

The Board of Commissioners for the County of Cabarrus met as a hybrid meeting 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, March 21, 2022.

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

live broadcast at 6:30 p.m. on Channel 22
<https://www.youtube.com/cabarruscounty>
<https://www.cabarruscounty.us/cabcotv>
1-980-729-7942 PIN 137 387 364#

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

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

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

Chairman Morris led the Pledge of Allegiance.

(A) APPROVAL OR CORRECTION OF MINUTES

UPON MOTION of Commissioner Shue, seconded by Commissioner Honeycutt and unanimously carried, the Board approved the minutes of January 19, 2022 (Cabarrus Summit), February 7, 2022 (Work Session), February 10, 2022 (Regular Meeting) and February 21, 2022 (Regular Meeting) as presented.

(B) APPROVAL OF THE AGENDA

Chairman Morris reviewed the following changes to the agenda.

Additions:

New Business

G-6 Planning and Development - Community Development Division - Blue Cross Blue Shield Grant

Closed Session

K-1 Closed Session - Pending Litigation, Economic Development and Acquisition of Real Property

Supplemental Information:

New Business

G-7 Planning and Development - Community Development New Position
• Budget Amendment

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) Proclamation - National County Government Month April 2022

Chairman Morris read the proclamation aloud.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Honeycutt and unanimously carried, the Board adopted the proclamation.

Proclamation No. 2022-03

NATIONAL COUNTY GOVERNMENT MONTH APRIL 2022
"COUNTIES THRIVE"

WHEREAS, the nation's 3,069 counties serving more than 315 million Americans provide essential services to create healthy, safe and vibrant communities; and

WHEREAS, counties provide health services, administer justice, keep communities safe, foster economic opportunities and much more; and

WHEREAS, Cabarrus County and all counties take pride in our responsibility to protect and enhance the health, wellbeing and safety of our residents in efficient and cost-effective ways; and

WHEREAS, under the leadership of National Association of Counties President Larry Johnson, NACo is demonstrating how "Counties THRIVE," especially in supporting residents and businesses during the coronavirus pandemic; and

WHEREAS, each year since 1991 the National Association of Counties has encouraged counties across the country to elevate awareness of county responsibilities, programs and services; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners for Cabarrus County, North Carolina, do hereby proclaim April 2022 as National County Government Month and encourage all county officials, employees, schools and residents to participate in county government celebration activities.

ADOPTED this 21st day of March, 2022.

/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) Proclamation - National Donate Life Month April 2022

Commissioner Shue read the proclamation aloud. As a recipient of organ donation, he commented on his organ transplants, and appreciate for those whose donations made his life during the past 27 years possible. He encouraged everyone to consider registering as an organ or tissue donor.

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

Proclamation No. 2022-04

NATIONAL DONATE LIFE MONTH 2022

WHEREAS, more than 106,644 men, women and children in the United States currently need life-saving organ transplants and more than 3,343 of those people are North Carolinians; and

WHEREAS, an average of 20 people awaiting transplants die each day because there is a severe shortage of donated organs; and

WHEREAS, every 10 minutes, another name is added to the national transplant waiting list; and

WHEREAS, providing facts about donation and dispelling misinformation and myths are key to increasing the number of people who sign up as donors; and

WHEREAS, the North Carolina Division of Motor Vehicles (NC DMV) plays a critical role with over five million North Carolinians in the state's donor registry having registered when receiving a driver's license or state ID card; and

WHEREAS, one organ donor can save the lives of up to eight people and improve many more lives through tissue and cornea donation; and

WHEREAS, North Carolinians are encouraged to get the facts about donation, discuss their wishes with their family and sign up as donors via the NC DMV or online at www.donatelifenc.org/register; and

WHEREAS, Residents of Cabarrus County have been touched by donation as recipients of life-saving transplants and as members of donor families who have literally given others a second chance at life; and

NOW, BE IT PROCLAIMED, that we, the members of the Cabarrus Board of County Commissioners do hereby proclaim the month of April 2022 to be

NATIONAL DONATE LIFE MONTH

In Cabarrus County and urge our residents to give serious thought to the importance of eye, organ and tissue donation and to consider joining the North Carolina Donor Registry and further, to notify their family members that they have done so.

Adopted this 15th day of March 2021.

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

(D) INFORMAL COMMENTS

Chairman Morris opened the meeting for Informal Public Comments at 6:41 p.m. He stated each speaker would be limited to three minutes.

Dan Marshall, resident of 3076 Trimble Circle in Concord, and representative of the local government branch of Capital Ministries, commented on his service in government and a brochure he provided to the Board with details of how he can serve them.

Greg Crawford, resident of 3205 Eva Drive NW in Concord, and current member of the Cabarrus County Education Foundation, commented on how mentoring programs benefit the schools. He requested the Board to approve funding for these programs from the Fiscal Recovery Funds.

Jerry Anderson, resident of 133 Kennedy Avenue in Kannapolis, commented on the Department of Human Services.

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

Bishop Roland Jordan, resident of 134 Lore Street SW in Concord, commented on laws regarding senior citizens, Veterans pensions, Barber Scotia College, and children.

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

(E) OLD BUSINESS

(E-1) Solid Waste - Ordinance Acknowledging the Renewal of the Solid Waste Collection and Disposal Franchise Agreement through December 31, 2027 - Second Reading

Kevin Grant, Environmental Management Director, stated this is the second reading for the Solid Waste Collection and Disposal Franchise agreement. Mr. Grant stated this agreement is for trash and recycling for the unincorporated residents in the County that choose to subscribe to those services. In addition, this agreement allows Cabarrus County to dispose of residential trash at the Charlotte Motor Speedway landfill for a preferred disposal fee.

UPON MOTION of Commissioner Shue, seconded by Commissioner Honeycutt and unanimously carried, the Board adopted the second reading of the ordinance acknowledging the renewal of the Solid Waste Collection and Disposal Franchise Agreement through December 31, 2027.

Ordinance No. 2022-13
Second Reading

ORDINANCE GRANTING RENEWAL OF THE EXCLUSIVE SOLID WASTE MANAGEMENT FRANCHISE TO BFI WASTE SERVICES, LLC dba REPUBLIC SERVICES OF CHARLOTTE FOR SOLID WASTE COLLECTION AND DISPOSAL

BE IT ORDAINED by the Board of Commissioners of the County of Cabarrus in accordance with N.C.G.S. 160A, Article 20, N.C.G.S. 153A-46 and 153A-136 N.C.G.S. 160A, Article 16, N.C.G.S. 130A, Article 11 of the North Carolina General Statutes and all other applicable state and local law and ordinances and upon application of BFI Waste Services, LLC dba Republic Services of Charlotte for Solid Waste Collection and Disposal Services, is hereby granted a renewal of the exclusive solid waste management franchise to operate within Cabarrus County strictly subject to the terms and conditions set forth in:

BE IT FURTHER ORDAINED that the franchise shall be effective and is granted for a period of five (5) years beginning January 1, 2023, and expiring December 31, 2027, upon final adoption after two readings.

Approved and adopted in consecutive regular meetings of the Cabarrus County Board of Commissioners on February 21, 2022, and March 21, 2022.

