Goals Conference and Chairman Morris to serve as the alternate voting delegate by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

**(G-4) Finance - Approval of New Signature Cards and Deposit Account Resolutions**

Chairman Morris advised with the retirement of Susan Fearington on December 31, 2020, signatures on the County's Bank Accounts will need to change to the new Finance Director, Wendi Heglar. A sample of the Financial Institutions were provided.

**UPON MOTION** of Commissioner Strang, seconded by Commissioner Shue and unanimously carried, the Board authorized the Finance Director and Board of Commissioner Chairman to sign appropriate financial institution signature cards and resolutions due to the change of the Finance Director position by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

**(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:

- Active Living and Parks Commission - 3 Terms Expiring Soon
- Adult Care Home Community Advisory Committee - 7 Vacant Positions
- Agricultural Advisory Board - 2 Terms Expiring Soon
- Concord Planning and Zoning Commission (ETJ) - 1 Vacant Position
- Early Childhood Task Force Advisory Board - 6 Vacant Positions
- Harrisburg Fire Advisory Board (ETJ) - 1 Vacant Position



- Human Services Advisory Board - 1 Vacant Position
- Juvenile Crime Prevention Council - 3 Vacant Positions
- Mental Health Advisory Board - 11 Positions Expiring Soon
- Nursing Home Community Advisory Committee - 8 Vacant Positions
- Region F Aging Advisory Committee - 1 Vacant Position
- Transportation Advisory Board - 3 Vacant Positions
- Youth Commission - 6 Vacant Positions

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 November 2020 and the Cabarrus County Commercial Building Plan Review Summary for November 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 - November 2020 Monthly Summary Report**

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

Commissioner Shue wished everyone a safe, Merry Christmas and a Happy New Year. He also urged everyone to social distance and wear that mask.

Commissioner Kiger commented on collaboration between the County, municipalities and law enforcement, and the good that comes from that. He said our thoughts and prayers go out to the family of Officer Shuping.

Chairman Morris wished everyone a very Merry Christmas and Happy New Year. He encouraged everyone to be careful, wear masks, wait six feet apart and wash your hands.

**(J) WATER AND SEWER DISTRICT OF CABARRUS COUNTY**

None.

**(K) CLOSED SESSION**

None.

**(L) ADJOURN**

UPON MOTION of Commissioner Kiger, seconded by Commissioner Shue and unanimously carried, the meeting adjourned at 7:34 p.m. by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.



*Lauren Linker*  
Lauren Linker, Clerk to the Board