

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 Tuesday, January 17, 2023.

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: Lynn W. Shue
Commissioners: Christopher A. Measmer
Barbara C. Strang
Kenneth M. Wortman

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 recognized Youth Commission member Nattellie Anderson from Early College High School in attendance.

(A) APPROVAL OR CORRECTION OF MINUTES

(A-1) Approval or Correction of Meeting Minutes

UPON MOTION of Vice Chairman Shue, seconded by Commissioner Measmer and unanimously carried, the Board approved the minutes of October 19, 2022 (Cabarrus Summit), November 3, 2022 (Joint Meeting), November 7, 2022 (Work Session), November 21, 2022 (Regular Meeting), December 5, 2022 (Organizational Meeting), December 5, 2022 (Work Session), and December 19, 2022 (Regular Meeting) as presented.

(B) APPROVAL OF THE AGENDA

Chairman Morris reviewed the following changes to the agenda.

Additions:

New Business

G-2 BOC - Discussion of the Status of Alcohol Sales in the Unincorporated Areas in Cabarrus County

Updated:

Consent Agenda

F-4 Appointments - Firemen's Relief Fund Trustees

F-9 County Manager - Resolution Authorizing Use of Opioid Settlement Funds

Removed:

Consent Agenda

Infrastructure and Asset Management - Cabarrus County Library and Active Living Center at Mt. Pleasant and Virginia Foil Park Project Update and Current Design Development Cost Estimate from Construction Manager at Risk

- Direction Provided at Work Session

Infrastructure and Asset Management - Frank Liske Park Office, Restroom, Concessions, Mini-Golf Course Renovations Capital Investment Project Update

- Direction Provided at Work Session

Closed Session

Closed Session - Pending Litigation

Supplemental Information:

G-1 Economic Development Investment - HSREI, LLC - Public Hearing 6:30 p.m.

- Project Overview
- Grant Analysis

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

(C) RECOGNITIONS AND PRESENTATIONS

(C-1) Active Living and Parks - Year of the Trail Proclamation

Byron Haigler, Active Living and Parks Assistant Director, reported the North Carolina General Assembly designated 2023 as the Year of the Trail (YOTT). He stated the purpose is to promote and celebrate the State's extensive network of trails, greenways, and park trails. In cooperation with all of the Cabarrus County Park and Recreation Departments, he advised a collaborative effort to highlight all trails, greenways, and park trails has been established. There will be one specific event in late spring that will include all departments. Additional activities and events will be scheduled throughout the year and will be on the YOTT website. Mr. Haigler then read the proclamation aloud.

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

Proclamation No. 2023-01

2023 YEAR OF THE TRAIL PROCLAMATION

WHEREAS, Cabarrus County's natural beauty is critical to its residents' quality of life, health, and economic wellbeing; and

WHEREAS, the trails that span across our community are an integral part of the recreational and transportation possibilities of our area and promote an enjoyment of scenic beauty by our residents and our visitors; and

WHEREAS, the parks, greenways, trails and natural areas in our community are welcoming to all and provide a common ground for people of all ages, abilities and backgrounds to access our rich and diverse natural, cultural, and historic resources; and

WHEREAS, Cabarrus County's natural assets and resources are integral to disaster recovery and resiliency to climate change for future generations; and

WHEREAS, Cabarrus County's nature trails vary from Frank Liske Park, Camp T.N. Spencer Park, Vietnam Veterans Park, and Rob Wallace Park to the local greenways and other municipal trails and

WHEREAS, trails offer quality-of-life benefits to all as expressions of local community character and pride, as outdoor workshops for science education, as tools for economic revitalization, as free resources for healthy recreation, as accessible alternative transportation, and as sites for social and cultural events; and

WHEREAS, all local park and recreation agencies will collaborate to celebrate one specific day in May and highlight all other activities and events for the year and

WHEREAS, the North Carolina General Assembly designated 2023 as the Year of the Trail in North Carolina to promote and celebrate the state's extensive network of trails that showcase our state's beauty, vibrancy and culture; and

WHEREAS, North Carolina is known as the "Great Trails State;"

NOW, THEREFORE, the Cabarrus Board of County Commissioners, do hereby proclaim 2023 as "THE YEAR OF THE TRAIL" in Cabarrus County, and commend its observance to all people.

