

The Board of Commissioners for the County of Cabarrus met for an Agenda Work Session in the Multipurpose Room at the Cabarrus County Governmental Center in Concord, North Carolina at 4:00 p.m. on Monday, July 10, 2023.

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

live broadcast at 4:00 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
	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.

### 1. Call to Order

Chairman Morris called the meeting to order at 4:00 p.m.

### 2. Approval of Agenda

Additions:

Discussion Items for Action

5.5 Infrastructure and Asset Management - Cabarrus County Behavioral Health Center Project Update

5.8 Juvenile Crime Prevention Council - Allocation of FY2023-24 Funding

Updated:

Discussion Items for Action

5.3 Department of Human Services - Approval of Medicaid Expansion Positions

Commissioner Wortman **MOVED** to approve the agenda including the changes on page 3 with the addition of a discussion of filing the commissioner vacancy. Commissioner Measmer seconded the motion.

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

### 3. COMMISSIONER AGENDA REQUESTS

#### **3.1 BOC - Public Comment Discussion**

Commissioner Measmer presented comments in support of the addition of public comments to the July 10th Work Session in connection with the commissioner vacancy.

Commissioner Wortman was not in favor of the addition of public comments at the work session.

Commissioner Measmer **MOVED** to add public comments to discuss the commissioner vacancy. There was not a second; Motion failed.

**UPON MOTION** of Commissioner Measmer, seconded by Commissioner Wortman and unanimously carried, the Board approved to notify the Clerk of Superior Court of the appointment of the vacant Commissioner seat.

### 4. Discussion Items - No Action

#### **4.0 County Manager - Filling of Commissioner Vacancy**

A lengthy discussion ensued among the Board regarding filing the vacancy left by Commissioner Strang.

Commissioner Wortman **MOVED** to appoint Ray Helms to the fill the commissioner vacancy. There was not a second; Motion failed.

Discussions continued.

Vice Chairman Shue **MOVED** to discontinue discussion on the topic and that any member could forward a request before noon on Wednesday (July 12, 2023) to

call a Special Meeting on Friday after 12:00 noon to continue discussion (on the matter of filling the commissioner vacancy). There was not a second; Motion failed.

**UPON MOTION** of Chairman Morris, seconded by Commissioner Wortman and unanimously carried, the Board approved to open nominations for the commissioner vacancy.

Chairman Morris opened the floor for nominations.

Ray Helms and Diane Honeycutt were nominated.

**UPON MOTION** of Commissioner Measmer, seconded by Commissioner Wortman and unanimously carried, nominations are closed.

Ray Helms received one vote; Diane Honeycutt received two votes.

Commissioner Measmer **MOVED** to send a letter to the Clerk of Court on July 11, 2023 stating the Board has reached an impasse and according to NCGS 153 A.27, the matter is being sent to him for appointment. Commissioner Wortman seconded the motion.

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

#### 4.1 County Manager - Provider Presentations for Arena & Events Center

Rodney Harris, Deputy County Manager, provided an introduction regarding the Request for Proposals (RFP) in connection with the management of the Cabarrus Arena and Event Center.

Kenny Robinson, ASM Global, General Manager, and Les Crooks, ASM Global, Regional Vice President, presented a PowerPoint presentation to include the following:

- ASM Global live experiences, venues and continents
- Partnership Success
  - Increased facility use days 75% since 2008
  - Increased revenue 325% since 2005
  - Expanded programming diversity
- Corporate Resources
  - Support for the goals of Cabarrus County
  - Dedicated support teams - corporate, regional and local
  - Access to industry experts and corporate partners
- ASM Global Acts
  - Pillar 1 - Protect the environment
  - Pillar 2 - Invest in people
  - Pillar 3 - Strengthen our communities
- ASM Global Strategic Initiatives
  - Digital signage network
    - New revenue opportunities
    - Elevate the event experience
    - Value-add for event organizers
  - Sale of Naming Rights
    - Valuation, packaging and selling
    - Minimize subsidy
    - Branding & marketing opportunities

A discussion ensued. During discussion, Mr. Robinson and Mr. Crooks responded to questions from the Board.

Mr. Harris then introduced Jim Arnold, The Sports Facilities Companies (SFC), Partner/National Director of Business Development.

