

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, September 18, 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
Timothy A. Furr

Absent - Commissioners: Kenneth M. Wortman

Also present were Mike Downs, County Manager; Richard M. Koch, County Attorney; Rodney Harris, Deputy 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.

A moment of silence was observed.

(A) APPROVAL OF THE AGENDA

Chairman Morris reviewed the following changes to the agenda.

ADDITIONS:

New Business

E-1 County Manager - Stepping Up Program Staffing Change

Closed Session

I-1 Closed Session - Confidential Information, Pending Litigation, and Personnel Matters

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

(B) RECOGNITIONS AND PRESENTATIONS

(B-1) Proclamation - HISPANIC AND LATINO HERITAGE MONTH PROCLAMATION

Chairman Morris recognized Sandra Torres El Punita and read the proclamation aloud.

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

Proclamation No. 17

PROCLAMATION

WHEREAS, Cabarrus County is proud to be home to over 27,000 community members of Hispanic or Latino descent; and

WHEREAS, Hispanic and Latino community members enrich our communities by sharing their vibrant culture and heritage; and

WHEREAS, in September 1968, Congress authorized President Lyndon B. Johnson to proclaim National Hispanic Heritage Week; and

WHEREAS, this celebration was expanded by President Ronald Reagan in 1988 to cover a 30-day period starting on September 15 and ending on October 15; and

WHEREAS, the United States Congress and the White House call for all Americans to observe this month appropriately; and

WHEREAS, Cabarrus County will join with the rest of the country in recognizing the National Hispanic and Latino Heritage Month by commemorating essential contributions, sacrifices, and accomplishments that Hispanic and Latino people have made to the United States throughout history;

NOW, THEREFORE, BE IT PROCLAIMED, the Cabarrus County Board of Commissioners do

hereby recognize September 15 - October 15, 2023, as

ADOPTED this 18th day of September, 2023.

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

Attest:

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

(C) INFORMAL COMMENTS

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

Ray Helms, resident of 9607 Robinson Church Road in Harrisburg, commented on the strategic plan of Cabarrus County and discussed the maintenance of Rob Wallace Park.

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.

Roland Jordan, resident of 134 Lore Street in Concord, commented on community and personal matters.

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

(D) CONSENT

(D-1) Appointments and Removals - Juvenile Crime Prevention Council

Terms for the following JCPC members end September 30, 2023: Adrian Attaway, Steven Ayers, Sonja Bohannon-Thacker, and Marta Meares. At JCPC's August 16 meeting, Council voted unanimously to recommend all four members be reappointed to another two-year term.

Additionally, Council voted unanimously to accept the resignation of Finance Director James Howden. His member term expires September 30, 2023. Subsequently, Dr. Aalece Pugh-Lily submitted an application for Appointment to fill the seat vacated by Mr. Howden as the County Manager's Designee. Council voted unanimously to recommend Dr. Pugh-Lilly's appointment.

UPON MOTION of Commissioner Measmer, seconded by Commissioner Furr, and unanimously carried, the Board approved the appointment of Dr. Aalece Pugh-Lilly, reappointments of Adrian Attaway, Steven Ayers, Sonja Bohannon-Thacker, and Marta Meares, and the resignation of Mr. Jim Howden.

(D-2) Appointments - Nursing Home Community Advisory Committee

Sandi Lane's term on the Nursing Home Community Advisory Committee will end September 30, 2023. Ms. Lane would like to serve another term. She is recommended for reappointment by the Regional Ombudsman for a three-year term ending September 30, 2026. An exception to the length of service provision of the appointment policy will be needed.

UPON MOTION of Commissioner Measmer, seconded by Commissioner Furr, and unanimously carried, the Board reappointed Ms. Sandi Lane to the Nursing Home Community Advisory Committee for a three-year term ending September 30, 2026; including an exception to the length of service provision of the Appointment Policy.

(D-3) Appointments - Youth Commission

The Youth Commission recommendations for the 2023-2024, two-year terms are as follows:

- Hadi Abdul - Northwest Cabarrus High School

- Adit Kamdar - Concord High School (Reappointed)
- Matthew Torres - Cox Mill High School
- Makhi Nash - A.L Brown (Reappointed)
- Anna Lin - Hickory Ridge High School
- Kavya Saxena - Hickory Ridge High School

UPON MOTION of Commissioner Measmer, seconded by Commissioner Furr, and unanimously carried, the Board approved the recommended Youth Commission applicants.

