

The Board of Commissioners for the County of Cabarrus met in regular session in the Commissioners' Meeting Room at the Cabarrus County Governmental Center in Concord, North Carolina at 6:30 p.m. on Monday, November 15, 2021.

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

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

Chairman Morris called the meeting to order at 6:32 p.m.

Dr. Tom Cabaniss from First Baptist Church in Kannapolis delivered the invocation.

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

UPON MOTION of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board approved the minutes of October 4, 2021 (Work Session), and October 18, 2021 (Regular Meeting) as presented.

**(B) APPROVAL OF THE AGENDA**

Chairman Morris reviewed the following changes to the agenda.

Additions:

New Business

G-1 County Manager - Set Salary for the Office of the Sheriff

Closed Session

K-1 Closed Session - Pending Litigation and Personnel Matters

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

**(C) RECOGNITIONS AND PRESENTATIONS**

None.

**(D) INFORMAL COMMENTS**

Chairman Morris opened the meeting for Informal Public Comments at 6:36 p.m. He stated each speaker would be limited to three minutes.

Jeeter Anderson, resident of 133 Kennedy Avenue in Kannapolis, commented on his dissatisfaction with the Department of Human Services.

Jerry Anderson, resident of 133 Kennedy Avenue in Kannapolis, commented on issues he said his family experienced with the Department of Human Services.

Norman McCullough, Sr., resident of 2315 Montford Avenue NW in Concord, commented on the legacy of the African-American community in Cabarrus County.

There was no one else to address the Board, therefore Chairman Morris closed that portion of the meeting.

**(E) OLD BUSINESS**

None.

**(F) CONSENT**

**(F-1) Appointments - Juvenile Crime Prevention Council**

At the Juvenile Crime Prevention Council's October meeting, the Council voted to recommend LaShay Avery to fill the vacant Area Mental Health Director/Designee position. Ms. Avery does not reside in Cabarrus County. An exception to the residency provision of the Appointment Policy will be needed for her.

UPON MOTION of Commissioner Shue, seconded by Commissioner Strang and unanimously carried, the Board appointed LaShay Avery to the Juvenile Crime

Prevention Council as the Area Mental Health Director/Designee to complete an unexpired term ending September 30, 2022, including an exception to the residency provision of the Appointment Policy.

**(F-2) Appointments and Removals - Mental Health Advisory Board**

Partners Health Management became the County's LME (Local Management Entity) September 1, 2021 and the County is no longer affiliated with Cardinal Innovations. Due to this change, it is requested to replace the Cardinal Innovations Healthcare representation on the Mental Health Advisory Board with representation from Partners Health Management. Tara Conrad, Community Engagement Director for Partners Health Management, has submitted an application and is eligible to serve in that position. Ms. Conrad does not reside in Cabarrus County. An exception to the residency provision of the Appointment Policy will be needed for her.

**UPON MOTION** of Commissioner Shue, seconded by Commissioner Strang and unanimously carried, the Board removed Melissa Marshburn from the Mental Health Advisory Board roster and thanked her for her service.

**UPON MOTION** of Commissioner Shue, seconded by Commissioner Strang and unanimously carried, the Board appointed Tara Conrad to the Mental Health Advisory Board as the Partners Health Management representative, for an unexpired term ending December 31, 2023, including an exception to the residency provision of the Appointment Policy.

**(F-3) Appointments and Removals - Region F Aging Advisory Committee**

Region F Aging Advisory Board member Ida Mills resigned several months ago.

A request was sent to The Home and Community Block Grant Advisory Committee regarding vacancies on the Region F Aging Advisory Committee of two delegates and one alternate delegate.

The County has received an application from James Bernacki for one of the delegate positions. Ms. Jean Chandler has agreed to serve another term as the alternate delegate. The HCCBG Advisory Committee feels that both candidates will be valuable assets to the Region F Aging Advisory Committee.

The Home and Community Block Grant Committee recommends the appointment of Mr. James Bernacki as a delegate and Ms. Jean Chandler as alternate delegate on the Region F Aging Advisory Committee. Mr. Bernacki's term would expire June 30, 2023. Ms. Chandler's term would expire June 30, 2022. Ms. Chandler has served on this Board since 2013. An exception to the length of service provision of the Appointment Policy will be needed for her.

