

The Board of Commissioners for the County of Cabarrus met in regular session in the Multipurpose Room at the Cabarrus County Governmental Center in Concord, North Carolina at 6:30 p.m. on Monday, May 17, 2021.

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

Richard M. Koch, County Attorney, was in attendance virtually.

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.

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

**UPON MOTION** of Commissioner Shue, seconded by Vice Chairman Honeycutt and unanimously carried, the Board approved the minutes of April 6, 2021 (Work Session), April 15, 2021 (Budget Meeting), April 19, 2021 (Regular Meeting) and April 21, 2021 (Cabarrus Summit), as presented.

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

Chairman Morris reviewed the following changes to the agenda.

##### Additions:

##### Consent

F-4 Cabarrus County Tourism Authority - FY2022 Budget Approval

##### New Business

G-2 Library - Approval of Budget Amendment

G-3 County Manager - American Rescue Plan Grant Awards

##### Closed Session

K-1 Closed Session - Pending Litigation, Acquisition of Real Property and Personnel Matters

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

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

##### **(C-1) DHS - World Elder Abuse Awareness Day Proclamation**

Anthony Hodges, Program Administrator, Adult and Aging Services, was in attendance virtually and began to read the proclamation.

Due to technical difficulties, Mr. Hodges' virtual connection to the meeting was dropped and Chairman Morris read the remainder of the proclamation.

**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Kiger and unanimously carried, the Board adopted the World Elder Abuse Awareness Day Proclamation.

Proclamation No. 2021-15

WORLD ELDER ABUSE AWARENESS DAY  
PROCLAMATION

WHEREAS, Cabarrus County seniors deserve to live safely with dignity, and as independently as possible, with the supports they need; and

WHEREAS, elder abuse is most often defined as any act that harms a senior or jeopardizes his or her health or welfare; and

WHEREAS, eliminating abuse to older persons is each community's responsibility; and

WHEREAS, Cabarrus County is concerned about the risk to our older residents who suffer from neglect or are victims of financial, emotional, or physical abuse; and

WHEREAS, all of our residents should watch for signs of abuse such as physical trauma, withdrawal, depression, anxiety, fear of family members, friends, or caregivers.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners for Cabarrus County, North Carolina, do hereby proclaim June 15, 2021 as

**"ELDER ABUSE AWARENESS DAY"**

in Cabarrus County and encourage everyone to commit to build safer communities for our elderly residents.

Adopted this 17<sup>th</sup> day of May, 2021.

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

ATTEST:

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

**(C-2) Planning and Development - Construction Standards Proclamation of Building Safety Month**

Kelly Sifford, Planning and Development Director, read the proclamation aloud.

**UPON MOTION** of Commissioner Strang, seconded by Commissioner Shue and unanimously carried, the Board adopted the Building Safety Month Proclamation.

Proclamation No. 2021-16

**BUILDING SAFETY MONTH  
PROCLAMATION**

WHEREAS, Cabarrus County is committed to recognizing that our growth and strength depends on the safety and economic value of the homes, buildings and infrastructure that serve our citizens, both in everyday life and in times of disaster; and

WHEREAS, our confidence in the structural integrity of these buildings that make up our community is achieved through the dedication of public servants such as code enforcement officials, as well as architects, engineers, contractors and many others in the construction industry; and

WHEREAS, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown public safety staff, our local code officials, who enforce safety codes of local and state agencies have saved lives and protected homes and businesses; and

WHEREAS, the bedrock of a thriving community is safe and resilient construction, Building Safety Month 2021 encourages the appropriate steps everyone can take to ensure the safety of our built environment, and recognizes that the implementation of safety codes by local and state agencies has saved lives and protected homes and businesses; and

WHEREAS, the construction industry, which is essential and critical to the economic well-being of our community continued to work during unprecedented times and found creative ways to serve the citizens of Cabarrus County; and

WHEREAS, each year, in observance of Building Safety Month, Americans are asked to consider the commitment to improve building safety and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire protection bureaus and federal agencies in protecting lives and property.

NOW, THEREFORE, BE IT RESOLVED, that the Cabarrus County Board of Commissioners does hereby proclaim May 2021 as

BUILDING SAFETY MONTH

Adopted this 17th day of May, 2021.

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

**(C-3) Proclamation - Memorial Day 2021**

Chairman Morris read the proclamation aloud.

UPON MOTION of Commissioner Shue, seconded by Commissioner Kiger and unanimously carried, the Board adopted the Memorial Day Proclamation.

Proclamation No. 2021-17

MEMORIAL DAY PROCLAMATION

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

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

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

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

NOW, THEREFORE, BE IT PROCLAIMED that the Cabarrus County Board of Commissioners do hereby recognize May 31, 2021 as

MEMORIAL DAY 2021

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

ADOPTED this 17<sup>th</sup> day of May, 2021.

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

ATTEST:

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

Commissioner Shue commented on the freedom we enjoy due to the sacrifice of those in the military. He commented that the meaning of Memorial Day and Veterans Day needs to be taught in schools so that students understand the sacrifices of those who have served.

**(C-4) Proclamation - Recognition of Jay M. Robinson Band**

Commissioner Strang read the proclamation aloud.

**UPON MOTION** of Commissioner Kiger, seconded by Vice Chairman Honeycutt and unanimously carried, the Board adopted The Pride of Robinson Marching Band Proclamation.

Proclamation No. 2021-18

THE PRIDE OF ROBINSON MARCHING BAND  
PROCLAMATION

WHEREAS, it has been brought to the attention of the Cabarrus County Board of Commissioners that The Pride of Robinson Marching Band has been invited to the 80<sup>th</sup> annual Pearl Harbor Memorial Parade; and,

WHEREAS, The Pride of Robinson Marching Band received the invitation to the event after participating in the 2019 Prestigious President's Cup High School Concert Band Invitational in Washington, D.C., which was sponsored by the U.S. Army Band "Pershing's Own": and,

WHEREAS, there were only eight bands from across the country invited to participate in the Pearl Harbor Memorial Parade and,

WHEREAS, Jay M. Robinson is the only band from the East Coast invited to attend; and,

WHEREAS, The Pride of Robinson Marching Band will continue working extremely hard preparing to attend the Pearl Harbor Memorial Parade in Hawaii on December 7<sup>th</sup>, 2021; and

NOW, THEREFORE, BE IT PROCLAIMED, that the Cabarrus County Board of Commissioners do hereby extend Congratulations and Best Wishes to The Pride of Robinson Marching Band.

Adopted this 17th day of May, 2021.

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

**(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 6:48 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. There were citizens present in the Board of Commissioners Chambers.

Jerry Anderson, resident of 133 Kennedy Avenue in Kannapolis, requested social workers begin wearing body cameras while performing their duties. He also commented on the Department of Human Services (DHS) legal representative, his case with DHS and requested DHS have more oversight.

Norman John McCullough, resident of 2315 Montford Avenue in Concord, spoke of Warren C. Coleman and his achievements. He commented on researching John Paul Barringer's family and activities and expressed his hope that apartments being constructed would be affordable. He also expressed his support for the community.

Jeeter Anderson, resident of 133 Kennedy Avenue in Kannapolis, commented on the Elder Abuse proclamation and expressed support for helping the mentally ill. He referred to his father's comments, and commented on his sister, and her treatment with the Department of Human Services.

Ronald Hodges, resident of 3719 Ayrshire Court in Harrisburg, requested the Board to consider building a new senior center.

There was no one else to present a comment to the Board; therefore, Chairman Morris closed that portion of the meeting.