(D-4) Active Living and Parks -Senior Center American Rescue Plan Act Award

Active Living and Parks was awarded \$9,504 in ARPA funding for both Concord and Mt. Pleasant Senior Centers. The funding will operate as a reimbursement that requires no match and it will provide free programming to participants, supplies, marketing, outreach, and equipment. A budget amendment was requested to increase revenue and expenses in the account to receive funds.

UPON MOTION of Commissioner Measmer, seconded by Commissioner Furr, and unanimously carried, the Board approved the budget amendment for the ARPA funding for the Concord and Mt. Pleasant Senior Centers in the amount of \$19,008.

(D-5) Budget - Carry Forward of Outstanding FY23 Purchase Orders and Contract to FY24

At the end of each fiscal year, the Procurement Department reviews outstanding encumbrances for purchase orders and contracts. After review of justifications from departments to carry forward prior year purchase orders and contracts, the Procurement Department determined Purchase Orders of \$4,276,006.83 and Contracts of \$4,646,267.73 for annually budgeted funds. A detailed list was provided for review. A budget amendment was requested to appropriate the fund balance to balance the budget for the purchase of orders and contracts carried forward.

UPON MOTION of Commissioner Measmer, seconded by Commissioner Furr, and unanimously carried, the Board approved the list of fiscal year 2023 outstanding purchase orders and contracts carried forward to fiscal year 2024 and approved the associated budget amendment to appropriate fund balance.

(D-6) Finance - Ambulance Receivable Write Off

Cabarrus County's year-end procedure includes adjusting the Accounts Receivable- Ambulance balance to include the outstanding balances for the closing year plus the three preceding fiscal years while writing off the unpaid balance in the 4th year, which is Fiscal Year 2019. Historical analyses indicate amounts are no longer collectible in the fourth year following billing. This year, we are requesting the write-off of \$1,823,817.28, however, writing off the balance does not prevent the collection of these outstanding balances. It simply allows the Finance Department to adjust the Accounts Receivable-Ambulance balance to accurately reflect the balance which is considered collectible.

The County's third-party billing company, EMS Management & Consultants, is responsible for ensuring all claims are filed timely with insurance companies. In addition, the County's Emergency Medical Services staff are diligent in attempting to collect past due balances by a collection agency, garnishments, and the State's Debt Setoff program.

UPON MOTION of Commissioner Measmer, seconded by Commissioner Furr, and unanimously carried, the Board approved the Finance Department to write off the outstanding ambulance receivable balance from Fiscal year 2019.

(D-7) Finance - Budget Amendment for SUN Program Grant

This budget amendment is to budget revenues and expenditures for a Federal Substance Abuse Prevention Treatment (SAPT) Block Grant for \$1,000,000. The grant funds will be used for Substance Use Network (SUN) projects to support families impacted by substance abuse disorders. The annual grant funds were allocated for Fiscal Year 2023 with a possible extension through Fiscal Year 2024. The grant was approved by the Board of Commissioners in March 2023. The grant was not budgeted in Fiscal Year 2024 annual budget because an extension was not approved by June 30, 2023. The extension was approved July 2023, Fiscal Year 2024. A County match is not required.

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

(D-8) Finance - Lottery Proceeds

Lottery proceeds in the amount of \$2,300,000 were included in the Fiscal Year 2024 Community Investment Fund budget to pay a portion of debt services related to public school debt. An additional \$432,161 is being requested from the Repairs and Renovations portion of the lottery funds to be used for the replacement of the HVAC system in the Education Center as part of the 29 approved deferred maintenance projects in FY 2024 Cabarrus County Schools Capital Project budget. A budget amendment, the Lottery Capital Project Fund Ordinance and the corresponding school applications were provided.

UPON MOTION of Commissioner Measmer, seconded by Commissioner Furr, and unanimously carried, the Board approved the budget amendment and authorize the Chairman to execute the three Public School Building Capital Fund applications to release funds from the North Carolina Education Lottery Fund, after review and revision by the county attorney.