**UPON MOTION** of Commissioner Shue, seconded by Commissioner Strang and unanimously carried, the Board removed Ida Mills from the Region F Aging Advisory Board roster and thanked her for her service.

**UPON MOTION** of Commissioner Shue, seconded by Commissioner Strang and unanimously carried, the Board appointed James Bernacki to the Region F Aging Advisory Board as a delegate for a two-year term ending June 30, 2023.

**UPON MOTION** of Commissioner Shue, seconded by Commissioner Strang and unanimously carried, the Board reappointed Jean Chandler to the Region F Aging Advisory Board as a delegate alternate for a one-year term ending June 30, 2022; including an exception to the length of service provision of the Appointment Policy.

**(F-4) County Manager - Cabarrus Thread Trail Participation**

The Catawba Lands Conservancy and Carolina Thread Trail have reached out to the County about participation in a branding and signage project that is part of a larger fund-raising campaign. A PowerPoint provided background on the Thread Trail, the fundraising goals, the signage portion, and the request for funding that is being presented to Cabarrus County, Concord, Kannapolis and Harrisburg.

**UPON MOTION** of Commissioner Shue, seconded by Commissioner Strang and unanimously carried, the Board approved matching cost share funds for the Carolina Thread Trail signage project including all necessary budget amendments.

Date: 11/15/2021Amount: 47,000.00

Dept. Head: Wendi Heglar for Johnathan MarshallDepartment: County Managers Office

☐ Internal Transfer Within Department☐ Transfer Between Departments/Funds☒ Supplemental Request

Budget \$47,000 for Carolina Thread Trail Cost Sharing Proposal for Sign Project							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	8140 971041	Contributions to Carolina Thread Trail		47,000		47,000
001	9	1910 9660	Contingency	750,000		47,000	703,000

(F-5) DHS - Appropriation of Supplemental LINKS Funding

The Consolidated Appropriations Act (P.L. 116-260) provides supplemental funding for the John H. Chafee (LINKS) Foster Care Program for Successful Transition to Adulthood for young adults who are at least 18 years old and not yet 27 years old and were in foster care at age 14 or older. Young adults who are or were in foster care have experienced job loss and other impacts of the pandemic and many of them have not benefited from prior COVID relief efforts, including stimulus checks. On September 10, 2021, NC DHHS, NC DSS issued funding and instructions to local county Department of Social Services to provide one-time unrestricted payments to this population of very vulnerable young adults. Cabarrus County received \$87,500 in Title IV-B Federal funds and no county match is required.

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

Date: 11/15/2021Amount: 87,500.00

Dept. Head: Dana Pastores - for Karen CalhounDepartment: DHS - Child Welfare

☐ Internal Transfer Within Department☐ Transfer Between Departments/Funds☒ Supplemental Request

This budget amendment is to budget One Time Supplemental funding for the John H. Chafee (LINKS) Foster Care Program for Successful Transition to Adulthood. Young adults who are or were in foster care have been in foster care have experienced job loss and other impacts of the pandemic and many of them have not benefited from prior COVID relief efforts, including stimulus checks. Counties have been instructed to provide one-time unrestricted payments to this population of very vulnerable young adults. All young adults who are at least 18 years old and are not yet 27 and were in foster care at age 14 or older are eligible. Assessment of financial need is not required, and NO COUNTY MATCH IS REQUIRED.							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	5630-6265	Individual Living Links	10,000.00	87,500.00	-	97,500.00
001	9	5630-9462-LINKS	AFDC - Child State Foster Care	10,000.00	87,500.00	-	97,500.00

(F-6) DHS - Low Income Energy Assistance Program Funds

Department of Human Services received a revised funding authorization for the Low Income Emergency Rental Assistance Program. It was originally budget at \$557,053, but the program received \$667,099. According to funding processes there needs to be a budget amendment to account for the excess money.

UPON MOTION of Commissioner Shue, seconded by Commissioner Strang and unanimously carried, the Board approved the budget amendment.