Adopted this 17th day of January, 2023.

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

(C-2) Proclamation - Black History Month

Chairman Morris read the proclamation aloud.

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

Proclamation No. 2023-02

BLACK HISTORY MONTH PROCLAMATION

WHEREAS, Black History Month is the observance of a special period to recognize the achievements and contributions of African-Americans to our county, state and nation; and

WHEREAS, this observance presents the special opportunity to become more knowledgeable about black heritage, and to honor the many black leaders who have played a part in the progress of our county; and

WHEREAS, such knowledge can strengthen the insight of all our citizens regarding the issues of human rights, the great strides that have been made in the crusade to eliminate the barriers of equality for minority groups, and the continuing struggle against racial discrimination and poverty; and

WHEREAS, as a result of their determination, hard work, intelligence, and perseverance, African-Americans have achieved exceptional success in all aspects of society including business, education, politics, science, athletics and the arts; and

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Commissioners for Cabarrus County, North Carolina, do hereby recognize February 2023 as Black History Month and encourage all citizens to participate in the educational and celebratory events honoring the contributions and accomplishments of African-Americans.

ADOPTED this 17th day of January, 2023.

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

(D) INFORMAL COMMENTS

Chairman Morris read a summary of the Policy on Public Participation. He then opened the meeting for Informal Public Comments at 6:41 p.m. He stated each speaker would be limited to three minutes.

Jerry Anderson, resident of 144 Kennedy Avenue in Kannapolis, commented on a Department of Human Services matter.

Jeeter Anderson, resident of 144 Kennedy Avenue in Kannapolis, commented on a Department of Human Services matter.

Rich Wise, resident of 3403 Brickwood Circle in Midland, and Town of Midland Councilman, presented comments that included matters regarding the Water and Sewer Authority of Cabarrus County, Town of Midland Library and library locations.

Jim Quick, on behalf of Elizabeth Nervega, read a written comment regarding Midland's 2023 Fireworks and Fourth of July celebration at Rob Wallace Park.

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 - Carolina Thread Trail Resolution of Support

The Carolina Thread Trail (CTT) approached Cabarrus County about a possible NCDOT Trail Feasibility Study Grant Program. The grant, if awarded, will fund a trail feasibility study of Mallard Creek as it flows eastward out of Mecklenburg County into Cabarrus County, 1 1/2 miles to the confluence with Rocky River, then upstream along Rocky River to Highway 29.

The potential partnership would include Cabarrus County, Mecklenburg County, Town of Harrisburg, City of Concord, and Carolina Thread Trail. CTT is offering to lead the application process. Funding tops at \$120,000 and a match is not required.

The segment described includes the Cross-Charlotte Trail, Carolina Thread Trail, Hector Henry Greenway, and is a segment of the Great Trails State Masterplan.

UPON MOTION of Vice Chairman Shue, seconded by Commissioner Wortman and unanimously carried, the Board adopted the Resolution of Support for the NCDOT Trail Feasibility Study Grant.

Resolution No. 2023-01

RESOLUTION SUPPORTING THE CATAWBA LANDS CONSERVANCY'S APPLICATION FOR A FEASIBILITY STUDY GRANT

WHEREAS, Catawba Lands Conservancy is a land trust - a nonprofit, community-based conservation organization that permanently conserves and manages land for public benefit in the Southern Piedmont of North Carolina and is the lead agency for the Carolina Thread Trail; and

WHEREAS, the Thread Trail is a 15-county, two-state initiative designed to inspire and facilitate the creation and development of a regional network of trails, blueways, and conservation corridors that will link more than 2.3 million citizens; and

WHEREAS, today, over 250 miles of trail and 90 miles of blueway are open to the public as part of the Carolina Thread Trail; and

WHEREAS, Cabarrus County supports the development of the Carolina Thread Trail; and

WHEREAS, the North Carolina Department of Transportation administers the Paved Trails and Sidewalk Feasibility Study Grant Program to improve the pipeline of multimodal projects to access state and federal funding.

