

The Board of Commissioners for the County of Cabarrus met for a hybrid Agenda Work Session in the Multipurpose Room at the Cabarrus County Governmental Center in Concord, North Carolina at 4:00 p.m. on Monday, May 3, 2021.

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

live broadcast at 4:00 p.m. on Channel 22  
<https://www.youtube.com/cabarruscounty>  
<https://www.cabarruscounty.us/cabcotv>  
 (704) 920-2023, Pin 1234

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

Commissioner Lynn W. Shue was in attendance virtually.

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

### **1. Call to Order**

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

### **2. Approval of Agenda**

Chairman Morris presented the following changes to the agenda:

Additions:

Discussion Items - No Action

4.2 Elections - ADA Voting Equipment

Supplemental Information:

Discussion Items for Action

3.3 County Manager - Funding to begin the MIT Mentoring Program at The Cabarrus Center

- PowerPoint Presentation

3.9 Planning and Development - Carolina Farm Stewardship Association Annual Report on Elma C. Lomax Research and Education Farm

- PowerPoint Presentation

Discussion Items - No Action

4.1 Communications and Outreach - Presentation of 2021 Community Survey Results

- PowerPoint Presentation

4.4 Infrastructure and Asset Management - Courthouse Expansion Project Update

- Photo Added

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

### **3. Discussion Items For Action**

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

Chairman Morris reported information regarding appointments to boards and committees was provided in the agenda. He advised this item would be included in the Consent section of the May 17, 2021 regular meeting agenda.

#### **3.2 County Manager - Boys and Girls Club of Cabarrus County Funding Request**

Valerie Melton, Cabarrus County Boys and Girls Club Director, was in attendance virtually and provided a report on the Club's assistance in providing space and equipment for remote learning to children in the community who did not have remote access available. In addition, she stated meals and snacks were provided each day.

Due to Covid-19, Ms. Melton advised revenues have fallen. The Club will hold a summer program where they expect to serve 450 youth from 8 a.m. to 6

p.m., Monday through Friday. The program will provide activities as well as address learning loss resulting from COVID-19 and provide breakfast, lunch, snacks and an evening meal to take home. The Club expects the total cost of the summer program to be \$540,000 and requests a grant from the County of \$150,000.

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

There was consensus from the Board to place this request on the May regular meeting Consent agenda for approval.

### **3.3 County Manager - Funding to begin the MIT Mentoring Program at the Cabarrus Center**

Barbi Jones, Cabarrus Regional Chamber of Commerce Executive Director, presented a request for approval of a \$65,000 grant of former Coronavirus Relief Funds to the Cabarrus Center to create a mentorship program.

Peter Marsh, Flywheel, presented a PowerPoint presentation on the MIT (Massachusetts Institute of Technology) Mentor Program, which was chosen as the best fit for Cabarrus County. Topics discussed were as follows:

- Strategic Focus for 2021
  - o Stimulate pipeline of entrepreneurs
  - o Help small businesses recover and grow
  - o Create a mentor program
- MIT Program
  - o Best of class
  - o Strict guidelines for mentee and mentor participants
  - o The program includes 6 week immersion training and additional mentor training
  - o An asset for all EC organizations
- One time implementation costs
  - o \$40,000 Licensing Fee
  - o \$15,000 Mentor Training
  - o \$10,000 Program Manager for Q4

A lengthy discussion ensued. During discussion, Mr. Marsh, Ms. Jones and Mike Downs, County Manager, responded to questions from the Board. Paige Castrodale, Cabarrus Economic Development Corporation Executive Director, was also in attendance.

There was consensus from the Board to place this request on the May regular meeting Consent agenda for approval.

### **3.4. County Manager - Juvenile Crime Prevention Council (JCPC) FY22 Allocation of Funds**

Rodney Harris, Deputy County Manager, presented an update to the Board regarding state requirements for the Juvenile Crime Prevention Council (JCPC) and presented the FY22 JCPC Certification and Funding Plan for the Board's approval.

Chairman Morris reported he serves on the JCPC and stated the Council goes through a lengthy deliberation on all the programs and advised the funds are well utilized.