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

ATTEST:

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

(F) CONSENT

(F-1) Active Living and Parks - PARTF Grant Request

Following the Cabarrus County Grant Policy, this is the request for BOC approvals. The Department wishes to apply for a Park and Recreation Trust Fund Grant (PARTF) for the Mount Pleasant Park Project. The requested amount is \$500,000 and is a required match by the County. The Grant will assist in funding the athletic fields, playground, trails, and restroom building.

NOTE: The required match is in the budget.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Honeycutt and unanimously carried, the Board approved the PARTF Grant Application submittal for the Mount Pleasant Park Project.

(F-2) Appointments (Removals) - Adult Care Home Community Advisory Committee

Adult Care Home Community Advisory Committee member Toni Swick has resigned from her position on the committee. The Regional Ombudsman has requested her name be removed from the roster. Ms. Swick has served on this committee since 2015.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Honeycutt and unanimously carried, the Board removed Toni Swick from the Adult Care Home Community Advisory Committee roster and thanked her for her many years of service.

(F-3) Appointments and Removals - Public Health Authority of Cabarrus County

Mr. James Mack has resigned from his position on the Public Health Authority of Cabarrus County, effective January 31, 2022. He held a public member seat. The Public Health Authority Board met and discussed membership at their last meeting and recommends Dr. Chip Buckwell to fill that vacant seat.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Honeycutt and unanimously carried, the Board removed James Mack, Jr. from the Public Health Authority of Cabarrus County roster and thanked him for his service.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Honeycutt and unanimously carried, the Board appointed Dr. Chip Buckwell to the Public Health Authority of Cabarrus County as a Public Member representative to complete an unexpired term ending June 30, 2024.

(F-4) Cooperative Extension - 4-H Afterschool Cannon Foundation Grant

Cabarrus County 4-H Afterschool has received grant funding from the Cannon Foundation each year since 2013 to support curriculum kits for afterschool sites. A grant was awarded for January-December 2022 in the amount of \$25,000. We are seeking BOC approval. The grant will increase revenues and expenses in the Cooperative Extension budget. There is not a requirement for matching county funds.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Honeycutt and unanimously carried, the Board approved Cannon Grant funding and the necessary budget amendment.

Date: Amount:
 Dept. Head: Department:
 Internal Transfer Within Department Transfer Between Departments/Funds Supplemental Request

As part of Cooperative Extension, Cabarrus 4-H Afterschool Program was awarded a non-matching funds grant of \$25,000 from the Cannon Foundation. Money will be used to cover personnel expenses of a part time program assistant as well as program material expenses.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	5410-9104-4HCAN	Temporary Employees	6,063.26	10,000.00		16,063.26
001	9	5410-9201-4HCAN	Social Security	248.41	744.00		992.41
001	9	5410-9202-4HCAN	Medicare	202.85	174.00		376.85
001	9	5410-9230-4HCAN	Worker's Comp	263.45	15.00		278.45
001	9	5410-9610-4HCAN	Travel	304.23	300.00		604.23
001	9	5410-9356-4HCAN	Expenses	5,646.99	13,767.00		19,413.99
001	6	5410-6606-4H	Program Fees	-	25,000.00		25,000.00

(F-5) DHS - Budget Revision for Additional Funds

When the North Carolina State Legislature approved the FY22 state budget in November 2021, they allocated additional funds for Home and Community Care Block Grant (HCCBG) programs. Cabarrus County received an additional \$61,104. The HCCBG Advisory Committee met and agreed to split the additional funds between congregate nutrition (Cabarrus County's Lunch Plus program) and home delivered meals (Meals on Wheels). Each program will receive \$30,552 before the required 10 percent match. Since Meals on Wheels is not a county agency, the county will only need to match the additional amount received by Lunch Plus. The required match for that is \$3,395.

Additional funding for the Congregate Nutrition Program (Lunch Plus) has been made available through the American Rescue Plan Act (ARPA) of 2021. These funds are being distributed through the North Carolina Division of Aging and Adult Services and the Centralina Area Agency on Aging (AAA). The amount available to Cabarrus County Lunch Plus is \$100,224. The funds are to be used for services provided between October 1, 2021 and September 30, 2024. There is no county match for these funds.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Honeycutt and unanimously carried, the Board approved the revised Cabarrus County HCCBG Funding Plan and approved the budget amendment for the additional appropriations and expenditures related to the increased funding.

Date: Amount:
 Dept. Head: Department:
 Internal Transfer Within Department Transfer Between Departments/Funds Supplemental Request

Cabarrus County received additional HCCBG funds of \$61,104. Cabarrus County will receive half of the additional allocation for the Lunch Plus Program (\$30,552) and the other half will go to the Meals on Wheels Program (\$30,552). Requesting a supplemental budget amendment to increase the Food budget line by \$30,552 plus the local match. There is a required local match of \$3,395.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	5750-9335	Food	280,599.00	33,947.00		314,546.00
001	6	5750-6224	Congregate Nutrition Grant	151,715.00	30,552.00		182,267.00
001	6	5750-6901	Fund Balance Appropriated	-	3,395.00		3,395.00

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Honeycutt and unanimously carried, the Board approved the budget amendment for the ARPA funding and authorized the County Manager to execute the contract.

Date: Amount:
 Dept. Head: Department:
 Internal Transfer Within Department Transfer Between Departments/Funds Supplemental Request

The Aging Department is expected to receive ARPA Nutrition Grant funds in the amount of \$100,244.00. These funds are to assist with the expenses of Innovation services such as program design, implementation, assessment, workflow, data collection and reporting and service delivery, increasing service access to hard to reach, underserved, or high-risk populations, and/or increase capacity of the organization to conduct service to intended populations. The grant period will run through September 30, 2024. There are no required local shares.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	5760-9335-ARP	Food	-	100,244.00		100,244.00
001	6	5760-6224-ARP	Congregate Nutrition Grant	-	100,244.00		100,244.00

(F-6) DHS - Budget Revision for Adult Protective Services (APS) Essential Funds

The North Carolina Division of Aging and Adult Services (DAAS) has allocated funding through the American Rescue Plan Act (ARPA) of 2021 for the

Adult Protective Services (APS) Essential Services Fund. This funding allows county departments of social services to provide essential services for adults for whom the need for protective services has been substantiated. These funds will assist adults to age in place, eliminating unnecessary institutionalization and promote opportunities to return to a community-based setting when possible. These essential services include the provision of medical care for physical and mental health, assistance in personal hygiene, assistance with obtaining appropriate food, clothing, seeking and providing heated and ventilated shelter, providing for protection from health and safety hazards, and protection from abuse, neglect, and exploitation.

The Cabarrus County Department of Human Service's allocation for this fund is \$15,426.00. There is no county match required.

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

Date: Amount:

Dept. Head: Department:

Internal Transfer Within Department Transfer Between Departments/Funds Supplemental Request

The APS dept is receiving funds for essential services under the American Rescue Plan Act (ARPA) of 2021 in the amount of \$15,426 for individuals receiving adult protective services. These essential services needs include medical care for physical and mental health, assistance in personal hygiene, assistance with obtaining appropriate food, clothing, seeking and providing heated and ventilated shelter, providing for protection from health and safety hazards, and protection from abuse, neglect, and exploitation. The APS Essential Services Fund is available for use February 1, 2022 through December 31, 2022 and is 100% federally funded. NO county share is required.							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	5660-946101-ARP	Emergency Assistance	-	15,426.00		15,426.00
001	6	5660-6384-ARP	Cares Act Relief Payment	-	15,426.00		15,426.00

(F-7) Finance - Audit Contract for Fiscal Years Ending June 30, 2022

A request for proposal for external auditing services was conducted by the Finance Department two years ago. After reviewing the submissions, it was determined that the accounting firm Martin Starnes and Associates best suits Cabarrus County's needs. They submitted a three-year bid.