(D-9) Planning Department - Community Development Budget Amendment

Grant allotment amounts for Community Development Programs are typically not available in February when the initial budget is submitted. Therefore, the Community Development budget that is entered is an estimate based on funding from the previous year. Funding for July 1, 2023 - June 30, 2024, has been released by the State. The current budgets for the Housing and Home Improvement (HHI) Program, the North Carolina Department of Environmental Quality Department of Energy Weatherization Assistance Program (NCDEQ WAP), the North Carolina Department of Environmental Quality Low Income Home Energy Assistance Program (NCDEQ LIHEAP) and the North Carolina Department of Environmental Quality Low Income Home Heating and Air Repair & Replacement Program (NCDEQ HARRP) budgets need to be amended to reflect funding received.

UPON MOTION of Commissioner Measmer, seconded by Commissioner Furr, and unanimously carried, the Board approved to accept the grant award, adopt the associated budget amendment, and allow staff to execute the program contracts for July 2023 - June 2024.

(D-10) Safety and Risk - Property and Liability Funds

A budget amendment was requested to appropriate funds from the Property and Liability Internal Service Fund to replace a vehicle, asset number 8430, that was totaled.

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

(D-11) Soil and Water - Grant Application to North Carolina Agricultural Development and farmland Preservation Trust Fund

As approved in the August 1, 2023 meeting, the Soil and Water Conservation District Board requested to apply for state and federal Farmland Preservation Grants to purchase development rights for permanent agricultural conservation easements on three parcels of farmland.

Farmland Preservation supports goals of both the Board of Commissioners, and the Soil and Water Conservation District Board by improving the quality of life for county citizens. Permanently protecting farmland ensures the land base necessary for the county's agricultural economy while simultaneously keeping the tax burden low by maximizing the amount of land acreage where the cost of county services are lowest. The Soil and Water Conservation District Board has previously applied for and received grant funding to preserve a total of 508 acres of farmland.

Any contracts or cooperative agreements associated with successful grant applications will be submitted to the county for approval of budget amendment(s).

UPON MOTION of Commissioner Measmer, seconded by Commissioner Furr, and unanimously carried, the Board approved to authorize Soil & Water Conservation District staff to submit applications to the North Carolina Agricultural Development, Farmland Preservation Trust Fund and federal USDA agricultural land easement programs.

(D-12) Strategy - 2023 Cabarrus County Government Strategic Planning Process

In January, Commissioners approved working with Centralina Regional Council (Centralina) to develop a board-guided strategic plan that establishes a desired future for our organization that aligns with identified trends and needs.

Commissioners began providing feedback in early February and the official plan kickoff took place at the FY24 Budget Retreat. The discussion continued at the March Work Session with Board feedback on the staff-recommended vision and mission themes. From there, staff managed several rounds of stakeholder input on strategies, barriers, resources, measures, and values.

UPON MOTION of Commissioner Measmer, seconded by Commissioner Furr, and unanimously carried, the Board approved to adopt the presented strategic plan as the framework for County efforts to empower people, act intentionally and decisively, and focus on the future, covering the years FY25 through FY29.

(D-13) Tax Administration - 2013 Write-Off, Real and Personal Outstanding Taxes

The Tax Collector uses every effort to collect all outstanding taxes. However, NCGS 105-378 expresses a ten-year statute of limitations preventing the Tax Collector from using remedies to collect taxes remaining unpaid prior to tax year 2014. "Use of Remedies Barred" states that no county or municipality may maintain an action or procedure to enforce any remedy provided by law for the collection of taxes or the enforcement of any tax liens unless the action or procedure is instituted within 10 years from the date the taxes became due.

UPON MOTION of Commissioner Measmer, seconded by Commissioner Furr, and unanimously carried, the Board approved the write-off of real and personal outstanding taxes for 2013 totaling \$110,410.18.

(D-12) Tax Administration - Refund and Release Reports - August 2023

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 Measmer, seconded by Commissioner Furr, and unanimously carried, the Board approved the Motion to approve the August 2023 Refund and Release Reports as submitted, including the NCVTS Refund Report, and grant authority to the Tax Collector to process the refunds and releases.