### **3.5 County Manager - Sale of Former Infrastructure and Asset Management Building**

Kyle Bilafer, Area Manager of Operations, reported County staff anticipates completion of the relocation of Infrastructure and Asset Management operations from 242 General Services Drive in Concord to the new Operations Center located at 484 Cabarrus Avenue West in Concord by the middle of May, 2021. The City of Concord has been in discussion with the County about purchasing the building as the City owns the land the building is on via a ground lease. Both the City and County have conducted appraisals on the building. Mr. Bilafer requested approval from the Board to move forward in continued talks with the City to Concord.

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

### **3.6 Finance - Health Insurance Fund Balance Amendment**

Wendi Heglar, Finance Director, reported each year the Finance Department reviews the revenue and expenditures for the Health Insurance Fund. Based on the review and the analysis made, a budget amendment is needed to adjust the fund balances appropriately.

### **3.7 Finance - Update of Capital Project Fund Budget and Related Project Ordinance for Mobile Units**

Wendi Heglar, Finance Director, presented a request for approval of a budget amendment and project ordinance to update the School Construction Fund (Fund 390) to include \$1,850,000 to purchase and update two mobile units for Cabarrus County Schools to use at Rowan-Cabarrus Community College for Early College. She stated this will transfer funding from the community Investment Fund to the School Construction Fund.

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

### **3.8 Infrastructure and Asset Management - Cabarrus County Courthouse Expansion Construction Manager at Risk Contract Extension (GMP 2) Increase from Contingency Funding**

Kyle Bilafer, Area Manager of Operations, reported Cabarrus County currently 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 #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. The GMP # 2 package which represents the remainder of the bid packages for new Courthouse building was executed at the end of December 2020. Currently the contract with Messer does not contain any owners contingency. The only funds in the contract for owner driven changes is surplus funds from buyout packages. County Staff requests \$900,000 be transferred from the project contingency fund into the actual contract with Messer. The owners contingency will be used to fund owner requested scope changes as well as bulletin updates. Mr. Bilafer provided further explanations of the changes. A breakdown of the changes and cost was provided to the Board for review.

A discussion ensued. During discussion, Mr. Bilafer, Mike Downs, County Manager, and Jason Harris, Messer Construction Project Executive, responded to questions from the Board. Chris Malinowski, Messer Construction Operation Vice President, was in attendance virtually.

### **3.9 Planning and Development - Carolina Farm Stewardship Association Annual Report on Elma C. Lomax Research and Education Farm**

Kelly Sifford, Planning and Development Director, stated representatives from the Carolina Farm Stewardship Association (CFSA) are in attendance virtually to present the annual report on the Elma C. Lomax Research and Education Farm. She reported an extension to renew the lease is also needed.

Lastly, Ms. Sifford presented a request from Carolina Farm Stewardship for support in the amount of \$80,000 per year for the next five years to be used for planning purposes and allow for the ability to apply for certain grants.

Karen McSwain, Elma C. Lomax Research and Education Farm, Associate Executive Director, presented a PowerPoint presentation, which included the following topics:

- Vision
- Mission
- Programs
  - Farm services
  - Education
- Lomax
  - Farmer in Training (FiTs)
  - Grow-to-Donate
    - Cooperative Christian Ministries
    - The Bulb
  - Students Outside Immersive Learning at Lomax (SOILL)
  - On-farm Research
  - Community engagement
- Publicity

- Infrastructure
- Lomax Program Budget
- Contacts

Roland McReynolds, Executive Director, and Jacob Leach. Executive Director for Operations, both with Elma C. Lomax Research and Education Farm Stewardship, were present virtually.

A lengthy discussion ensued. During discussion, Ms. McSwain, Mike Downs, County Manager, and Ms. Sifford responded to questions from the Board.

### **3.10 Planning and Development - TEXT2021-00001, Proposed Text Amendments to Chapter 2, Chapter 4, Chapter 6 and Chapter 13 of the Cabarrus County Development Ordinance**

Susie Morris, Planning and Zoning Manager, was in attendance virtually and presented proposed text amendments to Chapter 2, Chapter 4, Chapter 6 and Chapter 13 for the Board's consideration. The purpose of the amendments are to provide additional clarification for three separate items discussed in the Ordinance.