Date: 11/15/2021Amount: 63,244.00

Dept. Head: Karen CalhounDepartment: DHS

☐ Internal Transfer Within Department☐ Transfer Between Departments/Funds☒ Supplemental Request

DHS is approved to receive \$667,099 for the LIEAP program. We are requesting a supplemental increase to the LIEAP revenue and expense budget lines to match the approved funding authorization plan. This funding is 100% Federal. County share is not required.							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	5615-946001-352-1	Low Income Energy Asst Program	603,855.00	63,244.00		667,099.00
001	6	5615-6204-352-1	Social Service Admin Reimbursement	557,053.00	63,244.00		620,297.00

(F-7) DHS - SHIIP Grant Budget Amendment

The Seniors' Health Insurance Information Program (SHIIP) counsel Medicare beneficiaries within Cabarrus County about Medicare, Medicare Part D, Medicare supplements, and Medicare Advantage plans through the use of Adult and Aging Services staff and community volunteers.

Annually, the county receives a SHIIP grant through the N.C. Department of Insurance. This year's grant is in the amount of \$8,357.00, which is \$1,585.00 less than budgeted. The related expense line items also need to be increased to match the amount of the grant. There is no county match for this grant.

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

Date:11/15/2021

Amount:1,585.00

Dept. Head:Karen Calhoun

Department:DHS

☐ Internal Transfer Within Department

☐ Transfer Between Departments/Funds

☒ Supplemental Request

This Budget Amendment is to revise revenues and expenditures to match the State SHIP grant budget. The budget is \$8,357.00. There is no County match for this grant. (This budget amendment was balanced using salaries and will be covered with salary adjustments if needed at the end of the fiscal year)							
	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	5760-6270-S18	SHIP Grant	9,942.00	-	1,585.00	8,357.00
001	9	5760-9356-S18	Special Program Supplies	14,770.00	2,562.00	-	17,332.00
001	9	5760-9101	Salaries	222,208.00	-	4,147.00	218,061.00

(F-8) Planning and Development - Budget Amendment for Duke Rebate Program Funds

Cabarrus County Weatherization program participates in the Duke Energy Rebate program that works with Weatherization programs in the region to expand Weatherization services. The proposed budget amendment is placing recently received revenues into expense line items to allow staff to expend those funds. Allocating the funds back to the Weatherization program is a requirement of the program.

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

Date:11/15/2021

Amount:3,728.49

Dept. Head:Kelly Sifford

Department:Community Development

☐ Internal Transfer Within Department

☐ Transfer Between Departments/Funds

☒ Supplemental Request

Purpose: Allocate rebate funds received for Gwinnlynn Cherry's completed weatherization project.							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	2	46063250-6841-DE	Duke Power Rebate		3,728.49		3,728.49
001	2	46093250-9315-DE	Health & Safety - Duke DOE	25,488.71	3,728.49		29,217.20

(F-9) Planning and Development - Soil and Water Conservation District Board - Applications for Farmland Preservation Grants

The Soil and Water Conservation District Board intends to apply for state and federal Farmland Preservation Grants to purchase development rights for permanent agricultural conservation easements on one farm. Farmland Preservation supports goals of both the county commissioners, and the Soil and Water Conservation District Board by improving the quality of life for county citizens. Permanently protecting farmland ensure the land base necessary for the county's agricultural economy, while simultaneously keeping the tax burden low by maximizing the amount of land acreage where the cost of county services is lowest. The Soil and Water Conservation District Board has previously applied for and received grant funding to preserve a total of 360 acres of farmland. Any contracts or cooperative agreements associated with successful grant applications will be submitted to the county for approval.

UPON MOTION of Commissioner Shue, seconded by Commissioner Strang and unanimously carried, the Board authorized the Soil and Water Conservation District Board to submit one or more applications to the North Carolina Agricultural Development and Farmland Preservation Program Trust Fund, the United States Department of Agriculture, and the Natural Resources Conservation Service's Agricultural Conservation Easement Program for funds to preserve land on one farm with a conservation easement; and authorized the county manager to execute the contract after review and revision by the county attorney.

(F-10) Sheriff's Office - Award of Service Weapon to Lieutenant Luann Andrews Upon Her Retirement

Lieutenant Luann Andrews began her career at the Cabarrus County Sheriff's Office on September 23, 1996 as a sworn Deputy and was assigned to the Detention Center. She was reassigned to the Patrol Division in 1999 and worked there for approximately a year before being reassigned to the DARE/SRO Division in 2000 where she has continued to work until her retirement. She was promoted to Sergeant in this Division in 2009 and was subsequently promoted to Lieutenant in 2014.