**(E) OLD BUSINESS**



**(E-1) EMS - Renewal of Non-Emergency Transport Franchise Agreement with American Transmed**

Jimmy Lentz, Emergency Medical Services (EMS) Director, presented the second reading of the Franchise Ordinance of the Cabarrus County Board of Commissioners Granting a Franchise to Operate Non-Emergency Ambulance Service to American Transmed.

**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Strang and unanimously carried, the Board adopted the Franchise Ordinance of the Cabarrus County Board of Commissioners granting a franchise to operate non-emergency services to American TransMed, after review and revision by the county attorney.

Ordinance No. 2021-08

FRANCHISE ORDINANCE OF THE CABARRUS  
COUNTY BOARD OF COMMISSIONERS  
GRANTING A FRANCHISE TO OPERATE  
NON-EMERGENCY AMBULANCE SERVICE  
TO AMERICAN TRANSMED

WHEREAS, Cabarrus County regulates the provision of Vehicles For Hire in Article 82 of the Cabarrus County Code of Ordinances and N.C. Gen. Stat. §153A-250, including franchises for non-emergency ambulance services; and

WHEREAS, those services have been provided by American TransMed according to the standards defined in Section 82-52 of the Ordinance; and

WHEREAS, the Board of Commissioners have held a hearing as required by Section 82-53 of the Ordinance; and

WHEREAS, based on information submitted by American TransMed and information submitted at the hearing, the Board of Commissioners made the following findings:

- a. The public necessity and convenience requires the proposed ambulance service.
- b. Each such ambulance and its required equipment have been certified by the State as acceptable for the type of franchise requested.
- c. American TransMed and its officers or partners are responsible persons to conduct or work in the proposed business.
- d. Only duly certified emergency medical technicians are employed as operators and attendants by American TransMed for the non-emergency service franchise.
- e. All other requirements of Article 82 and all other applicable laws and ordinances have been met.

NOW THEREFORE, THE CABARRUS COUNTY BOARD OF COMMISSIONERS RESOLVES THAT:

1. The Board of Commissioners grants a franchise to American TransMed for the operation of non-emergency ambulance services for the period of July 1, 2021 to June 30, 2024.
2. The terms of this franchise shall include the following:
  - a. The geographic boundary for this franchise shall be the entirety of the County.
  - b. Any change in ownership or management of American TransMed shall terminate the franchise and shall require a new application and new franchise award.
  - c. The franchise may not be sold, assigned, mortgaged, or otherwise transferred without the approval of the County and a finding of conformance with all requirements of Article 82.
  - d. The terms of Section 82-57 of the Ordinance shall be included in the franchise agreement as they relate to termination, suspension, or revocation.
  - e. The Board of Commissioners authorize the County Manager to negotiate and execute the franchise agreement with American TransMed, not inconsistent with this Ordinance, after drafting and review by the County Attorney.

Approved after readings in two consecutive regular meetings of the Board of Commissioners on April 19, 2021 and May 17, 2021, pursuant to N.C. Gen. Stat. §153A-46.

## BOARD OF COMMISSIONERS OF CABARRUS COUNTY

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

ATTEST:

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

**(F) CONSENT**

**(F-1) Appointments - Active Living and Parks Commission**

The terms on the Active Living and Parks Commission for members Mike Kirby (Harrisburg) and Robin Phillips' (Central) ended January 31, 2021. The Commission unanimously voted at the April meeting to recommend the appointment of Kevin Hutchins (Harrisburg) and Kenny Robinson (Central) to fill their positions.

**UPON MOTION** of Commissioner Shue, seconded by Vice Chairman Honeycutt and unanimously carried, the Board removed Robin Phillips and Mike Kirby from the Active Living and Parks Commission and thanked them for their service.

**UPON MOTION** of Commissioner Shue, seconded by Vice Chairman Honeycutt and unanimously carried, the Board appointed Kevin Hutchins to the Active Living and Parks Commission as the Harrisburg area representative and appointed Kenny Robinson to the Active Living and Parks Commission as the Central area representative for three-year terms ending January 31, 2024.

**(F-2) Appointments - Nursing Home Community Advisory Committee**

Evelyn Miller's term on the Nursing Home Community Advisory Committee ended February 28, 2021. Ms. Miller would like to serve another term. Ms. Miller also serves on the Home and Community Care Block Grant Committee. An exception to the service on multiple boards provision of the Appointment Policy will be needed for her.

**UPON MOTION** of Commissioner Shue, seconded by Vice Chairman Honeycutt and unanimously carried, the Board reappointed Evelyn Miller to the Nursing Home Community Advisory Committee for a three-year term ending February 29, 2024; including an exception to the service on multiple boards provision of the Appointment Policy.

**(F-3) Appointments and Removals - Home and Community Care Block Grant Advisory Committee (HCCBG)**

Susan Donaldson currently serves on the Home and Community Care Block Grant (HCCBG) Advisory Committee as the Active Living and Parks Designee. The position will become vacant when Ms. Donaldson retires at the end of May 2021.

It has been recommended to the HCCBG Advisory Committee that Byron Haigler fill the vacant Active Living and Parks Designee position. Mr. Haigler is currently the Assistant Director of the Active Living and Parks Department. He also resides in Union County. An exception to the residency provision of the Appointment Policy will be needed for him. Per the HCCBG Rules of Operation, agency representative appointments are perpetual.

**UPON MOTION** of Commissioner Shue, seconded by Vice Chairman Honeycutt and unanimously carried, the Board removed Susan Donaldson from the Home and Community Care Block Grant Advisory Committee and thanked her for many years of service.

**UPON MOTION** of Commissioner Shue, seconded by Vice Chairman Honeycutt and unanimously carried, the Board appointed Byron Haigler as the Active Living and Parks Designee member for the Home and Community Care Block Grant Advisory Committee effective June 1, 2021; including an exception to the residency provision of the Appointment Policy.

**(F-4) Cabarrus County Tourism Authority - FY2022 Budget Approval**

The Cabarrus County Tourism Authority Board of Directors approved the FY2022 budget of \$3,973,563 on April 28, 2021. The Tourism Authority is requesting approval of its FY2022 Budget by the County Commissioners.

**UPON MOTION** of Commissioner Shue, seconded by Vice Chairman Honeycutt and unanimously carried, the Board approved the FY2022 Cabarrus County Tourism Authority Budget of \$3,973,563.

**(F-5) County Manager - Boys & Girls Club of Cabarrus County Funding Request**

From June 7 to August 13, the Boys & Girls Club of Cabarrus County will operate a summer program serving 450 youth from 8 a.m. to 6 p.m. Monday through Friday. The program will address learning loss resulting from COVID-19 and provide breakfast, lunch, snack, and an evening meal to take home. The Club expects the total cost of the summer program to be \$540,000 and is requesting a grant from the County of \$150,000.

**UPON MOTION** of Commissioner Shue, seconded by Vice Chairman Honeycutt and unanimously carried, the Board approved a grant of \$150,000 to the Boys & Girls Club of Cabarrus County.

**(F-6) County Manager - Funding to begin the MIT Mentoring Program at The Cabarrus Center**

As our Cabarrus County businesses of all sizes recover from impacts of COVID, as well as new start-up businesses emerge, The Cabarrus Center has identified the need for providing a mentorship program that would pair teams of highly trained business professionals as mentors to work with these businesses. The gold standard for these programs is the MIT Venture Mentor Services Program that has shown amazing outcomes over the twenty years it has been in existence.