Item #1 Junk Vehicles - The proposed amendment to Chapter 6 clarifies that junk vehicles are not permitted in any zoning district.

Item #2 Recreational Vehicles (RVs) - The proposed amendments to Chapter 2, Chapter 4 and Chapter 6 clarify that RVs cannot be used as a temporary or permanent dwelling, or as accessory to a dwelling.

Item #3 Minor Modifications to Previously Approved Plans - The third item would be a proposed change to Chapter 13, Part IV, to provide additional flexibility in administration of approved plan modifications.

The Planning and Zoning Commission voted at the April meeting in favor (8-1) to forward the amendments to the Cabarrus County Board of Commissioners for final consideration.

Lastly, Ms. Morris advised the Board that a public hearing is required.

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

Richard Koch, County Attorney, was in attendance virtually and David Goldberg, Deputy County Attorney, was also in attendance.

### **3.11 Property and Liability - Move Funds from property and Liability Insurance Internal Service Fund to the General Fund**

Kyle Bilafer, Area Manager of Operations, requested approval of a budget amendment to appropriate funds from the Property and Liability Internal Service Fund to the General Fund to replace the Sheriff's office Animal Control Vehicle that was destroyed on April 16, 2021 in an accident. Jon Bradley, Risk and Safety Manager, was in attendance virtually.

### **3.12 Tax Administration - Resolution of Administration of Ad Valorem Taxes**

David Thrift, Tax Administrator, requested approval of a resolution to allow Tax Administration to utilize certain tools provided by two North Carolina General Statutes (NCGS) in an effort to reduce administrative costs in collecting and refunding small amounts of money. The first, NCGS 105-357(c), authorizes the handling of small underpayments and overpayments of \$1.00 or less. It would allow the Tax Collector not to collect on small underpayments and not to refund small overpayments, unless requested by the taxpayer. The second, NCGS 105-321(g), would authorize the Tax Collector to not immediately send a refund of less than \$15.00, but instead to apply those amounts as credits to the next year's tax bill. Mr. Thrift read the proposed resolution aloud.

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

## **4. Discussion Items - No Action**

### **4.1 Communications and Outreach - presentation of 2021 Community Survey Results**

Kasia Thompson, Communications and Outreach Director, presented an overview of the community survey process and introduced Ryan Murray, ETC Institute, in attendance virtually, for a presentation regarding the results of

the Bi-annual Community Survey. Items included in the presentation were as follows:

- Who is ETC and what we do
- Purpose
- Methodology
  - Survey description
  - Method of administration
  - Sample size
  - Margin of error
- Location of survey respondents
- Bottom line up front
  - Residents have a positive perception of the County
  - Satisfaction is much higher in Cabarrus County than other communities
    - Satisfaction with overall quality of services
    - County as a place to live
- Priorities for improvement 2021
  - Growth management
  - Availability of affordable housing options for all residents
  - Open space preservation
  - Crime prevention
- Mapping responses
- Trends
  - Short-term
  - Long-term
- Benchmarks
- Priorities for investment
- Customer service
- Communication

A discussion ensued. During discussion, Mr. Murray and Ms. Thompson responded to questions from the Board.

#### **4.2 Elections - ADA Voting Equipment**

Carol Soles, Board of Elections, Director, presented a preliminary proposal to replace the current ADA voting equipment. She stated the equipment would be purchased by the same company currently used by the County. Staff also suggested upgrading the Unity Elections Night software.

#### **4.3 Infrastructure and Asset Management - Cabarrus County Emergency Medical Services Headquarter Project Update**

Kyle Bilafer, Area Manager of Operations, provided an update on the upcoming bid packages, contracts and design process for the new Emergency Medical Services Headquarters. Jimmy Lentz, Emergency Medical Services Director, and Justin Brines, Emergency Medical Services Assistant Director, displayed physical boards of the interior materials and color selections.

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

#### **4.4 Infrastructure and Asset Management - Courthouse Expansion Project Update**

Kyle Bilafer, Area Manager of Operations, presented an update on the Courthouse Expansion project. The update included several pictures of the project. The following items were discussed: Steel work, site work on Union Street; and a current ariel view of the building footprint. Mr. Bilafer also responded to questions from the Board.