She was be sorely missed, not only by her colleagues at the Sheriff's Office, but by the many students, faculty, and School Administrations that have worked with her over these many years.

Pursuant to N.C.G.S. 20-187.2, it is requested that Lieutenant Andrew's service weapon (Sig Sauer P320, SN# 58H257977) be declared surplus property and awarded to her for the price of \$1.00 upon her retirement

**UPON MOTION** of Commissioner Shue, seconded by Commissioner Strang and unanimously carried, the Board declared a service weapon (Sig Sauer P320, SN# 58H257977) surplus property and awarded it to Lieutenant Andrews upon her retirement.

**(F-11) Sheriff's Office - Request to Award Service Weapon to Deputy Norris "Narty" James, II Upon His Retirement**

Deputy Norris "Narty" James as hired by Sheriff Robert Canaday on May 8th, 1993 and was assigned to the Patrol Division. He has served in various capacities throughout his career, including the Mount Pleasant Division (Patrol) and Community Policing, but he has served for many years as the Lake Enforcement Officer for WSAAC.

Narty will be missed by all who know him, and the Sheriff's Office wants to thank him for his service to the citizens of our County.

Pursuant to N.C.G.S 20-187.2, it is requested that Deputy James' service weapon (Sig Sauer P320 Serial # 58C351861) be declared surplus property and awarded to him for the price of \$1.00 upon his retirement.

**UPON MOTION** of Commissioner Shue, seconded by Commissioner Strang and unanimously carried, the Board declared a service weapon (Sig Sauer P320 Serial # 58C351861) as surplus property and awarded it to Deputy James for the price of \$1.00 upon his retirement.

**(F-12) Sheriff's Office - Transfer of Surplus Vehicle**

According to their website:

- *Concord High School is the first school in North Carolina to offer a Public Safety Academy. The Academy will develop, and guide interested students toward a career in public safety through academics, personal development and in-depth education which will prepare the students to be college and career ready.*

*Any rising 9th is eligible to join the Public Safety Academy. Students who are admitted to the career academy will begin taking an entry level career/academic cohort class to show the applications of academics in real-world situations. After investigating their career interests and completing an entry level career academy course, students agree to commit to the career academy for the remainder of their academic career.*

*SkillsUSA is the student organization for law, public safety, corrections and security for the Public Safety Academy, along with other program areas. They provide opportunities for hands-on learning, and for applying career, leadership and personal skills in real-world environments. Participants build their skills by developing projects, attending events, and competing regionally and nationally.*

- As part of this training, the Academy utilizes a "mock" patrol unit as part of the instruction. The vehicle they currently utilize is nearing a state of disrepair. A request for assistance in updating their vehicle has been received and a vehicle has been identified by Cabarrus County Fleet Maintenance as their replacement.
- 2015 Ford Police Interceptor, Asset # 8371, VIN: 1FAHP2MK5FG135695, Mileage - 132,635

**UPON MOTION** of Commissioner Shue, seconded by Commissioner Strang and unanimously carried, the Board declared Cabarrus County Asset #8371 surplus property and authorized transfer of this asset to the Cabarrus County Schools.

**(F-13) Tax Administration - Refund and Release Reports - October 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 Commissioner Strang and unanimously carried, the Board approved the October 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.

**(G) NEW BUSINESS**

**(G-1) County Manager - Set Salary for the Office of the Sheriff**

Mike Downs, County Manager, reported the amount of the fee that is charged to those who file to run for the Office of the Sheriff for Cabarrus County is set based on the starting salary of the Sheriff. He stated adoption of the resolution will set the starting salary for the Office of the Sheriff at \$94,785.60. Mr. Downs advised that consistent with the resolution, if the incumbent is re-elected and takes office in December 2022, he shall retain his compensation as provided by Cabarrus County. Mr. Downs also responded to questions from the Board.

**UPON MOTION** of Commissioner Strang, seconded by Commissioner Kiger and unanimously carried, the Board adopted the resolution.