NOW, THEREFORE BE IT RESOLVED that the Cabarrus County Board of Commissioners expresses its support for the Catawba Lands Conservancy's application to the North Carolina Department of Transportation's Paved Trails and Sidewalk Feasibility Study Grant Program for assistance related to the Carolina Thread Trail.

ADOPTED this 17th day of January, 2023.

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

Attest:

/s/ Lauren Linker
Clerk to the Board

(F-2) Active Living and Parks - Pharr Mill Road Park

Cabarrus County developed Pharr Mill Road Park on donated land with Land and Water Conservation (LWCF) and Park and Recreation Trust Fund (PARTF) Grants. The Park is on Pharr Mill Road adjacent to Canterfield Estates. The Park opened to the public in 2007. The Town of Harrisburg approached the County in 2010 and asked for transfer of ownership to them. They wanted to annex it to their Town limits and their staff maintain the Park if transferred.

Staff checked with the grant administrator for LWCF and PARTF about the transfer. Administrator at the time indicated, it was allowable however it could reflect poorly on Cabarrus County and make it hard to receive any additional LWCF or PARTF grants in an already very competitive environment. It was then decided to lease to Harrisburg for 25 years. The County and Town agreed to the lease and it was executed in August 2010. The Grants remain in Cabarrus County's name as does the property. Harrisburg Parks and Recreation Department have staffed, maintained, programmed, and performed all other aspects of operations since August 2010 at Pharr Mill Road Park.

Harrisburg has again requested ownership of the property. The current grant administrator indicated there would not be an issue with transfer of the property assuming both the Town and County are in agreement and that the Town ensures the Park will always remain a park per LWCF requirements.

UPON MOTION of Vice Chairman Shue, seconded by Commissioner Wortman and unanimously carried, the Board moved to pursue the transfer of Pharr Mill Road Park to the Town of Harrisburg while adhering to LWCF and PARTF transfer of grant property requirements.

(F-3) Appointments - Agricultural Advisory Board

The terms for Agricultural Advisory Board members Louis Suther, Wendy Austin-Sellers and Bob Blackwelder will end January 31, 2023. All three would like to serve another term. An exception to the length of service provision of the Appointment Policy will be needed for each of them.

UPON MOTION of Vice Chairman Shue, seconded by Commissioner Wortman and unanimously carried, the Board reappointed Louis Suther, Wendy Austin-Sellers and Bob Blackwelder to the Agricultural Advisory Board for three-year terms ending January 31, 2026; including an exception to the length of service provision of the Appointment Policy for each of them.

(F-4) Appointments - Firemen's Relief Fund Trustees

The Cabarrus County Volunteer Fire Departments have submitted the following individuals for appointments/reappointments as Firemen's Relief Fund Trustees*:

<u>Volunteer</u>	<u>Department</u>
Chris Whiting	Allen
Raymond N. Blackwelder	Cold Water
Artie Craig	Flowes Store
Raheem Cruse	Georgeville
Brian Lee	Harrisburg
Darrell Page	Midland
Randall Ritchie	Mt. Mitchell
Lori Furr	Mt. Pleasant Rural
Chris Brown	North East
Jacob Williams	Odell
Marty Ritchie	Rimer

*These appointments are exempt from the County Appointment Policy. Recommendations are submitted by each of the respective volunteer fire departments.

UPON MOTION of Vice Chairman Shue, seconded by Commissioner Wortman and unanimously carried the Board appointed Chris Brown (NorthEast) to the Firemen's Relief Fund Trustees for a one-year term ending January 31, 2024.

UPON MOTION of Vice Chairman Shue, seconded by Commissioner Wortman and unanimously carried the Board reappointed Chris Whiting (Allen), Raymond N. Blackwelder (Cold Water), Artie Craig (Flowe's Store), Raheem Cruse (Georgeville), Brian Lee (Harrisburg), Darrell Page (Midland), Randall Ritchie (Mt. Mitchell), Lori Furr (Mt. Pleasant Rural), Jacob Williams (Odell), Marty Ritchie (Rimer) to the Firemen's Relief Fund Trustees for two-year terms ending January 31, 2025.

