

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 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>

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; Kyle Bilafer, Assistant County Manager; Kelly Sifford, Assistant 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.

Chairman Morris recognized Youth Commission member Makhi Nash from A. L. Brown High School in attendance.

(A) APPROVAL OR CORRECTION OF MINUTES

(A-1) Approval or Correction of Meeting Minutes

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board approved the minutes of October 3, 2022 (Work Session) and October 17, 2022 (Regular Meeting) as presented.

(B) APPROVAL OF THE AGENDA

Chairman Morris reviewed the following changes to the agenda.

Additions:

Reports

H-8 WSACC Infrastructure Update

Closed Session

K-1 Closed Session - Pending Litigation and Personnel Matters

Supplemental Information:

New Business

G-1 Economic Development Investment - RRB Beverage Operations Inc. (Project Aquamarine Component 2) - Public Hearing 6:30 p.m.

- Project Overview
- Grant Analysis

G-2 Economic Development Investment - Red Bull North America, Inc. (Project Aquamarine Component 3) - Public Hearing 6:30 p.m.

- Project Overview
- Grant Analysis

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

(C) RECOGNITIONS AND PRESENTATIONS

(C-1) Active Living and Parks - State Senior Games Medal Winners Recognition

Londa Strong, Active Living and Parks Director, thanked the Board for their support of Active Living and Parks and for the great job that staff has done.

Ian Sweeney, Active Living and Parks Project Events Manager, stated Senior Games is a year-round wellness program that serves all 100 counties through the 53 local games. He reported participants 50 years old and better are eligible to compete in various sports and arts. Events range from track and field, team sports such as softball, basketball, pickleball, the written word, dance, and

cheerleading. Participants that medaled during local competition are invited to represent their local games in Raleigh at the North Carolina Senior Game State Finals.

Megan Baumgardner, Active Living and Parks Commission Chair, reported there were 218 participants representing Cabarrus County that locally completed during the Cabarrus County Senior Games. 69 of those registered to compete in Raleigh at the State Finals and 56 participants placed. Ms. Baumgardner recognized the following Cabarrus County participants and medal winners: Kathy Berry, Myra Baumgardner, Elizabeth Bennett, Ron Bresett, Dennis Brunelle, Carnell Campbell, George Christian, Jack Craft, Ronald Flanders, Jeff Hege, Nancy Kapp, Linda Kimble, Cheryl Kreitzer, Marvin Martin, Virginia Palmer, Mallie Plowman, James Polk, Gwen Sembroski, Jennifer Skinner, Londa Strong, Denise Hickey, Jerry Owen, Colleen Rose and Barb Reynolds.

Chairman Morris congratulated everyone for their achievements.

(C-2) Cooperative Extension - National Farm City Proclamation

Tracy LeCompte, Cooperative Extension Director, along with several local producers, growers, and families, read the proclamation aloud.

Commissioner Shue **MOVED** to adopt the proclamation. Commissioner Honeycutt seconded the motion.

Chairman Morris expressed appreciation for all of the agricultural efforts.

The **MOTION** unanimously carried.

Proclamation No. 2022-27

NATIONAL FARM CITY WEEK PROCLAMATION

WHEREAS, November 16-23, 2022 is National Farm-City Week, a time set aside to recognize and honor the contributions of the country's agriculturalists and to strengthen the bond between urban and rural citizens; and

WHEREAS, the agriculture industry in North Carolina supports nearly 700,000 jobs; and

WHEREAS, more than 8 million acres of land is used for farming, North Carolina leads the nation in sweet potato, egg and poultry production, and ranks in the top three for Christmas trees, pork, trout, and turkeys; and

WHEREAS, NC State generates a \$1.6 billion annual impact from research and extension with just four key crops (blueberry, peanut, sweet potato, and tobacco) while supporting over 13,000 related jobs in 97 of the state's 100 counties; and

WHEREAS, Cabarrus County is home to more than 600 farms with over 1100 producers, 100 of which are small family owned farms; and

WHEREAS, Cabarrus County farms account for over \$57 million in our economy annually with broiler chickens, grains, and beef cattle accounting for the highest production; and

WHEREAS, 2022 marks the 67th year of the National Farm-City Partnership.