Resolution No. 2021-14

RESOLUTION TO ESTABLISH SALARY  
FOR THE OFFICE OF SHERIFF

WHEREAS, N.C.G.S. 153A-92(b)(2) provides that boards of county commissioners may reduce the salaries of elected officials only by a resolution adopted at least fourteen (14) days before the last day for filing notice of candidacy for the office; and

WHEREAS, once adopted, the resolution may not be altered until the person elected to the office in the general election takes office; and

WHEREAS, the filing fee for the office shall be determined by reference to the reduced salary; and

WHEREAS, the Office of the Sheriff has been placed within the Cabarrus County Compensation Plan; and

WHEREAS, the Cabarrus County Compensation Plan establishes the entry level annual salary for the Office of the Sheriff at \$94,785.60.

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

1. The annual salary for the Office of the Sheriff is hereby established at \$94,785.60.
2. The filing fee for this office shall be determined by the above referenced salary.
3. The annual salary for this office as established herein shall become effective upon adoption of this resolution and shall apply to any person elected to this office except the incumbent.
4. Should the incumbent of this office be re-elected and take office in December 2022, he shall retain his current compensation as provided by Cabarrus County.

Adopted this 15<sup>th</sup> day of November 2021.

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

Attest:

/s/ Lauren Linker

Lauren Linker, Clerk to the Board

**(H) REPORTS**

**(H-1) Active Living and Parks - Annual Report 2021**

The Board received the Active Living and Parks Annual Report for informational purposes. No action was required of the Board.

**(H-2) BOC - Receive Updates from Commission Members Who Serve as Liaisons to Municipalities or on Various Boards/Committees**

Commissioner Strang announced the Youth Commission is collecting school supplies for Title 1 schools. She stated donations can be dropped off at the Cooperative Extension office.

County Manager Mike Downs announced Tracy LeCompte has been appointed as the new Cooperative Extension Director.

**(H-3) 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
- Agricultural Advisory Board - 2 Terms Expiring Soon
- Concord Planning and Zoning Commission (ETJ) - 1 Vacant Position
- Harrisburg Planning and Zoning Board - 1 Expired Term
- Home and Community Care Block Grant Committee - 4 Terms Expiring Soon
- Juvenile Crime Prevention Council - 2 Vacant Positions
- Mental Health Advisory Board - 14 Terms Expiring Soon
- Nursing Home Community Advisory Committee - 8 Vacant Positions
- Planning and Zoning Commission - 2 Vacant Positions
- Region F Aging Advisory Committee - 1 Vacant Position
- Transportation Advisory Board - 6 Vacant Positions
- Youth Commission - 9 Vacant Positions

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

**(H-4) Budget - Monthly Budget Amendment Report**

The Board received the monthly budget amendment report for informational purposes. No action was required of the Board.

**(H-5) Budget - Monthly Financial Update**

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

**(H-6) County Manager - Monthly Building Activity Reports**

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

**(H-7) 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-8) Economic Development Corporation - October 2021 Monthly Summary Report**

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

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

Commissioner Shue shared packets from the Midland Fire Department with Board members.

Commissioner Shue announced the concord Christmas tree lighting ceremony will be held Friday night at rotary square and the Concord Christmas parade will be held Saturday.

Chairman Morris stated each of the municipalities' parades will be held following the Concord parade. He advised the complete schedule will be posted.

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

None.

**(K) CLOSED SESSION**

**(K-1) Pending Litigation and Personnel Matters**

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

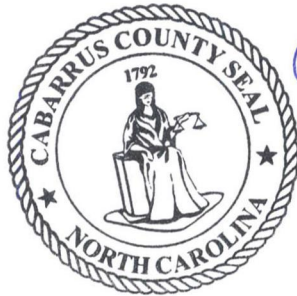
UPON MOTION of Commissioner Strang, seconded by Commissioner Shue and unanimously carried, the Board moved to come out of closed session.

**RETURN TO OPEN SESSION**

UPON MOTION of Commissioner Kiger, seconded by Commissioner Strang and unanimously carried, the Board approved a settlement and budget amendment of \$275,000 for the case between Jarvis Lessane and Charles Ratliff of the Cabarrus County Transportation Services.

**(L) ADJOURN**

UPON MOTION of Vice Chairman Honeycutt, seconded by Commissioner Shue and unanimously carried, the meeting adjourned at 8:11 p.m.



  
Lauren Linker, Clerk to the Board