(F-5) Appointments - Youth Commission

The Cabarrus County Youth Commission is recommending Shanhe (Mary) Liu to be appointed to the Youth Commission as a representative from Northwest Cabarrus High School.

UPON MOTION of Vice Chairman Shue, seconded by Commissioner Wortman and unanimously carried the Board appointed Shanhe (Mary) Liu to the Youth Commission (Northwest Cabarrus High School) for a two-year term ending June 30, 2024.

(F-6) Appointments and Removals - Mental Health Advisory Board

Dr. Bonnie Coyle has taken a new position with Mecklenburg County and has resigned from her position as the Cabarrus Health Alliance representative on the Mental Health Advisory Board.

Erin Shoe, Cabarrus Health Alliance Director, has submitted an application to serve on the Mental Health Advisory Board and is recommended to fill Dr. Coyle's vacant position.

UPON MOTION of Vice Chairman Shue, seconded by Commissioner Wortman and unanimously carried, the Board removed Dr. Bonnie Coyle from the Mental Health Advisory Board roster and thanked her for her service.

UPON MOTION of Vice Chairman Shue, seconded by Commissioner Wortman and unanimously carried, the Board appointed Erin Shoe to the Mental Health Advisory Board as the Cabarrus Health Alliance representative to complete an unexpired term ending December 31, 2024.

(F-7) Cooperative Extension - Special Programs Budget Amendment

Due to the return of popular programs, Cooperative Extension is asking to increase both revenue and expenditure line items for special programs.

UPON MOTION of Vice Chairman Shue, seconded by Commissioner Wortman and unanimously carried, the Board adopted the 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 expenses to accommodate additional funding to be generated from the revival of the Cabarrus Extension Spring Plant & Herb Festival. Expected revenue is \$50 per vendor with 100 vendors to allow for the total income to be \$5000. The expense budget is increase accordingly.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	5410-6606	Special Program Supplies	2,000.00	3,000.00		5,000.00
001	9	5410-9356	Special Program Supplies	5,000.00	3,000.00		8,000.00

(F-8) County Manager - Behavioral Health Center Design Recommendation

The County has received \$32.5 million from the State of North Carolina to design and construct a regional behavioral health facility. On September 6, 2022, the board approved awarding the project design contract to the firm human eXperience. Over the past three months, County and human eXperience staff have analyzed two options: (1) constructing two separate facilities ("the Guilford model") with separate ownership and providers or (2) constructing a single facility with a sole owner and provider. Staff presented the final recommendation on the design approach for board approval at the work session.

UPON MOTION of Vice Chairman Shue, seconded by Commissioner Wortman and unanimously carried, the Board approved the design recommendation.

(F-9) County Manager - Resolution Authorizing Use of Opioid Settlement Funds

On November 21, 2022, the Board committed a local match of \$70,000 per year, for three years, to the Cabarrus Health Alliance to offer recovery support services through a partnership with Vital Strategies. After the three-year funding from Vital Strategies expires, the Board agreed to continue funding community-based initiatives to reduce the impact of the opioid epidemic as strategies evolve to respond to our county's needs.

Although the funding was approved, the State has since recommended adoption of a resolution each time the board appropriates settlement funds, which would be adopted with approval of this agenda item.

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

Resolution No. 2023-02

A RESOLUTION BY THE COUNTY OF CABARRUS
 TO DIRECT THE EXPENDITURE OF OPIOID SETTLEMENT FUNDS

WHEREAS Cabarrus County has joined national settlement agreements with companies engaged in the manufacturing, distribution, and dispensing of opioids, including settlements with drug distributors Cardinal, McKesson, and AmerisourceBergen, and the drug maker Johnson & Johnson and its subsidiary Janssen Pharmaceuticals;

WHEREAS the allocation, use, and reporting of funds stemming from these national settlement agreements and certain bankruptcy resolutions ("Opioid Settlement Funds") are governed by the Memorandum of Agreement Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation ("MOA");

WHEREAS Cabarrus County has received Opioid Settlement Funds pursuant to these national settlement agreements and deposited the Opioid Settlement Funds in a separate special revenue fund as required by section D of the MOA;

WHEREAS section E.6 of the MOA states:

E.6. Process for drawing from special revenue funds.