NOW, THEREFORE, the Cabarrus County Board of Commissioners, do hereby proclaim November 16-23, as National Farm-City Week in Cabarrus County and urge the people of this County to celebrate our local agriculture and become more aware of the role we all play in our food system, enjoy the harvest season, and pause to recognize the contributions of our local growers, producers and ranchers to our economy, our food supply, and our society.

Adopted this 21st day of November, 2022.

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

(C-3) Human Resources - Recognition of Sherry Allman on Her Retirement from Cabarrus County Sheriff's Office

Sheriff Van Shaw recognized Sherry Allman, Record Specialist, on her retirement after 20 years of service to Cabarrus County.

Vice Chairman Kiger presented Ms. Allman with a service award in appreciation of her service and dedication to the citizens of Cabarrus County.

Sheriff Shaw then thanked and presented a plaque of appreciation to outgoing County Commissioners Blake Kiger and Diane Honeycutt.

Chairman Morris announced Commissioners Kiger and Honeycutt were recognized at a reception held prior to this meeting, where they were presented with plaques from the County. He expressed appreciation for their service.

(D) INFORMAL COMMENTS

Chairman Morris opened the meeting for Informal Public Comments at 6:47 p.m. He stated each speaker would be limited to three minutes.

Jerry Anderson, resident of 133 Kennedy Avenue in Kannapolis commented on a Department of Social Services matter.

Jeeter Anderson, resident of 133 Kennedy Avenue in Kannapolis commented on a Department of Social Services matter.

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) Active Living and Parks - 2023 Proposed Fees and Charges and Policy

The Department updates the Fees and Charges and the Fees and Charges Policy each calendar year. Fees and Charges work better utilizing the calendar year due to the timing of activities, events, classes, camps, etc.

The Summary Sheet outlines the proposed changes by page for the Fees and Charges. The Policy only has clarifications proposed.

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger and unanimously carried, the Board adopted the proposed updates and changes to the 2023 Fees and Charges and the Fees and Charges Policy for the Active Living and Parks Department.

(F-2) Appointments and Removals - Cabarrus County Tourism Authority

Paige Grochoske has resigned from the Chamber and the Chamber has made a decision to replace her as the Seat #9 representative on the Cabarrus County Tourism Authority Board of Directors.

James Ross, General Manager of Concord Mills, is eligible to serve on the Cabarrus County Tourism Authority as an At-large (Seat #9) representative and is recommended to be appointed to complete Ms. Grochoske's unexpired term. A letter in this regard was included in the agenda.

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger and unanimously carried, the Board removed Paige Grochoske from the Cabarrus County Tourism Authority roster and thanked her for her service.

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger and unanimously carried, the Board appointed James Ross to the Cabarrus County Tourism Authority (Seat #9) to complete an unexpired term ending June 30, 2025.

(F-3) Cabarrus County Schools - Funding for Traffic Improvements

Superintendent Kopicki has requested \$75,000 to make onsite traffic improvements at Cox Mill High School. Traffic has been backing up in both directions along Cox Mill Road during the AM/PM arrival and dismissal.

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger and unanimously carried, the Board approved \$75,000 for traffic improvements at Cox Mill High School from board contingency and the necessary budget amendment.

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

Appropriate board contingency to cover traffic improvements at Cox Mill High School.

Fund	Indicator	Department/ Object/ Project	Account Name	Increase Amount	Decrease Amount
001	9	00191910-9660	Contingency		75,000.00
001	9	00197210-9849	School Site Development	75,000.00	

(F-4) DHS - SHIIP Funding Increase

The Senior Health Insurance Information Program (SHIIP) is administered in Cabarrus County through the Department of Human Services Adult and Aging Services Division. The SHIIP program receives annual grant funding through the N.C. Department of Insurance each year. The agency received notification of the award for FY23 (July 1, 2022 - June 30, 2023) earlier this month. The actual amount awarded is \$9,756.00, which is higher than the budgeted amount of \$8,357.00. There is no county match for these funds.