We are asking for \$65,000 as a one-time investment from Cabarrus County Government paid through federal COVID relief dollars to purchase the licensing fee (\$40,000), training (\$15,000) and fourth quarter salary for a program director (\$10,000) who would oversee and administer the mentoring program. We believe the supporting and benefiting partners at The Cabarrus Center would absorb the operational costs going forward, and if you could approve this request, we would be able to begin the mentoring program by fourth quarter. That will also allow each organization to add the ongoing administration fees to their fiscal budgets for 2022.

**UPON MOTION** of Commissioner Shue, seconded by Vice Chairman Honeycutt and unanimously carried, the Board approved \$65,000 grant, of former Coronavirus Relief Funds, to the Cabarrus Center to create a mentorship program.

**(F-7) County Manager - Juvenile Crime Prevention Council (JCPC) FY22 Allocation of Funds**

The County receives Juvenile Crime Prevention Council (JCPC) funding and passes the majority of funds on to JCPC approved sub-recipients. The total amount of funds to be received from the North Carolina Department of Public Safety for FY22 is \$459,927. The funding plan, which includes \$15,500 for administrative expenses and \$444,427 for awarded programs, is presented to the Board for approval.

**UPON MOTION** of Commissioner Shue, seconded by Vice Chairman Honeycutt and unanimously carried, the Board approved the FY22 JCPC Certification and Funding Plan.

**(F-8) County Manager - Sale of Former Infrastructure and Asset Management Building**

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 Ave. 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 ground lease. Both the City and County have both conducted appraisals on the building.

**UPON MOTION** of Commissioner Shue, seconded by Vice Chairman Honeycutt and unanimously carried, the Board authorized the County Manager to negotiate the sale of the building with the City of Concord.

**(F-9) Finance - Health Insurance Fund Balance Amendment**

The Finance Department annually reviews revenue and expenditures for the Health Insurance Fund based on actual activity and anticipated activity for the remainder of the fiscal year. Based on this analysis, a budget amendment is needed. This budget amendment appropriates funds balance and adjust revenues and expenditures as needed.

UPON MOTION of Commissioner Shue, seconded by Vice Chairman Honeycutt and unanimously carried, the Board approved the Health Insurance Fund budget amendment.

Date: May 17, 2021

Amount: 1,297,950.00

Dept. Head: Suzanne Burgess for Wendi Heglar

Department: Finance

Internal Transfer Within Department

Transfer Between Departments/Funds

X Supplemental Request

This budget amendment will budget for additional pharmacy rebate revenues and appropriate fund balance for the Health Insurance Fund based on anticipated medical claims for fiscal year 2021. Funds are also budgeted to cover H S A fees and waist incentives.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
610	6	1917-6661	INSURANCE PREMIUMS	12,792,242.00	57,500.00	-	12,849,742.00
610	6	1917-6804	INSURANCE REFUNDS	400,000.00	337,000.00	-	737,000.00
610	6	1917-6901	FUND BALANCE	-	903,450.00	-	903,450.00
610	9	1917-9485	ADMIN FEES - CIGNS / USI / BENEFIT FIRST	1,337,229.00	-	24,000.00	1,313,229.00
610	9	1917-948501	ADMIN H S A / ORIGINATION FEE	600,000.00	16,725.00	-	616,725.00
610	9	1917-948502	H R A ACCOUNT	2,500.00	-	1,500.00	1,000.00
610	9	1917-9645	SELF INSURED MEDICAL CLAIMS	10,709,206.00	1,300,000.00	-	12,009,206.00
610	9	1917-9647	WELLNESS PROGRAM - WAIST	92,850.00	6,725.00	-	99,575.00

(F-10) Finance - Update of Capital Project Fund Budget and Related Project Ordinance for Mobile Units

The budget amendment and project ordinance updates the School Construction Fund (Fund 390) to include \$1,850,000 to purchase and update two mobile units for Cabarrus County School to use at Rowan-Cabarrus Community College for Early College.

This is funded with a transfer from the Community Investment Fund to the School Construction Fund.

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

Date: 5/17/2021

Amount: 1,850,000.00

Dept. Head: Wendi Heglar (Prepared by Max Thorne)

Department: Finance, 390 School Capital Project Fund

☐ Internal Transfer Within Department

☐ Transfer Between Departments/Funds

☒ Supplemental Request

This budget amendment transfers funding for new Early College Mobile Unit project from the Community Investment Fund.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
100	9	0000-9708	Cont to Capital Project Fund	2,100,000.00	1,850,000.00	-	3,950,000.00
100	9	0000-9830- AVAIL	Other Improvements	13,536,376.86		1,850,000.00	11,686,376.86
390	6	7343-6902-MOBIL	Cont'b from General Fund	-	1,850,000.00		1,850,000.00
390	9	7343-9830-MOBIL	Other Improvements	-	1,850,000.00		1,850,000.00

Ordinance No. 2021-09

CABARRUS COUNTY  
SCHOOL CAPITAL PROJECTS  
BUDGET ORDINANCE

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

Section I.

- A. The project authorized is for the construction and renovations of School Facilities. Details of the project are listed in section C. of this Project Ordinance.
- B. The officers of this unit are hereby directed to proceed with this



capital project within the terms of the Generally Accepted Accounting Principles (GAAP) and the budget contained herein.

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

Contribution from General Fund	\$2,920,509
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	 \$70,236,986

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
Early College Mobile Units	1,850,000
 TOTAL EXPENDITURES	 \$70,236,986
 GRAND TOTAL - REVENUES	 \$70,236,986
GRAND TOTAL - EXPENDITURES	\$70,236,986

## 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 17<sup>th</sup> day of May, 2021.

CABARRUS COUNTY BOARD OF COMMISSIONERS

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

ATTEST:

/s/ Lauren Linker  
Clerk to the Board

### **(F-11) Infrastructure and Asset Management - Cabarrus County Courthouse Expansion Construction Manager at Risk Contract Extension (GMP 2) Increase from Contingency Funding**

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 #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 is requesting \$900,000 be transferred from the project contingency fund into the actual contract with Messer. This owners contingency will be used to fund owner requested scope changes as well as bulletin updates. County staff presented a summary on the current bulletins and the issues driving them at the work session.

**UPON MOTION** of Commissioner Shue, seconded by Vice Chairman Honeycutt and unanimously carried, the Board approved the GMP #2 increase and authorized the

County Manager to execute the contract amendment between Cabarrus County and Messer Construction, subject to review and revision by the County Attorney and approved the budget amendment.

Date:5/17/2021

Amount:900,000.00

Dept. Head:Wendi Heglar (Prepared by Max Thorne)

Department:Finance - County Capital Projects

☐ Internal Transfer Within Department

☐ Transfer Between Departments/Funds

☒ Supplemental Request

This budget amendment transfers \$900,000 from court contingency funds to the Courthouse Construction account.							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
380	9	2210-9660- COURT	Contingency	4,506,945.84	-	900,000.00	3,606,945.84
380	9	2210-9820- COURT	Construction - Courthouse	93,596,195.36	900,000.00		94,496,195.36

(F-12) Planning and Development - Carolina Farm Stewardship Association Annual Report on Elma C. Lomax Research and Education Farm

Carolina Farm Stewardship Association (CFSA) operates the county owned Elma C. Lomax Research and Education Farm located off of Atando Road in Concord. CFSA provides an annual update to the Board of Commissioners regarding activities for the past year and plans for the upcoming year. The end of the fiscal year is also renewal time for the contract with CFSA for operation of the farm. Staff is seeking Board approval for the staff to complete negotiations with CFSA regarding new language in the contract and with county attorney approval of the revised language execute the contract.