- a. Budget item or resolution required. Opioid Settlement Funds can be used for a purpose when the Governing Body includes in its budget or passes a separate resolution authorizing the expenditure of a stated amount of Opioid Settlement Funds for that purpose or those purposes during a specified period of time.
- b. Budget item or resolution details. The budget or resolution should (i) indicate that it is an authorization for expenditure of opioid settlement funds; (ii) state the specific strategy or strategies the county or municipality intends to fund pursuant to Option A or Option B, using the item letter and/or number in Exhibit A or Exhibit B to identify each funded strategy, and (iii) state the amount dedicated to each strategy for a stated period of time.

NOW, THEREFORE BE IT RESOLVED, in alignment with the NC MOA, Cabarrus County authorizes the expenditure of opioid settlement funds as follows:

1. First strategy authorized

- a. Name of strategy:
Recovery Support Services
- b. Strategy is in:
Exhibit A
- c. Item letter and/or number:
Exhibit A #3
- d. Amounted authorized:
\$210,000
- e. Term:
November 1, 2022 through October 31, 2025
- f. Description of the program, project, or activity:
Offer Peer Support to facilitate evidence-based Recovery Support Services. Our Peers have received extensive training in Wellness Recovery Action Planning (WRAP), motivational interviewing, Naloxone use, and case management. They offer referrals to MAT, lead sober living/transitional housing meetings, provide social work services, and inform and guide future programming from the lens of lived experience. They also provide employment-related support, like job search guidance, interview coaching, and resume review. Peers are based in our health department, but also provide services out in the community in sites like the jail, treatment centers, and transitional housing/sober living. By the end of the project, CHA will have served at least 1,120 unique individuals through Peer-led overdose prevention education.
- g. Provider:
Cabarrus Health Alliance (CHA)

The total dollar amount of Opioid Settlement Funds appropriated across the above named and authorized strategies is \$210,000.

Adopted this the 17th day of January 2023.

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

ATTEST:

/s/ Lauren Linker
Clerk to the Board

Ordinance No. 2023-01

CABARRUS COUNTY OPIOID SETTLEMENT SPECIAL REVENUE PROJECT ORDINANCE

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

Section 1. The special revenue project authorized is for the purpose of collecting and appropriating federal and state funds received specifically for the Cabarrus County Opioid Settlement.

Section 2. The officers of this unit are hereby directed to proceed with this project within the terms of the guidelines as set forth by the federal and state government, Generally Accepted Accounting Principles GAAP) and the budget contained herein.

Section 3. The following estimated revenues will be available for the projects:

Settlement Revenue Funds:	
Claim Settlement - Opioid Settlement	\$1,321,587
Funds	
TOTAL REVENUES	\$1,321,587

Section 4. The following appropriations are made for expenditures related to OPIOID settlement funds:

Settlement Expenditure Funds:	
Miscellaneous - Unallocated	\$1,111,587
Public Health Authority	\$ 210,000
TOTAL EXPENDITURES	\$1,321,587

Section 5. The Finance Officer is hereby directed to maintain within the Special Revenue Fund sufficient detailed accounting records.

Section 6. Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement to the General Fund should be made in an orderly and timely manner.

Section 7. The Finance Officer is directed to report, at the request of the Board, on the financial status of each project element in Section 3 and on the total revenues received or claimed.

Section 8. Copies of this special revenue project ordinance shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for direction in carrying out this project.

Section 9. At the completion of the project, all unrestricted excess funds are transferred to the General Fund and the Special Revenue Project Ordinance is closed.