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger 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

Request to increase Revenue and Expenditures by \$1,399.00 for state SHIIP contract for FY23 due to the increase of grant funding authorized for Cabarrus. Total grant amount is \$9,756.00. There is NO County match.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	00165760-6270-ST8	SHIIP Grant	8,357.00	1,399.00		9,756.00
001	9	00195760-9356-ST8	Special Program Supplies	8,357.00	1,399.00		9,756.00

(F-5) Emergency Management - Homeland Security Grant Program Award and Budget Amendment

The Homeland Security Grant Program (HSGP) is a federal grant program that provides funding to local jurisdictions through North Carolina Emergency Management (NCEM). These grants are distributed on a regional basis through a Domestic Preparedness Region (DPR) established by the North Carolina State Emergency Response Commission (SERC). The DPR assists counties with planning, training, exercising and mitigation as well as management of various grant and funding opportunities. Cabarrus County is located within DPR 7. Local jurisdictions receive equipment and resources purchased through this grant program on a rotational basis.

Cabarrus County has been awarded a grant in the amount of \$65,000.00 to purchase (1) prime mover and will serve as the sponsor or host for this grant and retain the equipment purchased. A prime mover is defined as a heavy-duty vehicle that will allow the county to tow and haul substantial loads such as trailers and other equipment for the purpose of moving equipment and resources safely throughout the county and region. The prime mover will also provide for the movement of non-trailer based resources and assist with the distribution of commodities and supplies during emergency and non-emergency events. The grant is fully funded and will not require a match by Cabarrus County.

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger 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

Budget Amendment to record the Homeland Security Grant Program (HSGP)

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	2710-9395-DPR7	Terrorism Grant Expense		65,000.00		65,000.00
001	6	2710-6349-DPR7	Terrorism Grant Revenue		65,000.00		65,000.00

(F-6) Infrastructure and Asset Management - City of Concord Public Utility Easement

County staff presented a public utility easement related to the electric utilities for the Emergency Equipment Warehouse - ITS building at the work session. The City of Concord requires an easement for this utility path.

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger and unanimously carried, the Board approved the easements and authorized the chairperson to sign.

(F-7) Sheriff's Office - Acceptance of NC Legislative Outlay

As part of a legislative appropriation through the North Carolina General Assembly, the Cabarrus County Sheriff's Office has been awarded \$1,000,000.00 to combat Human Trafficking and Child Sexual Exploitation. A proposed estimate of outlay over 5 years along with a brief justification for the award was included in the agenda.

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Kiger 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

As part of a legislative appropriation through the North Carolina General Assembly, the Cabarrus County Sheriff's Office has been awarded \$1,000,000.00 to combat Human Trafficking and Child Sexual Exploitation

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	2110-9101-HTRAF	Salaries & Wages	-	570,420.00		570,420.00
001	9	2110-9201-HTRAF	Social Security	-	35,366.00		35,366.00
001	9	2110-9202-HTRAF	Medicare	-	8,271.00		8,271.00
001	9	2110-9205-HTRAF	Health Insurance	-	124,000.00		124,000.00
001	9	2110-9206-HTRAF	Vision Care	-	260.00		260.00
001	9	2110-9207-HTRAF	Life Insurance	-	353.00		353.00
001	9	2110-9210-HTRAF	Retirement	-	88,700.00		88,700.00
001	9	2110-9230-HTRAF	Workers' Compensation	-	12,093.00		12,093.00
001	9	2110-9235-HTRAF	Deferred Compensation 401k	-	28,521.00		28,521.00
001	9	2110-9340-HTRAF	Uniforms	-	10,000.00		10,000.00
001	9	2110-9420-HTRAF	Cell Phones	-	2,000.00		2,000.00
001	9	2110-9640-HTRAF	Insurance & Bonds	-	1,016.00		1,016.00
001	9	2110-9863-HTRAF	Motor Vehicles	-	70,000.00		70,000.00
001	9	2110-9610-HTRAF	Travel and Education	-	19,000.00		19,000.00
001	9	2110-9862-HTRAF	Technology	-	30,000.00		30,000.00
001	6	2110-6255-HTRAF	Dept of Public Safety	-	1,000,000.00		1,000,000.00

(F-8) Sheriff's Office - Transfer of Capital Outlay Radio Funds

The County receives Radio Tower revenues from lease agreements with communication providers. The radio tower lease revenues and associated expenditures were previously accounted for in a Capital Outlay Fund. Late in FY 2022, these funds were transferred to the General Fund. Based on the lease agreements for FY 2023, \$105,391.53 will be received in revenues. These revenues and associated expenditures were not included in the FY 2023 adopted budget. This agenda item is to budget the radio tower lease revenues and expenditures in the General Fund. Also included in this, is the re-appropriation of \$156,992.38 which is the balance remaining at the end of FY 2022 of the funds transferred from the Capital Outlay.