Pricing for the auditing services is \$63,860 for fiscal year ending June 30, 2022. There is an additional fee of \$3,000 since we have over five major programs for a total of \$66,860.

The Local Government Commission requires Board approval annually for the audit contract.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Honeycutt and unanimously carried, the Board approved the audit contract for June 30, 2022, and authorized the County Manager to execute the Agreement on behalf of the Board, subject to review or revision by the County Attorney.

(F-8) Finance - Cabarrus County Reimbursement Resolutions for Limited Obligation Bonds 2022B

It is requested that the County advance its own funds to pay certain original expenditures associated with the roof replacements at Concord High School, CC Griffin Middle School, Central Cabarrus High School, Weddington Hills Elementary School and Bethel Elementary School, replacement of R. Brown McAllister Elementary School, replacement of NW Cabarrus High School, Mount Pleasant Library and Senior Center, Equipment Warehouse and IT Relocation, New Radio Tower, Public Park and a supplemental resolution to increase the reimbursement resolution to \$18,000,000 for the EMS Headquarters. Approval of the attached resolutions will allow the County to pay original expenditures then reimburse itself with proceeds from the Limited Obligation Bonds debt to be incurred by the County in the spring of 2022B.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Honeycutt and unanimously carried, the Board adopted the reimbursement resolutions for the roof replacements at Concord High School, CC Griffin Middle School, Central Cabarrus High School, Weddington Hills Elementary School and Bethel Elementary School, replacement of R. Brown McAllister Elementary School, replacement of NW Cabarrus High School, Mount Pleasant Library and Senior Center, Equipment Warehouse and IT Relocation, New Radio Tower, Public Park and a supplemental resolution to increase the reimbursement resolution to \$18,000,000 for the EMS Headquarters.

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

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

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

(a) On December 21, 2020, the Board adopted a prior resolution declaring official intent to reimburse expenditures with proceeds of debt (the "Prior Resolution") for the EMS Project, as described in the Prior Resolution, a copy of which is attached hereto as Exhibit A.

(b) At the time of adoption of the Prior Resolution, the Board reasonably expected that the maximum principal amount of debt to be incurred with respect to the EMS Project would be \$16,000,000.

(c) As of the date of this supplemental resolution, the Board now reasonably expects that the maximum principal amount of debt to be incurred with respect to the EMS Project instead will be \$[18,000,000], and desires to amend the maximum principal amount of debt stated in the Prior Resolution to reflect the same.

(d) The maximum principal amount of debt to be incurred for the EMS Project that was set forth in the Prior Resolution is hereby amended to be \$[18,000,000].

(e) Except as supplemented hereby, the Prior Resolution adopted on December 21, 2020 shall remain in full force and effect.

Section 2. This resolution shall take effect immediately.

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

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

Nays: [None.]

Not Voting: [None.]

Resolution No. 2022-05

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

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

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

(a) Treasury Regulations Section 1.150-2 (the "Regulations"), promulgated by the United States Department of Treasury on June 18, 1993, prescribes certain specific procedures applicable to certain obligations issued by the County after June 30, 1993, including, without limitation, a requirement that the County timely declare its official intent to reimburse certain expenditures with the proceeds of debt to be issued thereafter by the County.

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

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

(d) As of the date hereof, the County reasonably expects that it will reimburse itself for such Original Expenditures with the proceeds of debt to be incurred by the County, and the maximum principal amount of debt to be incurred with respect to the School Project is expected to be \$[40,000,000].

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

2. This resolution shall take effect immediately.

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

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

Nays: [None.]

Not Voting: [None.]

Resolution No. 2022-06

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

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

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

(a) Treasury Regulations Section 1.150-2 (the "Regulations"), promulgated by the United States Department of Treasury on June 18, 1993, prescribes certain specific procedures applicable to certain obligations issued by the County after June 30, 1993, including, without limitation, a requirement that the County timely declare its official intent to reimburse certain expenditures with the proceeds of debt to be issued thereafter by the County.

(b) The County has advanced and/or will advance its own funds to pay certain capital costs (the "Original Expenditures") associated with financing, in whole or in part, (i) the design, acquisition, construction, installation and equipping of roof replacements at Concord High School, CC Griffin Middle School, Central Cabarrus High School, Weddington Hills Elementary School and Bethel Elementary School, including the acquisition of any necessary land, easements and rights-of-way, (ii) site development, (iii) any and all related utilities relocation and (iv) various real and/or personal property improvements related to any of the foregoing (collectively, the "School Roof Replacement Projects").

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

(d) As of the date hereof, the County reasonably expects that it will reimburse itself for such Original Expenditures with the proceeds of debt to be incurred by the County, and the maximum principal amount of debt to be incurred with respect to the School Roof Replacement Projects is expected to be \$[6,150,000].

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

2. This resolution shall take effect immediately.

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

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

Nays: [None.]

Not Voting: [None.]

Resolution No. 2022-07

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

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

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

(a) Treasury Regulations Section 1.150-2 (the "Regulations"), promulgated by the United States Department of Treasury on June 18, 1993, prescribes certain specific procedures applicable to certain obligations issued by the County after June 30, 1993, including, without limitation, a requirement that the County timely declare its official intent to reimburse certain expenditures with the proceeds of debt to be issued thereafter by the County.

(b) The County has advanced and/or will advance its own funds to pay certain capital costs (the "Original Expenditures") associated with financing, in whole or in part, (i) the design, acquisition, construction, installation and equipping of a new emergency equipment warehouse/information technology facility, including the acquisition of necessary land, easements and rights-of-way, (ii) site development, (iii) any and all related utilities relocation and (iv) various real and/or personal property improvements related to any of the foregoing (collectively, the "Equipment Warehouse Project").

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

(d) As of the date hereof, the County reasonably expects that it will reimburse itself for such Original Expenditures with the proceeds of debt to be incurred by the County, and the maximum principal amount of debt to be incurred with respect to the Equipment Warehouse Project is expected to be \$[7,325,000].

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

2. This resolution shall take effect immediately.

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

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

Nays: [None.]

Not Voting: [None.]

Resolution No. 2022-08

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

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

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

(a) Treasury Regulations Section 1.150-2 (the "Regulations"), promulgated by the United States Department of Treasury on June 18, 1993, prescribes certain specific procedures applicable to certain obligations issued by the County after June 30, 1993, including, without limitation, a requirement that the County timely declare its official intent to reimburse certain expenditures with the proceeds of debt to be issued thereafter by the County.

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

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

(d) As of the date hereof, the County reasonably expects that it will reimburse itself for such Original Expenditures with the proceeds of debt to be incurred by the County, and the maximum principal amount of debt to be incurred with respect to the High School Project is expected to be \$[4,275,000].

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

2. This resolution shall take effect immediately.

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

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

Nays: [None.]

Not Voting: [None.]

Resolution No. 2022-09

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

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

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

(a) Treasury Regulations Section 1.150-2 (the "Regulations"), promulgated by the United States Department of Treasury on June 18, 1993, prescribes certain specific procedures applicable to certain obligations issued by the County after June 30, 1993, including, without limitation, a requirement that the County timely declare its official intent to reimburse certain expenditures with the proceeds of debt to be issued thereafter by the County.