Section 10. The County Manager is hereby authorized to transfer revenues and appropriation within an ordinance as contained herein under the following conditions:

- a. The Manager may transfer amounts between objects of expenditures and revenues within a function without limitation.
- b. The Manager may transfer amounts up to \$100,000 between functions of the same ordinance.
- c. The Manager may transfer amounts between contingency funds which are set aside for a specific project for budgetary shortfalls or upon the appropriate approval of a change order.
- d. The Manager may enter into and execute change orders or amendments to County construction contracts in amounts up to \$90,000 when the project ordinance contains sufficient appropriated but unencumbered funds.

Adopted this 17th day of January 2023.

CABARRUS COUNTY BOARD OF COMMISSIONERS

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

ATTEST:
/s/ Lauren Linker
Clerk to the Board

Per the County Financial and Budgetary Policies, the sum of the General Operating Fund, fund balance in excess of 15% is available to transfer and appropriate to the Community Investment Fund. A summary of the 15% Fund Balance calculation is included for review. The funds will be set aside in the Community Investment Fund for future project allocation.

UPON MOTION of Vice Chairman Shue, seconded by Commissioner Wortman and unanimously carried, the Board approved the transfer of funds to the Community Investment Fund based on the 15% County Financial and Budgetary Policies.

UPON MOTION of Vice Chairman Shue, seconded by Commissioner Wortman and unanimously carried, the Board approved the associated budget amendment.

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

Transfer to Community Investment Fund fund balance from the General Fund in excess of 15% per the County's Financial and Budgetary Policies. Transfer adjusted for ARPA funds approved in Fiscal Year 2022 for Broadband that had not been reappropriated yet.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	1960-970118	Contribution to Community Investment Fund	47,091,176	17,520,532		64,611,708
001	9	1925-94004	Broadband	50,000	1,950,000		2,000,000
001	6	1960-6901	Fund Balance Appropriated	-	19,470,532		19,470,532
100	6	0000-6902 AVAIL	Contribution from General Fund	-	17,520,532		17,520,532
100	9	0000-9830-AVAIL	Other Improvements	-	17,520,532		17,520,532

(F-11) Human Resources - Personnel Ordinance Updates: Leaves of Absence

We have several updates in the Leaves of Absence section. Due to a new internal Workers' Compensation policy, we need to make several amendments to this section of the Ordinance to ensure the two documents are in sync. Also due to recent legislative changes to the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), we would like to expand the Military Leave section to include Federal Disaster Service leave.

UPON MOTION of Vice Chairman Shue, seconded by Commissioner Wortman and unanimously carried, the Board approved changes to the Personnel Ordinance.

(F-12) Infrastructure and Asset Management - City of Concord Public Utility Easement

County staff presented a public utility easement related to the utilities under the public plaza at the Courthouse Expansion project at the work session. The City of Concord requires an easement for these utilities.

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

(F-13) Salisbury-Rowan Community Action Agency, Inc. Presentation of FY 2021-22 Application for Funding

Representatives from the Salisbury-Rowan Community Action Agency, Inc. (SRCCA) presented their FY 2021-22 Application for Funding at the work session. This agency provides services for economically disadvantaged citizens in Cabarrus and Rowan counties.

UPON MOTION of Vice Chairman Shue, seconded by Commissioner Wortman and unanimously carried, the Board acknowledged receipt of the SRCCA's FY 2021-22 Community Services Block Grant funding application.

(F-14) Soil and Water District - Request for Seed Drill Rental Fee Increase

The Cabarrus Soil and Water Conservation District Board of Supervisors discussed increasing the rental rate of the district grass drill at the December board meeting. The drill is rented on a per acre planted basis with a minimum of \$50 deposit. The District Board voted to recommend increasing the rate to \$12/ac in county and \$15/ac outside of county. This is an increase from the current rate of \$10/ac in county and \$12/ac outside of the county. The proposed increase is due to the higher cost of parts. Comparisons have been made with surrounding counties who have similar or higher rates.

UPON MOTION of Vice Chairman Shue, seconded by Commissioner Wortman and unanimously carried, the Board adopted the proposed fee increase for Cabarrus Soil and Water Conservation District's Seed Drill beginning March 1, 2023.