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

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

Budget FY 23 Radio Tower Lease Revenue of \$105,391.53 and corresponding expenditures. Also included is the reappropriation of \$156,992.38 the balance remaining at the end of FY 2022 of the funds transferred from the Capital Outlay Fund.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	2740-6614	Rental Fees	-	105,391.53		105,391.53
001	6	2740-6901	Fund Balance Appropriated	-	156,992.38		156,992.38
001	9	2740-9331	Minor Office Equipment & Furniture	-	48,383.91		48,383.91
001	9	2740-9445	Purchased Services	-	44,000.00		44,000.00
001	9	2740-9860	Equipment & Furniture	-	170,000.00		170,000.00

(F-9) Tax Administration - Refund and Release Reports - October 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 Commissioner Honeycutt, seconded by Vice Chairman Kiger and unanimously carried, the Board approved the October 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) Economic Development Investment - RRB Beverage Operations Inc. (Project Aquamarine Component 2) - Public Hearing 6:30 p.m.

A request was presented to consider revising the economic development investment awarded in 2021 to RRB Beverage Operations Inc. pursuant to North Carolina General Statute 158.7.1. The project's estimated investment has increased to \$680,000,000 from \$553,000,000 in real and personal property.

The project proposes to locate at the Grounds at Concord (2321 Concord Pkwy S, Concord, NC 28027). The project also plans to create 323 jobs with average wages above our current County average wage.

Paige Castrodale, Economic Development Corporation Executive Director and Samantha Grass, Economic Development Corporation Project Manager were present.

Cabarrus County Economic Development Grant Analysis

	2024	2025	2026	2027	2028	2029	2030
Total Assessed Value (Real)	\$150,000,000	\$350,000,000	\$380,000,000	\$380,000,000	\$380,000,000	\$380,000,000	\$380,000,000
Total Assessed Value (Personal)	\$45,000,000	\$114,000,000	\$178,750,000	\$213,500,000	\$239,500,000	\$214,250,000	\$181,000,000
\$50,000,000	\$45,000,000	\$46,500,000	\$41,500,000	\$36,500,000	\$31,000,000	\$25,000,000	\$19,000,000
\$75,000,000		\$67,500,000	\$69,750,000	\$62,250,000	\$54,750,000	\$46,500,000	\$37,500,000
\$75,000,000			\$67,500,000	\$69,750,000	\$62,250,000	\$54,750,000	\$46,500,000
\$50,000,000				\$45,000,000	\$46,500,000	\$41,500,000	\$36,500,000
\$50,000,000					\$45,000,000	\$46,500,000	\$41,500,000
County taxes at .74	\$1,443,000	\$3,433,600	\$4,134,750	\$4,391,900	\$4,584,300	\$4,397,450	\$4,151,400
Grant @ 85 %	\$1,226,550	\$2,918,560	\$3,514,538	\$3,733,115	\$3,896,655	\$3,737,833	\$3,528,690
Net Taxes to County	\$216,450	\$515,040	\$620,213	\$658,785	\$687,645	\$659,618	\$622,710
						Taxes	\$ 26,536,400
						Grant	\$ 22,555,940
						Net Taxes to County	\$ 3,980,460

Chairman Morris opened the public hearing at 6:54 p.m. The public hearing notice was posted on the County's website (www.cabarruscounty.us) on November 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.

Chairman Morris summarized the information provided.

Commissioner Shue **MOVED** to approve an economic development agreement (7 years, 85 percent) between RRB Beverage Operations Inc. and Cabarrus County, and to authorize the County Manager to execute the Agreement on behalf of the Board, subject to review or revision by the County Attorney. Commissioner Honeycutt seconded the motion.

A discussion ensued. During discussion Ms. Castrodale and Richard Koch, County Attorney, responded to questions from the Board.

Following discussion, the **MOTION** carried, with Chairman Morris, Vice Chairman Kiger, and Commissioners Honeycutt and Shue voting for, and Commissioner Strang voting against.