#### **4.5 Innovation and Technology - Innovation Report**

Debbie Brannan, Area Manager of Innovation and Technology, in attendance virtually, presented the Innovation Report for March 2021. Topics presented were as follows:

- This month's book for the employees' digital book club, *It Worked For Me*, discusses lessons, reflection of self and appreciation of others to serve in leadership positions
- County Strategic Plan - Five Strategic Initiatives
  - Transparent and Accountable Government
  - Healthy and Safe Community
  - Thriving Economy

- o Sustainable Growth and Development
- o Culture and Recreation

Ms. Brannan reflected on the innovation initiative goal to create a culture of innovation using the strategy to educate and empower staff.

Josh Sorren, Centre for Public Impact, Program Director, was in attendance virtually. Mr. Sorren presented a PowerPoint presentation titled "How to Fail (Forward): A Framework for Fostering Innovation in the Public Sector," which discussed the following programs:

- Executive Master Classes
- Departmental Workshops

Next, Kevin Thomas, Information Technology Systems Administrator, presented a PowerPoint presentation that included the following topics:

- Physical Security
  - o Door Access Control
    - New Locations
    - Policy Updates
  - o Security Cameras
    - Video Management System
    - Quad Cameras
    - New Locations/Upgrades
  - o Jail Security System
- Security System Usage Events
- Audio Visual Improvement
- What's Next
  - o Mobile Credentials for Door Access
  - o Security Site Surveys at All Locations
  - o Video Analytics
  - o New Courthouse
  - o Remaining Jail Camera Replacement
  - o Key Management System

A brief discussion ensued.

#### **4.6 County Manager - Presentation of St. Stephens Park Report by UNC Charlotte MPA Students**

Jonathan Marshall, Deputy County Manager, provided introductions regarding the University of North Carolina Charlotte (UNCC) Masters of Public Administration program and the Capstone Class. This year the class chose the St. Stephens Church Road property as their semester long class project. They have completed an Evaluations and Recommendations Report, which was provided to the Board. Mr. Marshall then turned the matter over to UNCC representatives.

Jim Douglas, University of North Carolina Charlotte (UNCC), Professor of Political Science, provided opening comments and introduced the PowerPoint presentation titled "St. Stephens Park."

The presentation team lead by Will Prince, Josiah Park and Laura Antiaitis continued with the presentation, which included the following information:

- Introductions
  - o 616 Acre Parcel Purchased In 2020
  - o Significant Natural Features
  - o Vision
    - Passive Park
    - Conservation and Recreation
  - o Research
    - Literature Review
    - Local Stakeholder Interviews
    - Park Expert Interviews
    - Informal Site Visit
    - 22 Recommendations
      - Strategies
      - Examples
      - Key Resources
  - o Findings / Themes
    - Conservation
    - Upland Depression Swamp



- Seasonal Wetland
- Impermeable Base
- Unique to The Piedmont Region
- Dry-Oak Hickory Forest
  - Hardwood Types
  - Critical Habitat for Migration Cycles
- Recommendations
  - Avoid Fragmentation of Natural Areas
  - Preserve the Site's Natural Drainage
  - Apply Forest Management Guidelines
  - Protect Natural Areas with a Conservation Easement
  - Establish and Protect Riparian Zones
  - Conduct an Updated Plant and Wildlife Inventory
- Nature Based Recreation
  - Provide Recreation for All Ages and Abilities
  - Practice Sustainable Trail Development
  - Collaborate with Volunteers and Community Partners
- Education
  - Continue Ongoing Education Programs
  - Install Permanent Educational Experiences
- Facilities
  - Develop Parking Areas That Protect Natural Elements
  - Provide Adequate and Appropriate Parking
  - Consider Appropriate Restrooms for Site
  - Embody Crime Prevention Through Environmental Design
- Amenities
  - Build Accessible Shelters on The Property
  - Provide Sufficient Sitting Placed Across the Park
  - Provide Shade in High-Traffic Areas of The Park
- Active Farm
  - Set Agricultural Standards
  - Coordinate Educational Opportunities
  - Promote Community Engagement Activities
- Stakeholder Involvement
  - Explore Various Strategies for Stakeholder Involvement

Various members of the MPA Program team, who were attending virtually introduced themselves.