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

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

(d) As of the date hereof, the County reasonably expects that it will reimburse itself for such Original Expenditures with the proceeds of debt to be incurred by the County, and the maximum principal amount of debt to be incurred with respect to the Radio Tower Project is expected to be \$[2,290,000].

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

2. This resolution shall take effect immediately.

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

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

Nays: [None.]

Not Voting: [None.]

Resolution No. 2022-10

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

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

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

(a) Treasury Regulations Section 1.150-2 (the "Regulations"), promulgated by the United States Department of Treasury on June 18, 1993, prescribes certain specific procedures applicable to certain obligations issued by the County after June 30, 1993, including, without limitation, a requirement that the County timely declare its official intent to reimburse certain expenditures with the proceeds of debt to be issued thereafter by the County.

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

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

(d) As of the date hereof, the County reasonably expects that it will reimburse itself for such Original Expenditures with the proceeds of debt to be incurred by the County, and the maximum principal amount of debt to be incurred with respect to the Public Park Project is expected to be \$[7,525,000].

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

2. This resolution shall take effect immediately.

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

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

Nays: [None.]

Not Voting: [None.]

Resolution No. 2022-11

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

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

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

(a) Treasury Regulations Section 1.150-2 (the "Regulations"), promulgated by the United States Department of Treasury on June 18, 1993, prescribes certain specific procedures applicable to certain obligations issued by the County after June 30, 1993, including, without limitation, a requirement that the County timely declare its official intent to reimburse certain expenditures with the proceeds of debt to be issued thereafter by the County.

(b) The County has advanced and/or will advance its own funds to pay certain capital costs (the "Original Expenditures") associated with financing, in whole or in part, (i) the design, acquisition, construction, installation and equipping of a new public library and senior center, including the acquisition of necessary land, easements and rights-of-way, (ii) site development, (iii) any and all related utilities relocation and (iv) various real and/or personal property improvements related to any of the foregoing (collectively, the "Library/Senior Center Project").

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

(d) As of the date hereof, the County reasonably expects that it will reimburse itself for such Original Expenditures with the proceeds of debt to be incurred by the County, and the maximum principal amount of debt to be incurred with respect to the Library/Senior Center Project is expected to be \$[10,500,000].

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

2. This resolution shall take effect immediately.

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

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

Nays: [None.]

Not Voting: [None.]

(F-9) Finance - Cabarrus County School Mobile Unit Request

Cabarrus County 4-H Afterschool has received grant funding from the Cannon Foundation each year since 2013 to support curriculum kits for afterschool

sites. A grant was awarded for January-December 2022 in the amount of \$25,000. We are seeking BOC approval. The grant will increase revenues and expenses in the Cooperative Extension budget. There is not a requirement for matching county funds.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Honeycutt and unanimously carried, the Board approved Cannon Grant funding and the necessary budget amendment.

Date: Amount:
 Dept. Head: Department:
 Internal Transfer Within Department Transfer Between Departments/Funds Supplemental Request

As part of Cooperative Extension, Cabarrus 4-H Afterschool Program was awarded a non-matching funds grant of \$25,000 from the Cannon Foundation. Money will be used to cover personnel expenses of a part time program assistant as well as program material expenses.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	5410-9104-4HCAN	Temporary Employees	6,063.26	10,000.00		16,063.26
001	9	5410-9201-4HCAN	Social Security	248.41	744.00		992.41
001	9	5410-9202-4HCAN	Medicare	202.85	174.00		376.85
001	9	5410-9230-4HCAN	Worker's Comp	263.45	15.00		278.45
001	9	5410-9610-4HCAN	Travel	304.23	300.00		604.23
001	9	5410-9356-4HCAN	Expenses	5,646.99	13,767.00		19,413.99
001	6	5410-6606-4H	Program Fees		25,000.00		25,000.00

(F-10) Finance - Occupancy Tax Waiver

SREE Hotels are requesting a waiver for three of their hotels for \$6,259.14 for the month of November 2021. The tax was due December 20th but was not mailed until December 21, 2021. This is the hotel's first violation, and they are now in good standing.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Honeycutt and unanimously carried, the Board waived \$6,259.14 in penalties assessed to SHREE Hotel including Spring Hill, Residence Inn and Courtyard Marriott for failure to file a Occupancy Tax return and failure to pay Occupancy Taxes for November 2021 pursuant to G.S. 153A-155(e).

(F-11) Human Resources - Personnel Ordinance Changes - Compensation

Human Resources is requesting to move the "hiring range" for new and promotional job offers from the current 25th percentile of our range to the 35th percentile of the same ranges.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Honeycutt and unanimously carried, the Board approved moving hiring range to the 35th percentile.

(F-12) Infrastructure and Asset Management - Reciprocal Easement for Building Adjacent to County Parking Garage

The mixed-use building (Novi Flats) that is being constructed next to the County Parking Deck needs an additional easement from the County. A water meter easement and a generator easement have already been approved by the Board of Commissioners during the June 2021 regular meeting. A temporary easement for fencing was approved by the Board of Commissioners during the February work session. This reciprocal easement deals directly with the connector between Novi Flats and the Cabarrus County Parking Deck located on the fifth (5th) level.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Honeycutt and unanimously carried, the Board approved the reciprocal easement between Cabarrus County and Novi Flats LLC; and authorized the County Manager to execute the reciprocal easement on behalf of Cabarrus County, subject to review or revisions by the County Attorney.

(F-13) Infrastructure and Asset Management - Recommended Approval of Preferred Alternates for Sheriff's Office Firing Range Renovations

North Carolina General Statute 133-3 requires performance standards to be used when specifying products. The statute also allows preferred brands of equipment to be bid for the Cabarrus County Sheriff's Office Firing Range Renovations project provided that the performance standards were approved by the Cabarrus County Board of Commissioners. To be approved, the alternate must

either provide a cost savings or maintain/improve the functioning of a process or system affected by the brand alternate. Approval is requested for the preferred brand alternates for the equipment as indicated on the attachment.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Honeycutt and unanimously carried, the Board approved the preferred brand alternate list for equipment for the Cabarrus County Sheriff's Office Firing Range Renovations project.

CABARRUS COUNTY SHERIFF'S OFFICE FIRING RANGE PREFERRED ALTERNATES

§ 133-3. Specifications to carry competitive items; substitution of materials. All architects, engineers, designers, or draftsmen, when providing design services, or writing specifications, directly or indirectly, for materials to be used in any city, county or State work, shall specify in their plans the required performance and design characteristics of such materials. However, when it is impossible or impractical to specify the required performance and design characteristics for such materials, then the architect, engineer, designer or draftsman may use a brand name specification so long as they cite three or more examples of items of equal design or equivalent design, which would establish an acceptable range for items of equal or equivalent design. The specifications shall state clearly that the cited examples are used only to denote the quality standard of product desired and that they do not restrict bidders to a specific brand, make, manufacturer or specific name; that they are used only to set forth and convey to bidders the general style, type, character and quality of product desired; and that equivalent products will be acceptable.

Where it is impossible to specify performance and design characteristics for such materials and impossible to cite three or more items due to the fact that there are not that many items of similar or equivalent design in competition, then as many items as are available shall be cited.