(G-2) Economic Development Investment - Red Bull North America, Inc. (Project Aquamarine Component 3) - Public Hearing 6:30 p.m.

A request from the Cabarrus Economic Development Corporation (EDC) was presented to consider revising the economic development investment awarded in 2021 to Red Bull North America, Inc. pursuant to North Carolina General Statute 158.7.1. The project's estimated investment has increased to \$424,000,000 from \$140,000,000 in real and personal property.

The project proposes to locate at the Grounds at Concord (2321 Concord Pkwy S, Concord, NC 28027). It also plans to create 90 jobs with average wages above our current County average wage.

Paige Castrodale, Economic Development Corporation Executive Director, and Samantha Grass, Economic Development Corporation Project Manager, were present.

Cabarrus County Economic Development Grant Analysis

	2024	2025	2026	2027	2028	2029	2030
Total Assessed Value (Real)	\$65,000,000	\$205,000,000	\$226,500,000	\$226,500,000	\$226,500,000	\$226,500,000	\$226,500,000
Total Assessed Value (Personal)	\$90,000,000	\$166,800,000	\$173,210,000	\$155,475,000	\$134,725,000	\$112,155,000	\$88,610,000
\$100,000,000.00	\$90,000,000	\$93,000,000	\$83,000,000	\$73,000,000	\$62,000,000	\$50,000,000	\$38,000,000
\$82,000,000.00		\$73,800,000	\$76,260,000	\$68,060,000	\$59,860,000	\$50,840,000	\$41,000,000
\$15,500,000.00			\$13,950,000	\$14,415,000	\$12,865,000	\$11,315,000	\$9,610,000
County taxes at .74	\$1,147,000	\$2,751,320	\$2,957,854	\$2,826,615	\$2,673,065	\$2,506,047	\$2,331,814
Grant @ 85 %	\$974,950	\$2,338,622	\$2,514,176	\$2,402,623	\$2,272,105	\$2,130,140	\$1,982,042
Net Taxes to County	\$172,050	\$412,698	\$443,678	\$423,992	\$400,960	\$375,907	\$349,772
						Taxes	\$ 17,193,715
						Grant	\$ 14,614,658
						Net Taxes to County	\$ 2,579,057

Chairman Morris summarized the information provided.

Chairman Morris opened the public hearing at 6:58 p.m. The public hearing notice was posted on the County's website (www.cabarruscounty.us) on November 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.

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Shue and carried, the Board approved an economic development agreement (7 years, 85 percent) between Red Bull North America, Inc. and Cabarrus County, and authorized the County Manager to execute the Agreement on behalf of the Board, subject to review or revision by the County Attorney, with Chairman Morris, Vice Chairman Kiger, and Commissioners Honeycutt and Shue voting for, and Commissioner Strang voting against.

(G-3) Infrastructure and Asset Management - Cabarrus County Courthouse Expansion Construction Manager at Risk Contract Extension (GMP #3)

Kyle Bilafer, Assistant County Manager, reported currently Cabarrus County has a GMP (Guaranteed Maximum Price) based contract with Messer Construction for Courthouse expansion Construction Manager at Risk services. On December 13, 2019, Messer Construction bid out the scope of work for the site enabling portion of the project. This was referred to as GMP #1 and is considered an extension to their original contract which was for preconstruction services. GMP #1.5 was executed in August 2020 and included the bid packages for the rammed aggregate piers, below grade concrete, and tower crane. In December 2020, the Board approved GMP #2 for the project which represented the remainder of the construction for the new Courthouse. Messer has now received bids for GMP #3, which is the renovations to the existing 1975 Courthouse.

Mr. Bilafer advised, at the last meeting, staff was asked to trim expenses in connection with GMP #3. He provided recommendations that included the contingency funds budgeted outside the GMP. He stated that after all items were trimmed, the total number is \$27,920,602. That number contains \$1.5 million of contingency. The owner's contingency cannot be spent without the County's approval. He advised his request at this time is to add that \$1.5 million in contingency. He explained a GMP #3 that includes the chiller redundancy project

at \$29,776,748, and the owner's contingency of \$1.5 million already in an account, and the \$1.8 million for the chiller redundancy, is also in our contingency account. Mr. Bilafer explained the impact to the actual LOBs and debt to be just over \$1.1 million.