(F-15) Tax Administration - Refund and Release Reports - December 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 Shue, seconded by Commissioner Wortman and unanimously carried, the Board approved the December 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 - HSREI, LLC - Public Hearing 6:30 p.m.

Samantha Grass, Cabarrus Economic Development Corporation Project Manager, presented a request for an economic development investment for (Project 1984) HSREI, LLC. Ms. Grass reported the project proposes to locate at 5301 Stowe Lane, Charlotte (Concord City limits). Ms. Grass stated the new Hendrick Motorsports Manufacturing facility will support and allow for the expansion of their existing manufacturing operations performed by Hendrick Motorsports. The 14-acre site will consist of a 155,000 square foot building that would open in 2024. The key processes in this phase are fabricated metal structures, prototyping and assembly. Other operations feeding these processes include C&C machining, composites and electrical. Supporting activities include engineering, quality control, business development, purchasing, production and program management. Hendrick Motorsports has invested in specializing manufacturing programs outside of the racing industry since 2019 and continues to expand its capabilities and capacities. Hendrick Motorsports Manufacturing supports a variety of commercial and government programs. Their expert manufacturing services have provided quality employment for teammates transitioning from racing work as well as new hire workforce added to support expanding requirements. They are investing to support future growth of specialized manufacturing in Concord and Cabarrus County. They plan to create 50 new jobs with average wages above our current county average wage and retain 75 existing jobs. The projected investment is estimated to be \$14.9 million in real and personal property. The Cabarrus County grant analysis is based on the \$14.9 million projected investment. Ms. Grass requested consideration of a three-year 85 percent economic development grant.

Cabarrus County Economic Development Grant Analysis

	Year 1	Year 2	Year 3
Total Assessed Value (Real)	\$12,400,000	\$12,400,000	\$12,400,000
Total Assessed Value (Personal)	\$2,275,000	\$2,050,000	\$1,825,000
	\$2,500,000.00	\$2,275,000	\$1,825,000
County taxes at .74	\$108,595	\$106,930	\$105,265
Grant @ 85 %	\$92,306	\$90,891	\$89,475
Net Taxes to County	\$16,289	\$16,040	\$15,790
		Taxes	\$ 320,790
		Grant	\$ 272,672
		Net Taxes to County	\$ 48,119

A discussion ensued. During discussion, Ms. Grass and Marshall Carlson, Hendrick Motorsports President and Chief Operating Officer, responded to questions from the Board.

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 January 4, 2023, in accordance with Article 2, Administration, Section 2.1 (Use of

Electronic Means to Provide Public Notices) of the Cabarrus County Code of Ordinances.

Marshall Carlson, Hendrick Motorsports President and Chief Operating Officer, commented on the company's history and plans for future growth and development of business and staff.

Jim Quick, resident of 126 Spencer Avenue in Concord, commended Hendrick Motorsports for their innovation. He expressed opposition to the grant request.

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

Discussion continued.

Chairman Morris **MOVED** to approve an economic development agreement (3 years, 85 percent) between HSREI, LLC 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. Vice Chairman Shue seconded the motion.

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

(G-2) BOC - Discussion of the Status of Alcohol Sales in the Unincorporated Areas in Cabarrus County

Commissioner Wortman reported many citizens were unaware that the unincorporated areas of the County are still dry. He advised the sale of alcohol is available in the towns and cities within the county. Commissioner Wortman then read the Resolution Authorizing the Sale of Mixed Beverages in the Unincorporated Areas of Cabarrus County aloud.

Commissioner Wortman **MOVED** to approve the resolution. Vice Chairman Shue seconded the motion.

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

Following discussion, Commissioner Wortman amended his motion to approve the resolution upon review and revisions by the County Attorney. Vice Chairman Shue seconded the amended motion and the **MOTION** unanimously carried.