Mr. Arnold presented a PowerPoint presentation covering the following topics:

- SFC Overview
- Vision and Alignment with Cabarrus County Goals
- Optimization Analysis
  - Benchmarking the facility
  - Financial benchmarking
  - Financial opportunity
  - Financial performance
  - Facility impact comparison
  - Economic impact summary

- The Plan
  - Optimize existing operation
  - Develop a full renovation and operational strategy for a shift towards youth tourism
  - Oversee renovations while keeping operation in place
  - Position the facility at the forefront of the sports tourism industry
- The Vision
  - Technology
    - Esports
    - Connected devices
    - Sports data analytics
    - Live streaming
    - Fitness tech
    - Sports betting
    - NIL
  - Guest experience
    - Family amenities
    - Experiential environments
    - Community crossover engagement
  - Main arena
  - Event center
  - Gold Hall
- Return on Investment
  - Maximizing economic impact
  - Increased local use
  - Driving revenue
- How We Achieve Success Together
  - Identity
  - Destination
  - Community
  - Results
  - Brand development and marketing strategy process overview
  - Partnership roles

A discussion ensued. During discussion, Mr. Arnold responded to questions from the Board.

Mr. Harris provided closing comments.

#### **4.2 Department of Human Services (DHS) - Transportation Disadvantaged Business Enterprise (DBE) Goal**

Bob Bushey, Transportation Manager, reported due to a change in 5307 grant procedures, Cabarrus County has been in the process of becoming a direct recipient of the Federal Transit Administration (FTA). In order to become a recipient, the County is required to establish a Disadvantaged Business Enterprise (DBE) Goal. Additionally, a public hearing will be required.

#### **4.3 Infrastructure and Asset Management -Camp T.N. Spencer Park Masterplan Discussion**

Kyle Bilafer, Assistant County Manager, appeared to the Board's direction and to move forward with a master plan for future needs of Camp T.N. Spencer Park.

Rodney Harris, Deputy County Manager, advised the Boys and Girls Club does not want to provide funding, but does support the plan and will adapt there programming according to facilities available.

A discussion ensued. During discussion, Mr. Bilafer responded to questions from the Board.

#### **4.4 Planning & Development - Plot Plan/Survey and School Planning Capacity Report Discussion**

Susie Morris, Planning and Development Director, reported currently a two-scale plot plan is required for permits. However, it has been discovered there is a disconnect in this process causing an increase in property with environmental matters/issues. Staff requested approval of the implementation of a survey in addition to the two-scale plot plan to the permit process when those conditions exist on property.

Ms. Morris advised the data for the weekly school planning capacity report has become difficult to obtain and not always current. Staff has been exploring a more effective way to capture the information. It is requested to discontinue the current report and continue to exploration of better reporting options.

Consensus from the Board was to discontinue the weekly school planning capacity report and for staff to continue exploring better reporting options.

There was discussion throughout. During discussion, Ms. Morris responded to questions from the Board.

#### **Break**

The Board took a break at 7:20 p.m. The meeting resumed at 7:30 p.m.

### **5. Discussion Items - For Action**

#### **5.1 BOC - Appointments to Boards and Committees**

Chairman Morris stated information for April appointments to boards and committees has been provided to the commissioners. He asked if anyone had any questions, comments, or concerns regarding the upcoming requests. There were none.

#### **5.2 County Manager - Easement for Duke Energy on Kannapolis Middle School Property**

Kelly Sifford, Assistant County Manager, advised Kannapolis City Schools has requested the County provide an easement to Duke Energy to install an electric charging station for an electric bus (purchased with Duke Energy funds). Maps were provided showing the general locations of the existing lines and the planned installations.

#### **5.3 Department of Human Services - Approval of Medicaid Expansion Positions**

Karen Calhoun, presented a PowerPoint presentation regarding the Medicaid Expansion from the State. The program would allow people to qualify for services who are not currently eligible. Topics included the following:

- Overview (of the program)
- Eligibility
- Other Program Considerations
- More Program Considerations
- Current Staff and Caseloads
- Medicaid Caseload Trends - 2022
- Medicaid Caseload Trends - 2023
- Medicaid Expansion Positions Request

A discussion ensued. During discussion, Ms. Calhoun responded to questions.