UPON MOTION of Commissioner Shue, seconded by Vice Chairman Honeycutt and unanimously carried, the Board authorized staff to complete negotiations with the Carolina Farm Stewardship Association regarding new language in the contract and execute the contract with county attorney approval of the revised language.

(F-13) Property and Liability - Move Funds from Property and Liability Insurance Internal Service Fund to the General Fund

Approval of the related budget amendment is needed to appropriate funds from the Property and Liability Internal Service Fund to the General Fund to replace the Sheriff's Animal Control Vehicle that was destroyed in an April 16, 2021 accident.

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

Date:May 17, 2021

Amount:58,725.00

Dept. Head:Suzanne Burgess for Kyle Bilafer

Department:ISF - PROPERTY AND LIABILITY FUND

☐ Internal Transfer Within Department

☐ Transfer Between Departments/Funds

☒ Supplemental Request

This budget amendment is to transfer funds from the Property and Liability Internal Service Fund to the Sheriff's Department to purchase an Animal Shelter truck, including equipment, that was destroyed due to a traffic violation by another driver. Nothing is salvageable in terms of vehicle and equipment.							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
600	9	1919-9641	Insurance Claims	336,395.00	-	58,725.00	277,670.00
600	9	1919-9704	Contribution to General Fund	42,000.00	58,725.00	-	100,725.00
001	6	2110-6931	Contribution from Internal Service Fund	42,000.00	58,725.00	-	100,725.00
001	9	2110-9863	Motor Vehicles	1,688,171.56	58,725.00	-	1,746,896.56

(F-14) Tax Administration - Refund and Release Reports - April 2021

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 Commissioner Shue, seconded by Vice Chairman Honeycutt and unanimously carried, the Board approved the April 2021 Refund and Release Reports as submitted, including the NCVTS Refund Report, and granted authority

to the Tax Collector to process the refunds and releases. The report is hereby incorporated into the minutes by reference and is on file with the Clerk to the Board.

**(F-15) Tax Administration - Resolution of Administration of Ad Valorem Taxes**

In an effort to reduce administrative costs associated with collecting and refunding small amounts of money the Tax Administration is proposing a resolution to utilize certain tools provided by two NC General Statutes. The first, NCGS 105-357(c), authorizes the handling of small underpayments and overpayments of \$1.00 or less. Allowing 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), authorizes the handling of overpayments less than \$15.00. Allowing the Tax Collector to not send a refund less than \$15.00, but instead to apply those amounts as credits to the next year's tax bill.

**UPON MOTION** of Commissioner Shue, seconded by Vice Chairman Honeycutt and unanimously carried, the Board adopted the resolution.

Resolution No. 2021-04

Resolution on the Administration of Small Underpayments and  
Overpayments of Ad Valorem Taxes

WHEREAS, the administrative costs associated with the collecting and refunding of small ad valorem tax overpayments and underpayments exceeds the value of the overpayments and underpayments; and

WHEREAS, G.S. 105-357(c) authorizes a local government to adopt a resolution that eliminates the need to collect small underpayments of \$1.00 or less and that eliminates the need to refund small overpayments of \$1.00 or less unless the taxpayer requests a refund of the overpayment before the end of the fiscal year in which the such overpayment is made; and

WHEREAS, G.S. 105-321(g) authorizes a local government to adopt a resolution directing its tax collector not to mail a refund of an overpayment if the refund is less than \$15; and

WHEREAS, G.S. 105-321(g) provides that upon adoption of a resolution authorizing the tax collector not to make a refund of an overpayment if the refund is less than \$15, the tax collector shall make a report of the amount of these refunds to the Board of Commissioners, implement a system by which payment of the refund may be made to a taxpayer who comes into the office of the Tax Collector seeking the refund, and as to refunds that are not requested in person by the end of the fiscal year, implement a system to apply the minimal refund as a credit against the tax liability of the taxpayer for taxes due for the next succeeding year; and

WHEREAS, the Board of Commissioners previously adopted Resolution No. 2002-21 on June 13, 2002, which directs the Tax Administrator to not collect ad valorem taxes when the original principal amount due is \$5.00 or less pursuant to G.S. 105-321(f).

NOW, THEREFORE BE IT RESOLVED as follows:

- (1) Pursuant to G.S. 105-357(c), the Board of Commissioners directs the Cabarrus County Tax Administrator to treat small underpayments of \$1.00 or less as fully paid and not to refund small overpayments of \$1.00 or less unless the taxpayer requests a refund of the overpayment before the end of the fiscal year in which the small overpayment is made. The Tax Administrator must implement processes required by G.S. 105-357(c).
- (2) Pursuant to G.S. 105-321(g), the Board of Commissioners authorizes the Cabarrus County Tax Administrator not to mail a refund of any overpayment if the refund is less than \$15. The Tax Administrator must implement processes required by G.S. 105-321(g).
- (3) This resolution shall remain in effect until repealed or amended by resolution of the Board of Commissioners.

BE IT FURTHER RESOLVED that this resolution shall be in effect with respect to Fiscal Year 2022 and shall remain in effect until amended or repealed by resolution of the Cabarrus County Board of Commissioners.



ADOPTED this 17<sup>th</sup> day of May, 2021.

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

Attest:

/s/ Lauren Linker  
Clerk to the Board

**(G) NEW BUSINESS**

**(G-1) 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.**

Chairman Morris opened the public hearing at 6:57 p.m. The public hearing notice was published on May 5 and 12, 2021 in *The Independent Tribune*. The public hearing notice was also posted on the County's website ([www.cabarruscounty.us](http://www.cabarruscounty.us)) on May 5, 2021 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.

Susie Morris, Planning and Zoning Manager, was in attendance virtually to and available to answer any questions.

Chairman Morris stated this request was presented and discussed at the May work session. He opened the floor for discussion. There was none.

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 Shue and unanimously carried, the Board adopted TEXT2021-00001, Proposed Text Amendments to Chapter 2, Chapter 4, Chapter 6, and Chapter 13.

Ordinance No. 2021-10

Ordinance Amending the Cabarrus County Development Code to Clarify Requirements Concerning Recreational Vehicles, Junk and Abandoned Vehicles, and Minor Amendments to Development Approvals

BE IT ORDAINED by the Board of County Commissioners of Cabarrus County, North Carolina the following ordinance is hereby is adopted:

Section 1. Purpose and findings.

(a) PURPOSE. The purpose of this ordinance is to:

- (1) clarify existing regulations on the use of recreational vehicles in Cabarrus County and to provide clear requirements for the storage and temporary use of recreational vehicles as dwellings;
- (2) remove the exception to the storing of junk and abandoned vehicles on parcels 3 acres or greater in size in the Agricultural/ Open Space zoning district; and
- (3) clarify the criteria for administrative review and approval of minor modifications to development approvals.

(b) FINDINGS. The Cabarrus County Board of Commissioners finds that:

- (1) recreational vehicles are designed for temporary living quarters for recreational, camping, travel, or seasonal use;
- (2) the use of recreational vehicles as permanent dwellings threatens the health, safety, and welfare of its occupants and surrounding community;
- (3) the storage of junk and abandoned vehicles is a hazard to the health, safety, and general welfare of the citizens of Cabarrus County; and

(4) the efficient review and approval of minor modifications to development approvals provides better services to the public, while ensuring continued compliance with the law.