On all city, county or State works, the maximum interchangeability and compatibility of cited items shall be required. The brand of product used on a city, county or State work shall not limit competitive bidding on future works. Specifications may list one or more preferred brands as an alternate to the base bid in limited circumstances.

Specifications containing a preferred brand alternate under this section must identify the performance standards that support the preference. Performance standards for the preference must be approved in advance by the owner in an open meeting. Any alternate approved by the owner shall be approved only where (i) the preferred alternate will provide cost savings, maintain or improve the functioning of any process or system affected by the preferred item or items, or both, and (ii) a justification identifying these criteria is made available in writing to the public. Substitution of materials, items, or equipment of equal or equivalent design shall be submitted to the architect or engineer for approval or disapproval; such approval or disapproval shall be made by the architect or engineer prior to the opening of bids. The purpose of this statute is to mandate and encourage free and open competition on public contracts. (1933, c. 66, s. 3; 1951, c. 1104, s. 5; 1993, c. 334, s. 7.1; 2002-107, s. 5; 2002-159, s. 64(c).)

Mobile Modular Shoot House

1. Kontek Industries.; Address: 805 McCombs Ave Kannapolis, North Carolina 28083; telephone: 704-273-5040; website: <https://www.kontekindustries.com/?hsLang=en>

Kontek is located in Kannapolis which would reduce cost of transporting materials as well as provide local support for any future maintenance or repair needs. The Cabarrus County Sheriff's Office is already familiar with the basic set up, materials, and functionality of the Kontek modular shoot house since Rowan Cabarrus Community College utilized this company in the design and set up of their facility. The Kontek platform allows for easy reconfiguration consistent with the training employed by the Sheriff's Office. Kontek materials are weatherproof, with the main components being a tough poly carbonate material, reducing prolonged wear and tear and weathering given the shoot house will be located in a covered, but open-air environment. Furthermore, through research of other manufacturers, the Sheriff's Office has been unable to locate any that offer the modularity of the Kontek system.

(F-14) Infrastructure and Asset Management - Sale of Surplus Vehicle to Davidson County Sheriff's Office

Davidson County Sheriff's Office has requested to purchase two (2) surplus vehicles from the Cabarrus County Sheriff's Office fleet. These vehicles are both 2006 BMW motorcycles (VIN #: WB10388086ZM19189 and WB10388026ZM19091 - Asset # 2318 and 2319). Currently only one of the motorcycles is operational. The Cabarrus County Sheriff's Office stated that the agreed sales price for both motorcycles would be \$7,500. Both motorcycles were originally purchased utilizing grant funds in 2006. We have been granted permission for disposition by the North Carolina Department of Transportation. Per N.C.G.S. 160A-274 Board of Commissioners approval is required prior to the sale of these surplus items.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Honeycutt and unanimously carried, the Board declared two (2) 006 BMW motorcycles (VIN #: WB10388086ZM19189 and WB10388026ZM19091 - Asset # 2318 and 2319) surplus property and authorized disposition in accordance with the County's policy and North Carolina General Statute 160A-274.

(F-15) Library - Approval of Budget Amendment

The Cabarrus County Public Library has been awarded an Adapting Technology grant through the State Library of North Carolina. The award of \$39,180 does not require a match and will be utilized to purchase new library staff computer stations that are mobile (pre-approved by ITS). The grant will be awarded via reimbursement.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Honeycutt and unanimously carried, the Board approved the budget amendment and accepted the Adapting Technology grant award.

Date: Amount:
 Dept. Head: Department:
 Internal Transfer Within Department Transfer Between Departments/Funds Supplemental Request

Cabarrus County Public Library has been awarded an Adapting Technology grant from the State Library of NC.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	8240 9342 LSTA	Minor Technology Equipment - LSTA	-	39,180.00	-	39,180.00
001	6	8240 6296	LSTA Grants	-	39,180.00	-	39,180.00

(F-16) Planning and Development - Weatherization American Rescue Plan Act Budget Amendment

Attached is a budget amendment for the first phase of funding for the Weatherization American Rescue Plan Act. The first phase is designed to provide some Heating and Air Repair and Replacement funding as well as ramp up for staffing to address the additional upcoming funding. Staff will not move forward with any additional staffing until we are provided the amount of funding for the next phase as well as the time frame in which those funds are to be expended. Staff will come back to the Board of Commissioners for approval of any additional staffing for this program.

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

Date: Amount:
 Dept. Head: Department:
 Internal Transfer Within Department Transfer Between Departments/Funds Supplemental Request

To allocate funds received for ARPA LIHEAP Weatherization Assistance Program Covid-19 related expenses, and to allocate funds for ARPA Heating and Air Repair and Replacement Program to replace 2 heating and air units.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	3250-622701-ARP	WX ARP Program Funds	-	47,957.00	-	47,957.00
001	6	3250-6258-ARP	ARP HARP Program Funds	-	14,286.00	-	14,286.00
001	9	3250-9315-ARP	ARP Health & Safety	-	500.00	-	500.00
001	9	3250-9330-ARP	ARP Tools & Minor Equipment	-	2,800.00	-	2,800.00
001	9	3250-9340-ARP	ARP Uniforms	-	1,000.00	-	1,000.00
001	9	3250-9420-ARP	Cell Phones	-	648.00	-	648.00
001	9	3250-9493-ARP	ARP Operations	-	15,040.00	-	15,040.00
001	9	3250-9610-ARP	ARP Travel & Education	-	12,969.00	-	12,969.00
001	9	3250-9622-ARP	ARP Contracted Services	-	15,000.00	-	15,000.00

001	9	3250-9101-ARPH	ARP Salaries and Wages		680.00		680.00
001	9	3250-9384-ARPH	Materials - ARP		10,000.00		10,000.00
001	9	3250-9493-ARPH	Operations - ARP		3,606.00		3,606.00

(F-17) Register of Deeds - Excise Tax

The law offices of Brent F. King errantly recorded three documents in Cabarrus County which should have been recorded in Rowan County. The documents were as follows: Deed in Book 15717 at page 201-excise tax \$310. Deed in Book 15712 at page 60-excise tax \$272. Deed of Trust in Book 15717 at page 204.

The King law firm has since filed a corrective affidavit and recorded the documents in Rowan County.

The King law firm has requested a refund of excise taxes and recording fees paid to Cabarrus County regarding these documents. North Carolina General Statutes provide for a refund of excise taxes but not recording fees. The total excise tax to be refunded is \$582.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Honeycutt and unanimously carried, the Board in compliance with North Carolina General Statute 105-228.37 authorized a refund of excise tax to the King law firm in the amount of \$582.

(F-18) Tax Administration - Refund and Release Reports - February 2022

The Release Report contains taxpayers' names, bill numbers, valuations, tax amounts, along with the justifications for releasing the valuation/tax amounts for outstanding levies in accordance with N.C.G.S. 105-381. The Refund Report is a summary sheet which lists data from each refund request form, along with the justification for the refunds to the taxpayers in accordance with N.C.G.S. 105-381.

Note: Due to the transition of motor vehicles onto the new North Carolina Vehicle Tax System (NCVTS), motor vehicle-related refunds and releases will begin to be displayed on the new report generated by NCVTS.

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Honeycutt and unanimously carried, the Board approved the February 2022 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 - Public Private Partnership for Library and Senior Center - Public Hearing 6:30 p.m.