Heather Altman, Interim Program Administrator for Medicaid, was in attendance.

#### **5.4 Department of Human Services - Energy Programs Outreach Plan**

Lora Lipe, Economic Support Services Administrator, presented the Annual Low Income Energy Outreach Programs for 2024. The following programs are included in the outreach plan:

- Crisis Intervention Program (CIP)
- Low Income Energy Assistance Program (LIEP)
- Weatherization Program

#### **5.5 Finance - Occupancy Tax Late Penalty Waiver Requests**

Jim Howden, Finance Director, reported three hotels have requested a waiver on occupancy tax late fees and interest ("penalty") associated with late payments and late filings. Listed below are the hotels and requests:

- Sleep Inn Concord - late with their February Occupancy Tax in the amount of \$989.18
- Uptown Suites Concord - late with their March Occupancy Tax in the amount of \$991.62
- Home Towne Suites Kannapolis - late with their March Occupancy in the amount of \$523.39

A discussion ensued. During discussion, Mr. Howden responded to questions.

#### **5.6 Infrastructure and Asset Management - Cabarrus County Behavioral Health Center Project Update**

Kyle Bilafer, Assistant County Manager, presented an update regarding the Behavioral Health Center. Mr. Bilafer stated from the schematic design estimate and the preliminary building design, cost is anticipated at \$52,000,000.

Rodney Harris, Deputy County Manager, provided additional information. Mr. Harris reported the County has received \$32,500,000 from the State. Staff is waiting for approval of the State budget to see if additional funds may be available.

Mr. Bilafer requested input from the Board whether to continue moving forward with the project.

A lengthy discussion ensued. During discussion, Mr. Bilafer and Mr. Harris responded to questions from the Board.

The consensus from the Board was to continue moving forward with the project.

#### **5.7 Infrastructure and Asset Management -Vietnam Veterans Park Land Lease Amendment**

Kyle Bilafer, Assistant County Manager, advised the second amendment to the original lease with the City of Kannapolis is expiring for a portion of the land housing Vietnam Veterans Park. The third amendment will be a three (3) year extension.

#### **5.8 Juvenile Crime Prevention Council - Allocation of FY2023-24 Funding**

Jim Howden, Finance Director, presented the Juvenile Crime Prevention Council County Funding Plan for FY2023-34.

**UPON MOTION** of Commissioner Measmer, seconded by Vice Chairman Shue, and unanimously carried, to suspend the Rules of Procedure.

**UPON MOTION** of Commissioner Measmer, seconded by Commissioner Wortman, and unanimously carried, approved the JCPC FY 2023-24 County Funding Plan.

#### **5.9 Legal - Ad Hoc Amendment to Central Area Land Use Plan Interlocal Agreement for 4040 Mills Circle, Further Identified as PIN 5651-14-2940**

Susie Morris, Planning and Development Director, presented a request from Quicksilver Custom Builders, LLC for water service in Area A of the Central Area Land Use Plan Interlocal Agreement. The property is located at 4040 Mills Circle and will be developed for one single-family home.

#### **5.10 Legal - Ad Hoc Amendment to Central Area Land Use Plan Interlocal Agreement for 3868 Highway 200, Further Identified as PIN 5547-87-8632**

Susie Morris, Planning and Development Director, presented a request from Allen Montgomery for water service in Area A of the Central Area Land Use Plan Interlocal Agreement. The property is located at 3868 Highway 200 and will be developed for one single-family home.

#### **5.11 Legal - Central Area Land Use Plan Interlocal Agreement Update**

Susie Morris, Planning and Development Director, reported Cabarrus County and the City of Concord adopted an Interlocal Agreement in 2008 as part of the Central Area Land Use Plan process. The agreement expired on June 29, 2023.

Staff has been working city staff have been working together to update the terms of the agreement. Some of the updates would be to help direct growth and maintenance of infrastructure system needs. A map along with the revised agreement was provided for the Board's review and consideration.

A discussion ensued. During discussion, Ms. Morris responded to questions from the Board.