## SECTION 2. RECREATIONAL VEHICLE AMENDMENTS.

(a) Section 2-2 of the Cabarrus County Development Ordinance is amended by revising the definition of "Recreational Vehicle" to read as follows:

RECREATIONAL VEHICLE or RV - A vehicular or portable unit mounted on a chassis and wheels, and which is primarily designed to provide temporary living quarters and either has its own motive power or is mounted on, or drawn by, a motor vehicle. ~~Examples are: Recreational Vehicles include travel trailers, truck campers, camping trailers, motor homes and tiny homes on wheels. Recreational vehicles are intended for temporary occupancy and may not be used as a permanent residence.~~

(b) Section 4-23 of the Cabarrus County Development Ordinance is revised to read as follows:

### Section 4-23 Classification of Manufactured Homes and Recreational Vehicles

The following classification system is hereby adopted for purposes of this Section:

(1) MANUFACTURED HOME TYPE I- A single-section manufactured home.

(2) MANUFACTURED HOME TYPE II- A multi-section manufactured home.

~~"RECREATIONAL VEHICLE - A vehicular or portable unit mounted on a chassis and wheels, and which is primarily designed to provide temporary living quarters and either has its own motive power or is mounted on, or drawn by, a motor vehicle. Examples are: travel trailers, truck campers, camping trailers, and motor homes.~~

(c) Chapter 6 of the Cabarrus County Development Ordinance is amended by adding the following:

### Section 6-20 Recreational Vehicles

(a) Storage on Residential Parcel. A person may not store a Recreational Vehicle (RV) on a residential parcel unless the recreation vehicle meets the following requirements:

(1) The RV is not used as a temporary or permanent dwelling or accessory to a dwelling.

(2) The RV is not used to store any personal property unrelated to the Recreational Vehicle, including animals, building materials, business inventory, and agricultural products.

(3) The RV is not connected to any permanent utility service, such as electric, water, or sewer.

(4) The RV is attached to wheels and axels.

(5) The RV is properly insured, registered, and licensed for use on public roads and highways.

(6) The RV does not support any accessory structures, such as decks, porches, and awnings.

(b) Permanent Habitation Prohibited. A person may not use or occupy a Recreational Vehicle as a dwelling or accessory to a dwelling unless-

(1) the Recreational Vehicle is temporarily installed in a Manufactured Home Park in compliance with section 4-26; or

(2) the Recreational Vehicle is-

(A) used as a temporary dwelling for no more than 180 days within any one-year period; and

(B) located on a parcel on which the occupant of the Recreational Vehicle is rebuilding or repairing a single-family dwelling or manufactured home due to damage to the dwelling by fire, flood, hurricane, tornado, or other peril.

## Section 3. Junk and abandoned vehicle amendments.

Section 6-11 of the Cabarrus County Development Ordinance is revised to read as follows:

### Section 6-11 Abandoned and Junk Vehicles

(a) Purpose. Abandoned and junked motor vehicles constitute a hazard to the health, safety, and general welfare of the citizens of Cabarrus County. Such vehicles can harbor noxious disease, provide shelter and breeding places for vermin, and present physical dangers to the safety of our children as well as the general public. These vehicles also detract from the physical appearance of the community. Therefore, the purpose of

this section is to eliminate existing junk and abandoned vehicles and to prevent future storage of these vehicles.

(b) In general. No junked person may store a junk or abandoned vehicles shall be stored on any parcel lot within any residential, commercial, or industrial zoning district.

(c) Exceptions. Subsection (b) This section does not apply to any motor vehicle that is:

1. Stored (1) stored in an enclosed building;
2. Stored (2) stored on the premises of a business enterprise being operated in a lawful place and manner if the vehicle is necessary to the operation of the business, such as in a salvage yard; or
3. Is (3) presently being restored to an operable stage (limited to one vehicle per parcel) as long as, if the vehicle-
  - a. The vehicle (A) cannot be seen from a public right-of-way;
  - b. The vehicle (B) cannot be seen from adjacent properties;
  - c. The vehicle (C) is covered with a car cover when not being actively worked on; and
  - (D) is the only junk or abandoned vehicle on the parcel.

Agricultural/Open Space District: This section does not apply to the Agricultural/Open Space Zoning District where the lot of record is 3 acres or greater.

Any violation of this section will be processed as a violation of this Ordinance.

#### Section 4. Minor modifications.

Section 13-12 of the Cabarrus County Development Ordinance is revised to read as follows:

Section 13-12 Minor changes or modifications, action by Zoning Administrator or approving Board or Commission Modifications to Development Approval

(a) In general. The terms of a development approval may not be modified unless such modification has been reviewed and approved through the same development review and approval process required for issuance of the previously development approval.

(b) Minor modifications. Notwithstanding subsection (a), the Zoning Administrator may approve minor modifications to the terms of an existing development approval. A modification is considered minor if:

- (1) the modifications would not significantly change the development's general function, form, intensity, character, appearance, demand on public facilities, relationship to adjacent properties, impact on adjacent properties, or other characteristic from that indicated by the plans and materials approved as part of the application for the development approval;
- (2) involve a change in uses permitted or the density of overall development permitted; and
- (3) complies with all other applicable requirements of the Ordinance.

"The Zoning Administrator is authorized to approve minor changes to an approved site development plan, as long as the proposed changes are in harmony with action of the approving Board or Commission, but shall not have the power to approve changes that constitute a modification of the approval. A modification shall require approval of the Board or Commission and shall be handled as a new application.

"The Zoning Administrator shall use the following standards in determining whether a proposed action is a minor change or a modification:

(c) Site design. If a minor modification adjusts the terms or design of an approved site development plan or plat, including a site plan attached as a condition to a conditional zoning or special use permit, such modification must also comply with the following applicable requirements, in addition to the requirements of subsection (b):

- (1) A change in building location of 20 feet or less that does not impact any other site design elements shall be considered a minor changemodification. Any change in building location of more than 20 feet or that changes the overall lot design or configuration is considered a major modification and must be considered by the approving body not a minor modification.
- (2) A decrease in the number of parking spaces that is less than 10% of the overall proposed parking spaces shall be considered a minor changemodification. In no case shall the number of spaces be reduced below the minimum required by this Ordinance.

(3) Changes proposed to sidewalk configuration for pedestrian access shall be considered a minor ~~change~~modification as long as the amount of impervious area does not increase and access is provided as originally proposed for the project. Applicant must provide sufficient evidence of why the change is needed.

(4) Changes to the proposed landscape plan due to unavailability of product shall be considered a minor ~~change~~modification if the following conditions apply:

(A) The change is consistent with the approved plan and is only a substitution and does not cause a reduction in number of plants proposed.

(B) The tree, shrub or ground cover must be of the same general Ordinance classification, genus and species type. For example, a Red Maple, which is listed as a canopy tree in the Ordinance, could be substituted with a Sugar Maple or a Florida Maple, but not a Loblolly Pine.

(C) A reduction in the square footage of a proposed building shall be considered a minor change as long as the original footprint of the larger building is shown on the approved plan.

(D) Changes to proposed signage locations, on the building or on the site, shown on the approved plan shall be considered a minor ~~change~~modification, as long as the proposed location complies with the standards outlined in Chapter 11, Signage. In no case shall signage be permitted where it would not normally be permitted or that does not comply with the standards in Table 11-1.

(E) Changes to proposed trail locations on preliminary plats shall be considered a minor ~~change~~modification provided that the overall amount of trail approved on the plan is being provided and installed for the development.

(F) Changes to open space provisions that constitute an increase in the overall amount of open space being provided shall be considered a minor ~~change~~modification.

(G) Changes proposed to accommodate additional emergency vehicle access as determined by the Fire Marshal's Office during construction shall be considered a minor ~~change~~modification.