Rodney Harris, Deputy County Manager, stated this request is allow the County to enter into a public private partnership with CK Lakepointe also known as Childress Klein to build a 40,000 square foot library adjacent to the Afton Ridge area. Mr. Harris advised this would be for a 20-year term of a lease with the intent to purchase this facility after the first two years.

Through a partnership with CK Lakepointe Corporate Center (Childress Klein), a 40,000 square foot building will be constructed and leased to the county based on the following general terms:

Location: Tax Parcel 46919188600000

Initial Term: 20 years

Rent: estimated \$59,333.33 per month, \$712,000 annually

Escalation: Increase by 10% every five years

Purchase Clause: during the initial term, upon written notice, the County can purchase the facility. The purchase price shall be equal to the total rent payable for the twelve (12) month period immediately preceding the transfer of the property divided by 0.06875 (representing a 6.875% capitalization rate)

The facility would be expected to open in late 2024 with the County completing the purchase in 2026.

Chairman Morris opened the public hearing at 6:59 p.m. The Public Hearing Notice was published on March 9, 2022 in *The Independent Tribune*. The public hearing notice was also posted on the County's website (www.cabarruscounty.us) on March 9, 2022 in accordance with Article 2, Administration, Section 2.1 (Use of Electronic Means to Provide Public Notices) of the Cabarrus County Code of Ordinances.

There was no one present to address the Board; therefore, Chairman Morris closed the public hearing.

Commissioner Honeycutt **MOVED** to authorize the County Manager to negotiate and execute a Development Contract, consistent with the provided general terms, between Cabarrus County and CK Lakepointe Corporate Center (Childress Klein); subject to review or revisions by the County Attorney and completion of the required 30-day notice period; and approval by the Local Government Commission if necessary. Vice Chairman Kiger seconded the motion.

Following a brief discussion, the **MOTION** unanimously carried.

(G-2) Finance - Debt Refunding of Limited Obligations Bonds - Public Hearing 6:30 p.m.

Wendi Heglar, Finance Director, stated per North Carolina General Statute 160A-20, a public hearing is required for the installment financing contracts to refund (refinance) our Limited Obligation Bonds. She stated this will make our first draw program permanent debt.

The Chairman announced that this was the date, place and hour fixed by the Board of Commissioners for a public hearing concerning a proposed plan of refinancing in an aggregate principal amount of up to \$130,000,000, which plan would involve the entry by the County into one or more installment financing contracts with the Cabarrus County Development Corporation (the "Corporation") or one or more other third parties pursuant to North Carolina General Statutes 160A-20, as amended, the proceeds of which would be used to refinance all or a portion of one or more installment financing contracts previously executed and delivered by the County, which prior installment financing contracts paid all or a portion of the costs of acquiring, constructing and equipping various public facilities and related improvements and costs (collectively the "Projects"), and under said one or more installment financing contracts the County would secure the repayment by the County of the moneys advanced pursuant to such one or more installment financing contracts by granting a security interest in and lien on all or some portion of the Projects and/or in all or some portion of the real property on which the Projects are located, which plan of refinancing was described in the notice of public hearing published in *The Independent Tribune* on March 9, 2022 (the "Notice").

Chairman Morris opened the public hearing at 7:01 p.m. The Public Hearing Notice was published on March 9, 2022 in *The Independent Tribune*. The public hearing notice was also posted on the County's website (www.cabarruscounty.us) on March 9, 2022 in accordance with Article 2, Administration, Section 2.1 (Use of Electronic Means to Provide Public Notices) of the Cabarrus County Code of Ordinances.

It was then announced that the Board of Commissioners would immediately hear anyone who might wish to be heard on such matter.

No one appeared, either in person or by attorney, to be heard on such matter or the advisability of the plan of refinancing and the Chairman announced that no written statement relating to said matters had been received by the Clerk or the Finance Director prior to the opening of the public hearing.

There was no one present to address the Board; therefore, Chairman Morris closed the public hearing.

No further action was required at this time.

(G-3) Finance - Installment Financing Contract 2022B Draw-Down LOBS for Various School and County Projects - Public Hearing 6:30 p.m.

Wendi Heglar, Finance Director, stated the County plans to enter into an installment financing contract of our new draw down program. Ms. Heglar advised this will fund various school and county projects. North Carolina General Statute 160A-20 requires a public hearing on the described installment financing contracts. She stated this amount is up to \$160 million.

The Chairman announced that this was the date, place and hour fixed by the Board of Commissioners for a public hearing concerning a proposed plan of financing in an aggregate principal amount of up to \$160,000,000, which plan would involve the entry by the County into (a) one or more long-term installment financing contract(s) with the Cabarrus County Development Corporation (the "Corporation") or one or more other third parties pursuant to North Carolina General Statutes §160A-20, as amended, the proceeds of which would be used to pay all or a portion of the costs of (i) the acquisition, construction, installation and equipping of one or more new buildings to be used as new court house facilities for the County, (ii) various site improvements related thereto, (iii) the acquisition, construction, installation and equipping of a new public middle school, (iv) the acquisition, construction, installation and equipping of a new public high school, (v) the acquisition, construction, installation and equipping of a new replacement public elementary school, (vi) the acquisition, construction, installation and equipping of a new emergency medical services headquarters and related facilities, (vii) the acquisition, construction, installation and equipping of a new public library and senior center, (viii) the acquisition, construction, installation and equipping of a new emergency equipment warehouse/information technology facility, (ix) the acquisition of land for a new regional public park facility, (x) the acquisition, construction, installation and equipping of multiple improvements at Frank Liske Park, (xi) the acquisition, construction, installation and equipping of a new radio tower, (xii) the acquisition, construction, installation and equipping of a new public park facility, (xiii) the construction, installation and equipping of replacement parking lots and driveways at Mt. Pleasant High School, (xiv) the construction, installation and equipping of roof replacements at various public school sites, (xv) the acquisition, construction, installation and equipping of one or more new public schools and related facilities, (xvi) the acquisition, construction, installation and equipping of one or more new public buildings and related facilities, (xvii) the acquisition of any necessary rights-of-way and easements related to each of the foregoing (i) through (xvi) and (xviii) various real and personal property improvements related to each of the foregoing (i) through (xvi) (collectively, the "Projects"), and under said one or more long-term installment financing contract(s) the County would secure the repayment by the County of the moneys advanced pursuant to such one or more long-term installment financing contract(s) by granting a security interest in and lien on all or some portion of the Projects and/or all or some portion of the real property upon which the Projects are located and/or (b) into one or more short-term installment financing contract(s), which may utilize a draw-down loan structure, with one or more third parties pursuant to North Carolina General Statutes §160A-20, as amended, the proceeds of which, and the related Limited Obligation Bonds and/or Certificates of Participation, if any, would be used to provide interim financing for all or some portion of the Projects pending execution and delivery of said one or more long-term financing contract(s) and the related Limited Obligation Bonds and/or Certificates of Participation, if any, and under said one or more short-term installment financing contract(s) the County would secure the repayment by the County of the moneys advanced pursuant to such short-term installment financing contract(s) by granting a security interest in and lien on all or some portion of the Projects and/or all or some portion of the real property upon which the Projects are located, which plan of financing and Projects were described in the notice of public hearing published in The Independent Tribune on March 9, 2022 (the "Notice").