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

Jason Harris, Messer Construction Project Executive, was in attendance via electronic means.

Steve Wise, Lyles Construction Senior Project Manager, was also present.

UPON MOTION of Chairman Morris, seconded by Commissioner Shue and unanimously carried, the Board approved the GMP-3 bid award, including the chilled water redundancy and authorized the County Manager to execute the contract extension between Cabarrus County and Messer Construction, subject to revision by the County Attorney, and approved the associated capital project ordinance and budget amendment as needed.

Date: Amount:

Dept. Head: Department:

Internal Transfer Within Department Transfer Between Departments/Funds Supplemental Request

Budget amendment to accommodate \$2,600,886 in additional funds needed to cover winning bid for GMP#3 - Renovations of Old Courthouse and \$1,856,146 to complete chiller redundancy project. \$1,100,866 of the additional funds will come from 2024 Debt Program and \$3,356,146 from Contingency.							
Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
380	6	2210-6918-2024B	Proceeds from COPS/LOBs - Court	9,484,876.00	1,100,886.00	-	10,585,762.00
380	9	2210-9821-COURT	Building and Renovations (GMP3)	26,223,391.00	1,697,211.00	-	27,920,602.00
380	9	2210-9607-COURT	Architects	9,688,076.00	903,675.00	-	10,591,751.00
380	9	2210-9821-COURT	Building and Renovations (Chiller Redundancy)	27,920,602.00	1,856,146.00	-	29,776,748.00
380	9	2210-9660-COURT	Contingency	3,821,015.00	-	3,356,146.00	464,869.00

Ordinance No. 2022-40

CABARRUS COUNTY
COUNTY CAPITAL PROJECTS
BUDGET ORDINANCE

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

Section I.

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

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

Debt Proceeds 2020 Draw Note	\$ 60,904,154
Debt Proceeds 2022 Draw Note	103,458,267
Debt Proceeds 2024 Debt Program	16,654,664
Contributions from Capital Projects Fund	27,770,234
Contribution from General Fund	40,355,281
Contribution from Capital Reserve Fund	3,657,664
Contribution from Internal Service Fund	1,065,426
Contribution from Community Investment Fund	7,893,327
State Allocation	40,700,000
TOTAL REVENUES	\$302,459,017

- C. The following appropriations are made as listed.

Courthouse Site Enabling Construction & Renovation	\$ 146,545,280
Governmental Center Skylight & Roof Replacement	2,328,494
Contribution to Capital Reserve (Reimb for Skylight)	2,085,000

Project)	
Artificial Turf Fields	4,401,748
Frank Liske Barn Replacement	7,033,845
Legal / Closing Expenses	952,508
Governmental Center Parking Deck Sealing	235,983
Emergency Equipment Warehouse/ ITS Location	15,867,999
Fiber Infrastructure Improvement	799,000
Jail Annex HVAC Replacement	193,000
Sheriff Training & Firing Range Renovations	2,200,000
Human Services HVAC	180,000
Frank Liske Park ADA Renovations	1,300,000
Frank Liske Park Playground Replacement	203,600
Camp Spencer Vending & Archery Building	536,998
West Cabarrus Library & Senior Center	2,400,000
Deferred Maintenance Projects	9,371,450
EMS Headquarters	21,007,999
Northeast Area Park	8,578,965
Northeast Area Land	3,650,151
Mental Health Facility	35,597,554
Other Improvements Unallocated	1,667,642
Enterprise Physical Security Project (ITS)	807,000
Concord Senior Center Overflow Parking Lot	700,000
Contribution to the General Fund	47,500
Frank Liske Park Softball Complex Utilities	410,000
Rob Wallace Park	1,533,504
Animal Shelter Expansion	240,000
Frank Liske Park Stormwater Project	570,803
Northeast Cabarrus Radio Tower Project	2,439,171
Milestone Building	8,150,000
Fire Services Building	370,000
Mt Pleasant Library	10,000,000
Frank Liske Park Tennis Court	280,000
Frank Liske Park Multiple Projects	5,000,000
Government Center Building Repair	450,000
Public Safety Training Center	2,073,823
Human Services Facility	2,250,000
TOTAL EXPENDITURES	\$302,459,017
GRAND TOTAL - REVENUES	\$302,459,017
GRAND TOTAL - EXPENDITURES	\$302,459,017

Section II.