(H) Changes to architectural plans approved by the Design Review Committee (DRC) shall be considered minor when the following apply:

(i) The proposed ~~change~~modification does not modify the overall building design or character.

(ii) Any proposed changes/modifications to building materials are consistent with the originally approved materials and colors.

(iii) ~~Changes are required to~~ Modifications comply with state or local building construction standards that were unknown at the time of approval or that became effective after the architectural plans were approved by the DRC.

(d) Process. For any proposed minor ~~change~~modification, a revised, updated site plan or preliminary plat shall be submitted for review and approval. Where the proposed changes impact outside agency permits, those permits shall also be updated.

#### ~~Review of record required~~

(e) Review. The Zoning Administrator shall, before making a determination as to whether a proposed action is a minor ~~change~~ or a modification, review the record of proceeding on the original application for approval.

#### Section 5. consistency statement.

Pursuant to G.S. 160D-605(a), having reviewed and considered the accompanying documents, the analysis of the planning staff, and comments from the public, the Cabarrus County Board of Commissioners finds that the amendments made to the Cabarrus County Development Ordinance as outlined in this ordinance are consistent with the adopted Area Land Use Plans because:

(1) use of recreational vehicles as permanent dwellings threatens the health, safety, and welfare of its occupants and surrounding community and the plans seek to promote the public safety, health, and general welfare of residents of Cabarrus County;

(2) storage of junk and abandoned vehicles is a hazard to the health, safety, and general welfare of public and detracts from the physical appearance of the community, which does not align with the plans' intent to promote the



public safety, health, and general welfare of residents of Cabarrus County; and

(3) the administrative approval of minor modification to development approvals supports the more efficient administration of the Plans, while ensuring continued consistency with the Development Ordinance and the Plans.

Section 6. Conforming amendments.  
The Cabarrus County Development Ordinance is amended by renumbering and revising the Table of Contents, numbered lists within the text and table and page numbers within the Ordinance to correspond to the text changes as needed.

Adopted this 17<sup>th</sup> day of May, 2021 by the Cabarrus County Board of Commissioners.

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

ATTEST:

/s/ Lauren Linker  
Clerk to the Board

(G-2) Library - Approval of Budget Amendment

Emery Ortiz, Library Director, in attendance virtually, presented a request for the library system’s application for the Inclusive Internship Initiative. She stated this Initiative was originally approved January 21, 2020, however, the program was delayed due to Covid-19, and pushed to this year. She requested approval of the budget amendment to allow for the funds to be distributed and reimbursed this fiscal year.

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

Date:	May 13, 2021	Amount:	3,500.00
Dept. Head:	Suzanne Burgess for Emery Ortiz	Department:	Library
<input type="checkbox"/> Internal Transfer Within Department		<input type="checkbox"/> Transfer Between Departments/Funds	
		<input checked="" type="checkbox"/> Supplemental Request	
<div>This budget amendment is to budget revenue and expenditures for the Inclusive Internship Initiative Program. Through a national selection process, Cabarrus County Public Library was chosen to host this year’s Public Library Association (PLA) Inclusive Internship Initiative program. With funding and support from the PLA, the paid internship position provides career experience in a professional setting, creates networking opportunities with other interns across the country, builds budget management experience and provides other developmental activities. The intern will work about 30 hours a week between June and August 2021.</div>			

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	8240-6805	Contributions and Donations	-	3,500.00	-	3,500.00
001	9	8240-9104	Temporary Employees	-	3,500.00	-	3,500.00

(G-3) County Manager - American Rescue Plan Grant Awards

Rodney Harris, Deputy County Manager, requested the Board approve the acceptance of American Rescue Plan (ARP) Grant awards and the related budget amendment and project ordinance. He then presented an overview of funding for these grant awards via a PowerPoint presentation. Mr. Harris reported the County will receive a total of \$42,043,458 with half provided in May 2021 and the balance a year after the first half is received. In January 2021, the County received ERAP 1 funding totaling just over \$6.5 million. ERAP 1 funds must be used by September 30, 2022. The County's ERAP 2 allocation is \$5,165,710.30 and must be used by September 30, 2025. Unused funds will be returned to the Department of Treasury.

A discussion ensued. During discussion, Mr. Harris and Mike Downs, County Manager, responded to questions from the Board. Issues addressed included: the public’s slow request for funds; the back log of applications; staffing; etc.

UPON MOTION of Commissioner Shue, seconded by Vice Chairman Honeycutt and unanimously carried, the Board accepted the grant awards and adopted the associated budget amendment and project ordinance.

Date:	May 17, 2021	Amount:	47,509,168.00
Dept. Head:	Wendi Heglar	Department:	Finance
<input type="checkbox"/> Internal Transfer Within Department		<input type="checkbox"/> Transfer Between Departments/Funds	
		<input checked="" type="checkbox"/> Supplemental Request	
<div>This budget amendment is to budget the American Rescue Plan funds and the second phase of the Emergency Rental Assistance funds.</div>			

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
440	6	1925-6384-ARP	American Rescue Plan	-	42,043,458.00		42,043,458.00
440	9	1925-931501-ARP	Health and Safety Materials	-	1,000,000.00		1,000,000.00
440	9	1925-9445-ARP	Purchased Services	-	2,000,000.00		2,000,000.00
440	9	1925-946101-ARP	Emergency Assistance	-	2,000,000.00		2,000,000.00
440	9	1925-974914-ARP	Non-Profit using Cares		5,000,000.00		5,000,000.00
440	9	1925-9397-ARP	Miscellaneous/Unallocated	-	32,043,458.00		32,043,458.00
440	6	5645-6202-ERA22	Emergency Rental Assistance Second Allocation	-	5,165,710.00		5,165,710.00
440	9	5645-9114-ERA22	Contracted Employees	-	41,819.00		41,819.00
440	9	5645-9201-ERA22	Social Security	-	1,899.00		1,899.00
440	9	5645-9202-ERA22	Medicare	-	633.00		633.00
440	9	5645-9205-ERA22	Group Hospital Insurance	-	14,243.00		14,243.00
440	9	5645-9230-ERA22	Workers' Compensation	-	158.00		158.00
440	9	5645-9301-ERA22	Office Supplies	-	3,956.00		3,956.00
440	9	5645-9445-ERA22	Purchased Services	-	453,784.00		453,784.00
440	9	5645-946002-ERA22	US Treasury Emergency Asst	-	4,649,139.00		4,649,139.00
440	9	5645-9640-ERA22	Insurance & Bonds	-	79.00		79.00

Ordinance No. 2021-11

CABARRUS COUNTY  
 CARES RELIEF FUNDS – SPECIAL REVENUE  
 PROJECT ORDINANCE

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

Section I.