Chairman Morris opened the public hearing at 7:02 p.m. The Public Hearing Notice was published on March 9, 2022 in *The Independent Tribune*. The public hearing notice was also posted on the County's website (www.cabarruscounty.us) on March 9, 2022 in accordance with Article 2, Administration, Section 2.1 (Use of Electronic Means to Provide Public Notices) of the Cabarrus County Code of Ordinances.

It was then announced that the Board of Commissioners would immediately hear anyone who might wish to be heard on such matter.

No one appeared, either in person or by attorney, to be heard on such matter or the advisability of the plan of financing and the Chairman announced that no written statement relating to said matters had been received by the Clerk or the Finance Director prior to the opening of the public hearing.

There was no one present to address the Board; therefore, Chairman Morris closed the public hearing.

No further action was required at this time.

(G-4) Fire Marshal - Fire Study - Fire District Boundary Modifications - Public Hearing 6:30 p.m.

Jacob Thompson, Fire Marshal, stated the fire protection study was completed in 2020 by a third-party company to make an assessment of the fire service provisions in the county and make recommendations on improvements to the overall fire service in the county. One of those recommendations was to make modifications to the existing fire district boundaries to ensure that all parcels in the unincorporated areas of the county were receiving the closest appropriate fire units to render aid in a time of need. Emergency Management and Fire Services have started the process of making these modifications for commissioner approval starting on the south end of the county due to it being the largest geographic area affected, the level of disparity between the closest unit corrections and what is currently in place, as well as the rapid annexation rate in the area. Emergency Management and Fire Services is bringing the recommended boundary modifications, in the southern portion of the county, to the Board of Commissioners for review and approval to move forward in the adoption process. Mr. Thompson reviewed a map of the proposed fire districts and responded to questions from the Board.

Chairman Morris advised the meeting was noticed as a hybrid meeting. He stated this gave an opportunity for comments to be submitted by email and phone. He stated there were two lengthy emails that were received. Both are in favor of approving the fire district boundary modifications. He asked the clerk if anyone was on the phone to present a comment. There was no one on the phone.

Chairman Morris opened the public hearing at 7:09 p.m. The public hearing notice was posted on the County's website (www.cabarruscounty.us) on February 23, 2022 in accordance with Article 2, Administration, Section 2.1 (Use of Electronic Means to Provide Public Notices) of the Cabarrus County Code of Ordinances.

Marsha Greene, resident of 11415 Pioneer Hill Road in Midland, expressed support for the proposed fire district boundary modifications.

Brendan Greene, resident of 11477 Pioneer Mill Road in Midland, expressed support for the proposed fire district boundary modifications.

Chris Shaffer, resident of 8370 Flowes Store Road in Concord, and also a Flowes Store Road firefighter and resident in the Flowes Store fire district, expressed opposition for the proposed fire district boundary modifications.

Anthony Messina, resident of 9095 Lazy Ridge Lane in Concord, and Board vice president as well as a lieutenant at the Flowes Store Fire Department, expressed opposition for the proposed fire district boundary modifications.

Peter Sabo, resident of 474 Iron House Lane in Midland, expressed support for the proposed fire district boundary modifications.

Michael Connor, resident of 1326 Piper Court in Concord, retired career fire officer in Maryland for 36 years, volunteer at the Flowes Store Road Fire Department, and secretary of the VFD board, commented on the reduction of revenue for the Flowes Store Road Volunteer Fire Department under the proposed fire district boundary modifications.

Joey Houston, resident of 8541 Flowe Farm Road in Concord, and Chief of the Flowes Store Road Volunteer Fire Department, expressed opposition for the proposed fire district boundary modifications.

Gerard McElroy, resident of 3700 Dakeita Circle in Concord, and president of the Flowes Store Road Volunteer Fire Department Board of Directors, expressed opposition for the proposed fire district boundary modifications.

Michael Neely, resident of 1310 Rolling Hills Court in Concord, expressed opposition for the proposed fire district boundary modifications.

Madelyn Williams, resident of 8491 Penton Place in Harrisburg, commented on the County population numbers the survey was based on, the impact the proposed modifications would make on the volunteer fire department's funding, favoritism between certain departments, and rumors regarding staffing issues with Harrisburg's fire station number three.

Andy Carver, resident of 11446 Cedarvale Farm Parkway in Midland, expressed support for the proposed fire district boundary modifications.

Larry Coley, resident of 12805 Hwy 601 in Midland, and Midland Fire Chief, expressed support for the proposed fire district boundary modifications. He

provided statistics for equipment and staff to provide service for citizens affected by the proposed boundary modifications.

Doug Paris, Midland Town Manager, expressed support for the proposed fire district boundary modifications. He also provided statistics and data supporting the proposed modifications.

Roland Jordan, resident of 134 Lore Street SW in Concord, expressed support for the Board to make the right decision.

Eddie William Lipka, a 17-year Cabarrus County resident, and Flowes Store Fire District resident, questioned the data used on the proposed boundary modifications. He also commented on the affect an increase in the fire tax rate would have on those living on a fixed income.

There was no one else present to address the Board; therefore, Chairman Morris closed the public hearing.

Commissioner Shue expressed support for approval of the proposed boundary modifications.

Commissioner Shue **MOVED** to consider approval to move forward with submitting the proposed changes to the North Carolina Office of the State Fire Marshall for final review. Commissioner Strang seconded the motion.

A discussion ensued. During discussion, Commissioners Strang, Kiger Morris and Honeycutt expressed support for the proposed fire district boundary modifications.

The **MOTION** unanimously carried.

(G-5) Planning and Development - Request to Consider Changing the Name of Merrivee Drive to Miller Park Drive - Public Hearing 6:30 p.m.

Susie Morris, Planning and Zoning Manager, stated this is a request to change the name of Merrivee Drive to Miller Park Drive. As discussed at the work session, there are multiple properties that are adjacent to this particular street however, the applicant is the only one whose immediate address will have to be changed. The request was noticed and the applicant submitted all of the materials that needed to be submitted. A public hearing is required.

Chairman Morris opened the public hearing at 8:05 p.m. The Public Hearing Notice was published on February 23 and March 2, 2022 in *The Independent Tribune*. The public hearing notice was also posted on the County's website (www.cabarruscounty.us) on February 23, 2022 in accordance with Article 2, Administration, Section 2.1 (Use of Electronic Means to Provide Public Notices) of the Cabarrus County Code of Ordinances.

There was no one present to address the Board; therefore, Chairman Morris closed the public hearing.

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger and unanimously carried, the Board adopted the resolution changing the street name from Merrivee Drive to Miller Park Drive.

Resolution No. 2022-12

RESOLUTION OF SUPPORT TO CHANGE THE NAME OF
MERRIVEE DRIVE TO MILLER PARK DRIVE

THAT WHEREAS, an application has been filed requesting that the name for Merrivee Drive, a privately maintained road approximately 898 feet in length and located in the Monterosa Subdivision, be changed to Miller Park Drive, and

WHEREAS, in compliance with the Resolution adopted by the Cabarrus County Board of Commissioners on March 12, 1979, a Street Renaming Petition has been provided documenting that over 51% of the affected property owners, as indicated by the maps and information provided, are in support of the proposed name change, and

WHEREAS, having held a public hearing on the matter of the proposed name change, the Cabarrus County Board of Commissioners is of the opinion that it is appropriate to change the name of Merrivee Drive to Miller Park Drive,

NOW THEREFORE BE IT RESOLVED that the existing E911 addresses of record be revised as follows:

OWNER	CURRENT ADDRESS	NEW ADDRESS
TRENA MILLER	1914 MERRIVEE DRIVE	1914 MILLER PARK DRIVE
TRENA MILLER (VACANT)	1904 MERRIVEE DRIVE	1894 MILLER PARK DRIVE
MAURICE & TRENA MILLER (VACANT)	1818 MERRIVEE DRIVE	1876 MILLER PARK DRIVE

Adopted this 21st day of March, 2022.