#### **5.12 Sheriff's Office - Acceptance of Governor's Highway Safety Program (GHSP) Grant Award.**

Van Shaw, Sheriff presented a request to accept the second year extension of the current Governor's Highway Safety Program (GHSP) grant funding used for expansion of the Traffic Education and Enforcement Unit. The grant amount received is \$125,874.00 and will require a county match of \$53,946.00.

Sergeant Grady Christie was in attendance.

### **5.13 Sheriff's Office - Awarding of Service Weapon to Deputy Michael Elliott Upon his Retirement.**

Sheriff Van Shaw requested the surplus and award of Deputy Michael Elliott's service weapon upon his retirement.

### **5.14 Solid Waste - Landfill - Replacement of Landfill Compactor**

Kevin Grant, Environmental Management Director, presented a request for the Board's consideration to purchase of a landfill compactor. The cost was included in the Capital Improvement Plan projects for FY2024.

A discussion ensued. During discussion, Mr. grant responded to questions from the Board.

### **5.15 Tax Administration - Tax Collector's Annual Settlement and Order Authorizing Collection of FY 2023-2024 Taxes**

David Thrift, Tax Administrator, advised the Tax Collector is required by NCGS 105-373 to give an annual settlement on current and delinquent taxes to the governing body for review and approval. The settlement report for FY2022-2023 was provided. The report contained real and personal taxes that remain unpaid for the fiscal year. The lists are recharged to the Tax Collector for collection.

Additionally, staff is in the process of identifying tax refund requests in comparison of FY2023 unpaid taxes for use of payment toward them.

## **6. Approval of Regular Meeting Agenda**

### **6.1 BOC - Approval of Regular Meeting Agenda**

The Board discussed the placement of the items on the agenda.

**UPON MOTION** of Commissioner Measmer, seconded by Commissioner Wortman, and unanimously carried, the Board approved the agenda as follows for the July 17, 2023, regular meeting as presented.

#### Recognitions and Presentations

- Recognition - Commissioner Barbara Strang

#### Consent

- Appointment and Removal - Senior Center Advisory Council
- Appointment and Removals - Juvenile Crime Prevention Council (JCPC)
- County Manager - Easement for Duke Energy on Kannapolis Middle School Property
- Department of Human Services - Approval of Medicaid Expansion Positions
- Department of Human Services - Energy Programs Outreach Plan
- Finance - Occupancy Tax Late Penalty Waiver Requests
- Infrastructure and Asset Management -Cabarrus County Behavioral Health Center Project Update
- Infrastructure and Asset Management -Vietnam Veterans Park Land Lease Amendment
- Legal - Ad Hoc Amendment to Central Area Land Use Plan Interlocal Agreement for 4040 Mills Circle, Further Identified as PIN 5651-14-2940
- Legal - Ad Hoc Amendment to Central Area Land Use Plan Interlocal Agreement for 3868 Highway 200, Further Identified as PIN 5547-87-8632
- Legal - Central Area Land Use Plan Interlocal Agreement Update County Manager - Easement for Back Creek Greenway
- Sheriff's Office - Acceptance of Governor's Highway Safety Program (GHSP) Grant Award
- Sheriff's Office - Awarding of Service Weapon to Deputy Michael Elliott Upon his Retirement.
- Solid Waste - Landfill - Replacement of Landfill Compactor
- Tax Administration - Tax Collector's Annual Settlement and Order Authorizing Collection of FY 2023-2024 Taxes
- Tax Administration - Refund and Release Reports - June 2023

#### New Business

- Department of Human Services - Transportation Disadvantaged Business Enterprise (DBE) Goal Public Hearing

#### Reports

- BOC - Receive Updates from Commission Members who Serve as Liaisons to Municipalities or on Various Boards/Committees



- BOC - Request for Applications for County Boards/Committees
- Budget - Monthly Budget Amendment Report
- Budget - Monthly Financial Update
- County Manager - Monthly Building Activity Reports
- County Manager - Monthly New Development Report
- EDC - June 2023 Monthly Summary Report

**7. Adjourn**

**UPON MOTION** of Commissioner Measmer, seconded by Commissioner Wortman, and unanimously carried, the meeting adjourned at 8:48 p.m.

  
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Lauren Linker, Clerk to the Board