- A. The project authorized is for the purpose of receiving and disbursing funds as directed by CARES Act funding and the US Department of State Treasury and Emergency Rental Assistance Program (ERAP) funding and the US Department of State Treasury.
- B. The officers of this unit are hereby directed to proceed with this capital project within the terms of the Generally Accepted Accounting Principles (GAAP), the grant terms, the rules and regulations of the US Department of State Treasury and the budget contained herein.
- C. It is estimated that the following revenues will be available to fund COVID 19 and Emergency Rental Assistance expenditures:

CARES Act Relief Funds	\$7,972,670
American Rescue Plan	
	42,043,458
Interest Income	3,499
Emergency Rental Assistance (ERA21)	6,528,517
Emergency Rental Assistance Second Allocation (ERA22)	5,165,710
TOTAL REVENUES	\$61,713,854

- D. The following appropriations are made for expenditures related to COVID19 and Emergency Rental Assistance:
- |   |             |
|---|-------------|
| Salaries and Benefits (CARES)                         | \$3,581,275 |
| Other Public Health Expenditures (CARES)              | 2,415,010   |
| Municipal Distribution (CARES)                        | 1,979,884   |
| Administration (ERA21)                                | 652,851     |
| Emergency Rental Assistance (ERA21)                   | 5,875,666   |
| Administration (ERA22)                                | 516,571     |
| Emergency Rental Assistance Second Allocation (ERA22) | 4,649,139   |
| Other Public Health Expenditures (ARP)                | 10,000,000  |
| Unallocated (ARP)                                     | 32,043,458  |

TOTAL EXPENDITURES	\$61,713,854
GRAND TOTAL – REVENUES	\$61,713,854
GRAND TOTAL – EXPENDITURES	\$61,713,854

## 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 Grant Project Fund sufficient detailed accounting records to satisfy the requirements of the law.
- b. The Finance Director is directed to report, at the request of the Board, on the financial status of each project element in Section I and on the total revenues received or claimed.
- c. Copies of this grant project ordinance shall be furnished to the Clerk to the governing Board, and to the Finance Director for direction in carrying out this project.

- d. At the completion of a grant project, all unrestricted excess funds are transferred to the General Fund and the portion of the Grant Project associated with the project is closed.

Adopted this 17<sup>th</sup> day of May, 2021.

CABARRUS COUNTY BOARD OF COMMISSIONERS

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

ATTEST:

/s/ Lauren Linker  
Clerk to the Board

**(G-4) County Manager - Presentation of the FY22 Recommended Budget**

Mike Downs, County Manager, presented the following budget message to the Board:

Honorable Chairman and Members of the Cabarrus County Board of Commissioners:

It is my honor and privilege to submit the Fiscal Year 2021-2022 (FY22) Recommended Budget. Staff prepared this budget in accordance with the laws of North Carolina, guided by the Board Commissioners' strategic priorities.

Last year, we presented a recommended budget in the early stages of a pandemic. We projected a significant drop in revenue due to COVID-19, particularly sales tax and property tax. Even with these projected reductions, we knew that strategic investments were necessary to meet the growing demand for County services.

As a result, we invested in our public education partners by increasing County-paid supplements for educators, sustaining school operations and funding new facilities. We invested in new positions, including social workers, sheriff's deputies and paramedics. We also invested in essential building projects, including the new Courthouse, EMS headquarters and upgrades for Frank Liske Park.

These investments enabled the County to better identify and meet the growing community needs for which the County is responsible.

The 2021 Cabarrus County Community Survey found residents have a positive perception of the county, with 92% saying they are satisfied with Cabarrus as place to raise children and 87% reporting they are satisfied with the overall quality of life.

Our situation improved dramatically over the past year, as more than 55,000 (26%) residents are now at least partially vaccinated against COVID-19.

During that same time, revenues increased by nearly \$22 million (8%).

We still experience great need. Many in our community are struggling to make ends meet. Our future requires a careful balance of making needed investments and being mindful of how those investments affect taxpayers.

We believe the FY22 recommended budget successfully strikes this balance.

The recommended budget increases funding in critical areas while maintaining the property tax rate of 74 cents per \$100 of assessed valuation, for a total General Fund Operating budget of just over \$297 million.

The recommended budget continues the board's commitment to improving public education by investing in Cabarrus County Schools, Kannapolis City Schools and Rowan Cabarrus Community College.

The budget calls for an increase of 0.5% to the County-paid local supplements for educators employed by Cabarrus County and Kannapolis



City schools. The Board of Education for each district could elect to increase the supplement further through other funding. Because statewide pay is standard, the local supplement helps attract and retain teachers. The budget also includes funding to maintain school operations (i.e., locally paid positions, teacher supplements and building upkeep) for all three education partners. In total, these investments cost an additional \$4.4 million annually.

The Cabarrus County Schools district continues to have a backlog of deferred maintenance projects totaling nearly \$200 million. This year, the district will receive more than \$40 million in one-time federal funding. The County and district have agreed to the County using \$3.4 million of the education funding increase to address deferred maintenance projects over the next three fiscal years. In FY22, projects will include security camera replacements, roof repairs, playground replacements and security vestibule construction.

The recommended budget also invests in departments and partners that create and sustain a healthy and safe Cabarrus.

Over the past year, the Cabarrus Health Alliance (CHA) helped save local lives.

In response to COVID-19, the organization educated, tested and vaccinated our community. The recommended budget funds merit increases for CHA staff and provides additional funding needed for the school nurse program.

Funding will also allow CHA to add:

- An on-site well water inspector to ensure water systems are safe and reduce the case backlog
- A school health director to oversee and lead the school nurse program, which provides a dedicated nurse at every public school in the county
- An epidemiologist to provide consistent surveillance of community health data

The budget also funds 13 new positions in our critical public safety agencies - Construction Standards, Emergency Medical Services, Fire Services and the Sheriff's Office. The new positions include deputies to investigate crimes and patrol our community; an EMS assistant director to oversee logistics and operations and maintain high-quality response; a fire operations chief to oversee Squad 410 as they continue to support volunteer fire department response; and code enforcement officers to complete residential and commercial property inspections in a timely manner and help maintain appropriate inspector workloads.

The pandemic dramatically increased demand for services such as food and nutrition assistance, child welfare and transportation. In addition to their already challenging workloads, many Human Services team members added important responsibilities, such as administration of the Emergency Rental Assistance Program and other important programs.

Human Services staff frequently carry caseloads that result in burnout and job turnover. To continue exceptional service delivery, the recommended budget adds 15 full-time and one part-time position to improve work satisfaction and better meet the needs of our growing community. Positions include social workers, social work supervisors and income maintenance staff, among others.

County staff members work to ensure Cabarrus County Government is accountable, transparent and customer-focused. Our dedicated and hardworking staff are the true definition of public servants.

The 2021 Cabarrus County Community Survey highlighted the exceptional work of County employees, who ranked 21-to-34% above the national average in customer service areas. The recommended budget recognizes their service by including funds for a 1% cost-of-living adjustment for all employees and merit pay increases of up to 4% based on individual performance.

The recommended budget also adds 11 full-time and one part-time internal support positions to strengthen the delivery of County services. Positions include IT staff to manage County technology; fleet personnel to maintain vehicles and equipment; and a chief procurement officer to oversee County purchasing activities. The FY22 recommended budget allocates the resources necessary to build our future.

The budget includes \$37.2 million from the General Fund to the Community Investment Fund (CIF) for current and future debt payments. The CIF continues to provide a dedicated and sustainable source of funding for capital projects that positions us well to meet our capital needs in the years ahead.

The County's pay-as-you-go (PAYGO) program, which uses cash-on-hand rather than debt, continues to fund a significant number of projects, including:

- \$9 million for Cabarrus County Schools to acquire and install mobile units for the Early College at Rowan Cabarrus Community College; start design work for the replacement of R. Brown McAllister Elementary School; and complete multiple deferred maintenance projects including parking lot lights, paving and flooring replacements.
- \$8.3 million for a wide variety of county projects, ranging from the emergency equipment warehouse and Information Technology Services relocation to a storage building for fire services.
- \$2.5 million for Kannapolis City Schools to renovate the tennis courts and track at A.L. Brown High School, replace security cameras at multiple schools; replace carpet at Forest Park Elementary School; and complete multiple deferred maintenance projects, including playground replacements, roof repairs and painting.
- \$553,000 for Rowan Cabarrus Community College to recoat the roof and replace the fire alarm system at the Cabarrus Business and Technology Center and to replace security cameras at the South Campus.