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

Attest:

/s/ Lauren Linker
 Clerk to the Board

(G-6) Planning and Development - Community Development Division - Blue Cross Blue Shield Grant

Kelly Sifford, Planning and Development Director, reported Cabarrus County Community Development has been awarded an additional \$14,725.86 in funding for the Blue Cross Blue Shield of North Carolina’s Healthy Homes initiative. Ms. Sifford also responded to questions from the Board.

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

Date: Amount:
 Dept. Head: Department:
 Internal Transfer Within Department Transfer Between Departments/Funds Supplemental Request

This budget amendment is increasing both revenue and expenditures to recognize additional funding awarded to Cabarrus County through the Blue Cross Blue Shield of North Carolina Healthy Homes Initiative. The funding will be used for repairs on the homes of low income families. There is no County match.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	3250-6226-BCBS	BCBS Repair Grant	10,000.00	14,725.86	-	24,725.86
001	9	3250-9493 BCBS	BCBS Operations	10,000.00	14,725.86	-	24,725.86

(G-7) Planning and Development - Community Development New Position

Kelly Sifford, Planning and Development Director, reported the Cabarrus County Homeless Taskforce approached Cabarrus County staff several months ago regarding providing a position to serve as a permanent convener of the homeless service groups in the county. The request was for someone who would coordinate efforts and collect data for reporting to the public regarding progress towards goals. Ms. Sifford stated Community Development Staff has been working on a job description for the position which was submitted to Human Resources to determine appropriate compensation for such a position.

Mike Downs, County Manager, advised this is one of the Boards’ major initiatives as well as affordable housing. Grant funding has also been provided to the municipalities and several non-profits. He advised this position will work in Planning and Development with Community Development staff.

Commissioner Honeycutt **MOVED** to approve the creation of a county staff position and the associated budget amendment. Commissioner Shue seconded the motion.

Following discussion, the **MOTION** unanimously carried.

Date: Amount:
 Dept. Head: Department:
 Internal Transfer Within Department Transfer Between Departments/Funds Supplemental Request

This budget amendment is to appropriate funds for a new position. The title of the new position is Community Development Planner and this position will serve as Homeless Task Force Coordinator. The goal is to have the position filled late April - early May this fiscal year. The budget amendment is pro-rated based on the estimated hire date. Funds are also budgeted in ITS to purchase the necessary minor technology equipment.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	3250-9101	SALARIES AND WAGES	149,346.00	7,600.00	-	156,946.00
001	9	3250-9201	SOCIAL SECURITY	8,956.00	475.00	-	9,431.00
001	9	3250-9202	MEDICARE	2,096.00	110.00	-	2,206.00

001	9	3250-9205	HEALTH INSURANCE	26,820.00	745.00	-	27,565.00
001	9	3250-9206	VISION	63.00	10.00	-	73.00
001	9	3250-9207	LIFE INSURANCE	99.00	5.00	-	104.00
001	9	3250-9210	RETIREMENT	16,952.00	920.00	-	17,872.00
001	9	3250-9230	WORKERS COMP	2,946.00	10.00	-	2,956.00
001	9	3250-9235	401 K	7,468.00	380.00	-	7,848.00
001	9	3250-9340	UNIFORMS	-	200.00	-	200.00
001	9	3250-9420	CELL PHONE	-	125.00	-	125.00
001	9	3250-9610	TRAVEL AND EDUCATION	-	250.00	-	250.00
001	9	1810-9342-DEPT	MINOR TECHNOLOGY EQUIPMENT	366,722.81	5,000.00	-	371,722.81
001	9	1910-9109	SALARY ADJUSTMENTS	4,174,481.00	-	15,830.00	4,158,651.00

(E) REPORTS

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

Commissioner Honeycutt announced the Senior Wellness EXPO had a great turnout and the kickoff for the Senior Games will be soon, look for announcements.

Vice Chairman Kiger, liaison to the Board of Education, congratulated Jay M. Robinson High School on their state championship in basketball. The Town of Harrisburg announced their new town manager, Rob Donham. Next Monday will be an official ribbon-cutting ceremony for the Harrisburg pump track that is located in Harrisburg Park. The Town of Harrisburg has released the official lineup for the 2022 July 4th celebration and the Harrisburg Multicultural Festival has been scheduled for Saturday, September 17th from 10 a.m. to 2 p.m. at Harrisburg Park.

Commissioner Strang, Town of Midland liaison, announced the Veterans Memorial at Rob Wallace Park will be open soon.

(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 - 9 Vacant Positions
- Concord Planning and Zoning Commission (ETJ) - 1 Vacant Position
- Harrisburg Fire Advisory Board (ETJ) - 1 Vacant Position
- Home and Community Care Block Grant Committee - 1 Vacant Position
- Industrial Facilities and Pollution Control Financing Authority - 1 Vacant Position
- Juvenile Crime Prevention Council - 2 Vacant Positions
- Mental Health Advisory Board - 1 Vacant Position
- Nursing Home Community Advisory Committee - 9 Vacant Positions
- Planning and Zoning Commission - 1 Vacant Position
- Region F Aging Advisory Committee - 1 Vacant Position
- Transportation Advisory Board - 6 Vacant Positions
- Youth Commission - 11 Vacant Positions

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

(H-3) Budget - Monthly Budget Amendment Report

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

(H-4) Budget - Monthly Financial Update

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

(H-5) County Manager - Monthly Building Activity Reports

The Board received the Cabarrus County Construction Standards Dodge Report for February 2022 and the Cabarrus County Commercial Building Plan Review

Summary for February 2022 for informational purposes. No action was required of the Board.

(H-6) 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-7) Economic Development Corporation - February 2022 Monthly Summary Report

The Board received the Cabarrus Economic Development Corporation (EDC) monthly report for the month of February 2022 for informational purposes. No action was required of the Board.

(I) GENERAL COMMENTS BY BOARD MEMBERS

Commissioner Honeycutt recognized Clerk to the Board Lauren Linker for her installation as Treasurer for the North Carolina Association of County Clerks.

(J) WATER AND SEWER DISTRICT OF CABARRUS COUNTY

None.

(K) CLOSED SESSION

(K-1) Closed Session - Pending Litigation, Economic Development and Acquisition of Real Property

UPON MOTION of Commissioner Shue, seconded by Commissioner Strang and unanimously carried, the Board moved to go into closed session to discuss matters related to pending litigation, economic development and acquisition of real property as authorized by NCGS 143-318.11(a)(3), (4), and (5).

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

RETURN TO OPEN SESSION

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger and unanimously carried, the Board moved to enter into a contract for purchase of property on Green Street, to offer no more than \$335,000 subject to review and revisions by the county attorney.

(L) ADJOURN

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Strang and unanimously carried, the meeting adjourned at 8:40 p.m.



Lauren Linker, Clerk to the Board