A brief discussion ensued.

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

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

**UPON MOTION** of Commissioner Strang, seconded by Vice Chairman Honeycutt and unanimously carried, the Board approved the agenda and public hearing as follows for the May 17, 2021 regular meeting by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

### Approval or Correction of Minutes

- Approval or Correction of Minutes

### Recognitions and Presentations

- DHS - World Elder Abuse Awareness Day Proclamation
- Planning and Development - Construction Standards Proclamation of Building Safety Monty
- Proclamation - Memorial Day 2021
- Proclamation - Recognition of Jay m. Robinson Band

### Old Business

- EMS - Renewal of Non-Emergency Transport Franchise Agreement with American Transmed

### Consent

- Appointments - Active Living and Parks Commission
- Appointments - Nursing Home Community Advisory Committee
- Appointments and Removals - Home and Community Care Block Grant Advisory Committee (HCCBG)
- County Manager - Boys & Girls Club of Cabarrus County Funding Request

- County Manager - Funding to begin the MIT Mentoring Program at The Cabarrus Center
- County Manager - Juvenile Crime Prevention Council (JCPC) FY22 Allocation of Funds
- County Manager - Sale of Former Infrastructure and Asset Management Building
- Finance - Health Insurance Fund Balance Amendment
- Finance - Update of Capital Project Fund Budget and Related Project Ordinance for Mobile Units
- Infrastructure and Asset Management - Cabarrus County Courthouse Expansion Construction Manager at Risk Contract Extension (GMP 2) Increase from Contingency Funding
- Planning and Development - Carolina Farm Stewardship Association Annual Report on Elma C. Lomax Research and Education Farm
- Property and Liability - Move Funds from Property and Liability Insurance Internal Service Fund to the General Fund
- Tax Administration - Refund and Release Reports - April 2021
- Tax Administration - Resolution of Administration of Ad Valorem Taxes

#### New Business

- Planning and Development- TEXT2021-00001, Proposed Text Amendments to Chapter 2, Chapter 4, Chapter 6 and Chapter 13 of the Cabarrus County Development Ordinance - Public Hearing 6:30 p.m.
- County Manager - Presentation of the FY22 Recommended Budget

#### Reports

- BOC - Receive Updates From Commission Members who Serve as Liaisons to Municipalities or on Various Boards/Committees
- BOC - Request for Applications for County Boards/Committees
- Budget - Monthly Financial Update
- County Manager - Monthly Building Activity Reports
- County Manager - Monthly New Development Report
- EDC - April 2021 Monthly Summary Report

### 6. Closed Session

#### **6.1 Closed Session - Pending Litigation, Economic Development and Acquisition of Real Property**

**UPON MOTION** of Commissioner Kiger, seconded by Vice Chairman Honeycutt and unanimously carried, the Board moved to go into closed session to discuss matters related to pending litigation, economic development and acquisition of real property as authorized by NCGS 143-318.11(a)(3), (4) and (5) by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

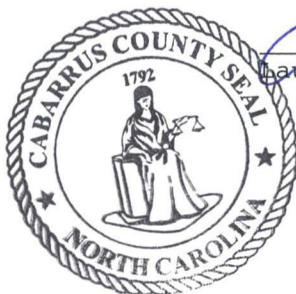
**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Kiger and unanimously carried, the Board moved to come out of closed session by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

#### Return to Open Session

**UPON MOTION** of Vice Chair Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board agreed to the proposed settlement terms in the case as presented of Aaron Swinson versus Cabarrus County for \$245,000 in exchange for a full and final agreement of any and all workman's compensation claims on a compromised settlement agreement by the following vote: Ayes: Chairman Morris, Vice Chairman Honeycutt, and Commissioners Kiger, Shue and Strang. Nays: None. Absent: None.

### 7. Adjourn

**UPON MOTION** of Commissioner Kiger, seconded by Vice Chairman Honeycutt and unanimously carried, the meeting adjourned at 8:38 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