While the County would prefer to fund all projects with cash, the significant and growing capital needs we face requires responsible debt financing to complete essential projects. During FY22, the County plans to issue more than \$150 million of debt, including:

- \$46.8 million to complete construction of the new Cabarrus County Courthouse
- \$32 million to construct a replacement for R. Brown McAllister Elementary School for Cabarrus County Schools
- \$17 million to design and build a new Public Safety Training Facility
- \$16 million to design and build a new Emergency Medical Services headquarters
- \$10.5 million to complete construction of Roberta Road Middle School for Cabarrus County Schools
- \$10 million to replace and/or expand a Cabarrus County Public Library branch(es).
- \$7.8 million for roof replacements at Bethel Elementary, Weddington Hills Elementary, CC Griffin Middle School, Central Cabarrus High School and Concord High School and to replace the parking and driveway at Mount Pleasant High School
- \$6.3 million for design and construction of an emergency equipment warehouse and information technology department office

- \$4.3 million to design a replacement for Northwest High School for Cabarrus County Schools
- \$4.1 million to acquire, design and construct a new park and/or ball fields in the northeast portion of the county
- \$4 million to add new amenities at Frank Liske Park, including a boardwalk and splash pad
- \$2.3 million to acquire, design and construct a new northeast radio tower.

Beyond FY22, the County has numerous planned debt-funded projects, including construction of the new Northwest High School for Cabarrus County Schools, a new library and senior center for Western Cabarrus County and Phase III of Rob Wallace Park, among others.

I want to thank the Board for your steady leadership during this challenging time. Your support allowed us to provide uninterrupted service during the pandemic. Our visionary staff went the extra mile to implement new technologies, revise service models and modify facilities. These actions protected our employees, their families and the community.

I'd like to recognize Rodney Harris, Jonathan Marshall, Rosh Khatri, Yesenia Pineda, Elie Landrum, Wendi Heglar, Suzanne Burgess and the many other department leaders for their work to develop a budget that is responsive to community needs.

I also offer thanks to our entire workforce for their commitment to the programs and services that make Cabarrus County such a special place.

In this and every year, our people are the difference.

Chairman Morris announced a copy of the budget will be filed in the office of the Clerk to the Board on May 17 and will be available for public inspection at the Cabarrus County Governmental Center during regular business hours. The budget will also be posted on the County website at <https://www.cabarruscounty.us/resources/current-budget>. A public hearing will be held at the Governmental Center at 65 Church Street S in Concord on June 7 at 6:30 p.m. If needed, a budget workshop will be held in the Multipurpose Room at the Governmental Center on June 10 at 4:00 p.m. Adoption of the budget is scheduled for June 21, 2021.

Rodney Harris, Deputy County Manager, presented a PowerPoint presentation overview of the proposed budget. The following items were presented:

- Total Revenues by Fund (FY22 Recommended - \$392,894,884)
- General Fund Revenues by Source
- Total Expenditures by Fund
- General Fund Expenditures by Type
- Key Investments - Personnel
- Key Investments - New Positions
- FY22 Recommended Total Authorized Positions
- Key Investments - Transfers to Capital Projects Fund
- Key Investments - Transfers to Other Funds
- Key Investments - Education
- General Fund Outlook - Future Expenses
- Five Year General Fund Forecast
- Capital Improvement Plan
- CIF Revenues by Source
- CIF Expenditures by Type
- CIF Projected Fund Balance by Year
- FY22-FY26 CIP
- FY22 Budgeted CIP by Function
- FY22 Capital Projects

In closing, Mr. Harris stated the public hearing for the budget is scheduled for June 7<sup>th</sup>, a budget workshop is scheduled for June 10<sup>th</sup> if needed, the budget is scheduled for adoption on June 21<sup>st</sup>, and the new budget will be active as of July 1<sup>st</sup>.

A discussion ensued. During discussion, Mr. Harris responded to questions from the Board. He also thanked Rosh Khatri, Budget Director, Elie Landrum, Management Analyst, and Yesinia Pineda, Budget Analyst, for their work in preparing the budget.

**UPON MOTION** of Commissioner Kiger, seconded by Commissioner Shue and unanimously carried, the Board scheduled a public hearing on the proposed FY 22 Cabarrus County budget for Monday, June 7, 2021 at 6:30 p.m. or as soon thereafter as persons may be heard.

#### **(H) REPORTS**

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

Commissioner Strang announced she attended the year-end celebration for the Youth Commission held at Camp T.N. Spencer.

Commissioner Strang announced the Midland Town Council tabled a decision on a new housing development over concerns regarding lot sizes and the number of homes planned for that development.

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

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

- Adult Care Home Community Advisory Committee - 8 Vacant Positions
- Board of Equalization and Review - 2 Terms Expiring Soon
- Centralina Workforce Development Board - 2 Terms Expiring Soon
- Concord Planning and Zoning Commission (ETJ) - 1 Vacant Position
- Harrisburg Fire Advisory Board (ETJ) - 1 Vacant Position
- Harrisburg Planning and Zoning Board and Board of Adjustment (ETJ) - 1 Term Expiring Soon
- Human Services Advisory Board - 1 Vacant Position
- Jury Commission - 1 Term Expiring Soon
- Juvenile Crime Prevention Council - 2 Vacant Positions and 5 Terms Expiring Soon
- Nursing Home Community Advisory Committee - 8 Vacant Positions
- Public Health Authority - 2 Terms Expiring Soon
- Region F Aging Advisory Committee - 2 Vacant Positions and 1 Term Expiring Soon
- Transportation Advisory Board - 3 Vacant Positions and 8 Terms Expiring Soon
- Youth Commission - 5 Vacant Positions and 6 Terms Expiring Soon

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

##### **(H-3) Budget - Monthly Financial Update**

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

##### **(H-4) County Manager - Monthly Building Activity Reports**

The Board received the Cabarrus County Construction Standards Dodge Report for April 2021 and the Cabarrus County Commercial Building Plan Review Summary for April 2021 for informational purposes. No action was required of the Board.

##### **(H-5) 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-6) Economic Development Corporation - April 2021 Monthly Summary Report**

The Board received the Cabarrus Economic Development Corporation (EDC) monthly report for the month of April 2021 for informational purposes. No action was required of the Board.

#### **(I) GENERAL COMMENTS BY BOARD MEMBERS**



Commissioner Shue and Chairman Morris commented on a recent tour they took at the Water and Sewer Authority of Cabarrus County facility.

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

None.

**(K) CLOSED SESSION**

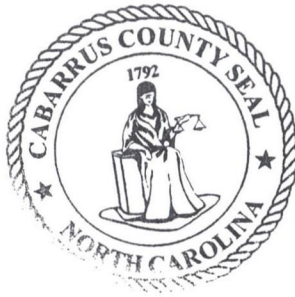
**(K-1) Closed Session - Pending Litigation, Acquisition of Real Property and Personnel Matters**

**UPON MOTION** of Commissioner Shue, seconded by Vice Chairman Honeycutt and unanimously carried, the Board moved to go into closed session to discuss matters related to pending litigation, acquisition of real property and Personnel Matters as authorized by NCGS 143-318.11(a)(3), (5) and (6).

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

**(L) ADJOURN**

**UPON MOTION** of Vice Chairman Honeycutt, seconded by Commissioner Kiger and unanimously carried, the meeting adjourned at 8:52 p.m.



  
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Lauren Linker, Clerk to the Board