Resolution No. 2023-03

RESOLUTION AUTHORIZING THE SALE OF MIXED BEVERAGES TROUGHOUT CABARRUS COUNTY

WHEREAS, N. C. Gen. Stat. § 18B-603(d1) reads as follows:

In any county in which the sale of mixed beverages has been approved in elections in at least three cities that, combined, contain more than two-thirds the total county population as of the most recent federal census, the county board of commissioners may by resolution approve the sale of mixed beverages throughout the county, and the Alcoholic Beverage Commission may issue permits as if mixed beverages had been approved in a county election; and

WHEREAS, S. L. 2021-150 (HB 890) makes it so that anywhere in the State where mixed beverages are approved, on-premises sales of malt beverages and unfortified wine and off-premises sales of malt beverages and unfortified wine are also approved automatically; and

WHEREAS, Cabarrus County voters failed to approve the sale of alcoholic beverages in the unincorporated areas of Cabarrus County in an election conducted on February 21, 1949; and

WHEREAS, all municipalities within Cabarrus County have approved the sale of mixed beverages within their jurisdictions; and

WHEREAS, the 2020 decennial federal census reported the population of Cabarrus County as 225,804 and the population portions of the municipalities contained therein as follows:

- City of Concord - 105,240
- City of Kannapolis - 42,846
- Town of Harrisburg - 18,967
- Town of Midland - 4,684

Town of Mount Pleasant - 1,674
City of Locust - 541 and;

WHEREAS, the combined population of the portions of the municipalities located in Cabarrus County is 173,952, which is more than two-thirds of the total population of Cabarrus County (two-thirds being 150,536); and

WHEREAS, the Cabarrus County Board of Commissioners intends to approve the sale of mixed beverages in the unincorporated part of the County pursuant to N. C. Gen. Stat. § 18B-603(d1).

NOW, THEREFORE, BE IT RESOLVED that the Cabarrus County Board of Commissioners approves the sale of mixed beverages in the unincorporated part of Cabarrus County, to begin February 1st, 2023.

ADOPTED this 17th day of January, 2023.

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

ATTEST:

/s/ Lauren Linker
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 for Kannapolis City Schools (KCS), reported over the holidays there was flood damage at the McKnight School. They have filed for disaster relief funding to cover some of the interior damage. The school plans to re-open January 18th. Additionally, KCS has adjusted their new school calendar and the date for the new school year to begin is August 9, 2023.

Commissioner Strang, Youth Commission liaison, also announced the Youth Commission is planning their end-of-year banquet tentatively scheduled for April 24th; several Youth Commission members will be volunteering at the Spring Herb and Garden Festival on April 29th; and they are working on their teen summit which is tentatively scheduled on March 18th.

Commissioner Wortman, Town of Midland liaison, reported the Town is planning to expand their Fourth of July fireworks event; there will be discussion at the February work session in this regard.

Commissioner Wortman, Cabarrus County Schools (CCS) liaison, reported the CCS Board of Education is also tonight and provided a list of recipients of several awards for teachers and students.

Commissioner Measmer, Town of Harrisburg liaison, reported Mike Thevenin was appointed and sworn in to fill the vacancy on the council.

(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
- 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 Expired Terms
- 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 Expired Terms
- Transportation Advisory Board - 6 Vacant Positions and 1 Expired Term
- Youth Commission - 4 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 December 2022 and the Cabarrus County Commercial Building Plan Review Summary for December 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 - December 2022 Monthly Summary Report

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

(I) GENERAL COMMENTS BY BOARD MEMBERS

Commissioner Measmer commented on the county's next tax revaluation, suggesting it be postponed until the market has stabilized.

Youth Commission member Nattellie Anderson reported the Youth Commission is encouraging youth to apply for vacant positions on the commission and to become more active in the community.

Commissioner Strang announced the Youth Commission has an Instagram page where they post their schedule and community events.

(J) WATER AND SEWER DISTRICT OF CABARRUS COUNTY

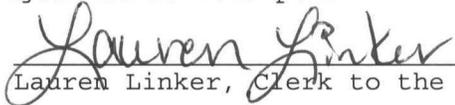
None.

(K) CLOSED SESSION

None.

(L) ADJOURN

UPON MOTION of Commissioner Measmer, seconded by Commissioner Wortman and unanimously carried, the meeting adjourned at 7:49 p.m.



Lauren Linker, Clerk to the Board