- A. Special appropriations to non-profit organizations shall be distributed after the execution of an agreement which ensures that all County funds are used for statutorily permissible public purposes.
- B. The County Manager or designee is hereby authorized to transfer appropriations within or between funds, or modify revenue and expenditure projections as contained herein under the following conditions:
 1. Transfers amounts between objects of expenditure and revenues within a function without limitation.
 2. Transfer amounts up to \$500,000 between functions of the same fund.
 3. Transfer amounts between contingency funds which are set aside for a specific project for budgetary shortfalls or upon the appropriate approval of a change order.
 4. Enter and execute change orders or amendments to construction contracts in amounts less than \$90,000 when the appropriate annual budget or capital project ordinance contains sufficient appropriated but unencumbered funds.
 5. Award and execute contracts which are not required to be bid or which G.S. 143-131 allows to be let on informal bids so long as the annual budget or appropriate capital project ordinance contains sufficient appropriated but unencumbered funds for such purposes.
 6. Execute contracts with outside agencies to properly document budgeted appropriations to such agencies where G.S. 153 A-248(b), 259, 449 and any similar statutes require such contracts.

7. Reject formal bids when deemed appropriate and in the best interest of Cabarrus County pursuant to G.S. 143-129(a).

Section III.

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

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

Adopted this 21st day of November 2022.

CABARRUS COUNTY BOARD OF COMMISSIONERS

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

ATTEST:

/s/ Lauren Linker
Clerk to the Board

(H) REPORTS

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

Commissioner Strang, liaison to the Youth Commission, reported the Youth Commission is interested in holding joint summits (similar to the Board of Commissioners' joint summits) to cover a variety of subjects.

Makhi Nash, Youth Commission, expressed appreciation to Commissioner Strang for her involvement and work this year with the Youth Commission.

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

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

- Active Living and Parks Commission - 4 Positions Expiring Soon
- Adult Care Home Community Advisory Committee - 13 Vacant Positions
- Agricultural Advisory Board - 3 Positions Expiring Soon
- Concord Planning and Zoning Commission (ETJ) - 1 Vacant Position
- Harrisburg Planning and Zoning Commission (ETJ) - 1 Vacant Position
- Home and Community Care Block Grant Committee - 1 Vacant Position and 5 Positions Expiring Soon
- Nursing Home Community Advisory Committee - 9 Vacant Positions
- Planning and Zoning Commission - 2 Vacant Positions
- Region F Aging Advisory Committee - 2 Vacant Positions
- Senior Centers Advisory Council - 2 Positions Expiring Soon
- Transportation Advisory Board - 6 Vacant Positions and 1 Expired Term
- Youth Commission - 5 Vacant Positions

(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 October 2022 and the Cabarrus County Commercial Building Plan Review Summary for October 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 - October 2022 Monthly Summary Report

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

(H-8) WSACC Infrastructure Update

The Board received the WSACC Infrastructure update for informational purposes. No action was required of the Board.

(I) GENERAL COMMENTS BY BOARD MEMBERS

Vice Chairman Kiger thanked the citizens of Cabarrus County for the opportunity to serve.

Chairman Morris expressed appreciation and commended Commissioners Kiger and Honeycutt for the service.

Commissioner Honeycutt expressed appreciation for the opportunity to serve.

Commissioner Shue presented progress pictures and provided comments regarding the Water and Sewer Authority of Cabarrus County Rocky River Regional Wastewater Treatment Plant Electrical Upgrades and Phase 3 project.

Commissioner Shue thanked Vice Chairman Kiger and Commissioner Honeycutt for their work and service on the Board.

Commissioner Shue also expressed support for economic development investments and the construction of the new courthouse.

(J) WATER AND SEWER DISTRICT OF CABARRUS COUNTY

None.

(K) CLOSED SESSION

(K-1) Closed Session - Pending Litigation and Personnel Matters

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

(L) ADJOURN

UPON MOTION of Vice Chairman Kiger, seconded by Commissioner Honeycutt and unanimously carried, the meeting adjourned at 8:03 p.m.



Lauren Linker, Clerk to the Board