(E) NEW BUSINESS

(E-1) County Manager - Stepping Up Program Staffing Change

Mr. Rodney Harris, Deputy County Manager, discussed the Stepping Up Program Staffing Changes. The detention center behavioral health services provided through the Stepping Up program and administered by the Cabarrus Health Alliance has been extremely successful. Due to anticipated changes the Sheriff's Office and Cabarrus Health Alliance would like to convert a part-time position to a second full-time clinician. If approved by the Board, the current year expense can be absorbed, with any additional funding needed being added to the FY25 budget.

Vice Chairman Shue, **MOVED** to approve additional staffing for the Stepping Up Program provided by the Cabarrus Health Alliance. Commissioner Measmer seconded the motion.

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

(E-2) DHS - FY25 5311 Community Transportation Grant - Public Hearing 6:30 p.m.

Chairman Morris opened the public hearing at 6:59 p.m. The Public Hearing Notice was published on September 8, 2023 in *The Independent Tribune* in English and Spanish. The public hearing notice was also posted on the County's website (www.cabarruscounty.us) on September 6, 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.

Bob Bushey, Transportation Manager, reported this request and public hearing is for the annual North Carolina 5311 Community Transportation Grant, which provides funding for county transportation administrative costs such as salaries, insurance, equipment, and supplies. This grant requires a 15 percent county match.

UPON MOTION of Commissioner Furr, seconded by Vice President Shue and unanimously carried, the Board accepted the FY25 5311 Community Transportation Grant and adopted the resolution.

(E-3) Tax Administration - Schedule of Values - Public Hearing 6:30 p.m.

Mr. David Thrift, Tax Administrator, provided information regarding the Schedule of Values.

A lengthy discussion ensued.

Chairman Morris opened the public hearing at 7:17 p.m. The Public Hearing Notice was published on September 6, 2023 in *The Independent Tribune* in English and Spanish. The public hearing notice was also posted on the County's website (www.cabarruscounty.us) on September 6, 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.

Mr. Ray Helms, resident of 9607 Robinson Church Road in Harrisburg, thanked the Board for the explanations and suggested that the programs offered to assist residents of Cabarrus County pay their taxes, be mentioned in the tax bill.

Mr. Josh Norris, resident of 4353 Shiloh Church Road in Davidson, spoke about tax revenue and tax increases.

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

Commissioner Measmer offered clarification of revenue neutral tax rates.

(F) REPORTS

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

The allotted time during regular meetings to receive updates from commission members that serve as liaisons to local municipalities or that serve on various boards/committees, if needed. This opportunity allows the board members to learn more about what is going on with the boards each commissioner is individually involved with.

Commissioner Measmer spoke about the Town of Harrisburg's 50th year of incorporation event and encouraged the public to visit the Town of Harrisburg's website to see the schedule of events.

Commissioner Furr discussed the Youth Commission and was impressed with the number of children involved and approximately 90% of them wanted to sign up for leadership positions.

Chairman Morris spoke on behalf of Commissioner Wortman about the Active Living and Parks. Construction started on the new shelter, restrooms, and playground at Rob Wallace Park. Renovations at Camp TN Spencer Park have started for the community swimming pool. October 28th, 2023, the Cabarrus Arena will host the Touch a Truck event from 9:00 a.m. to 1:00 p.m. and Frank Liske Park will host the Jack-o-lantern 5k road race.

(F-2) BOC - Request for Applications for County Boards/Committees

Information provided regarding vacant positions on the Cabarrus County Boards & Committees.

Vacant Positions on the Cabarrus County Boards & Committees are as follows:

- 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
- Library Board of Trustees - 2 Vacant Positions

- Mental Health Advisory Board - 1 Vacant Position
- Nursing Home Community Advisory Committee - 11 Vacant Positions
- Planning and Zoning Commission - 1 Vacant Position
- Region F Aging Advisory Committee - 2 Vacant Positions
- Senior Centers Advisory Council - 1 Vacant Position
- Transportation Advisory Board - 6 Vacant Positions
- Youth Commission - 11 Vacant Positions

(F-3) Budget - Monthly Budget Amendment Report

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

(F-4) Budget - Monthly Financial Update

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

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

The Board of Commissioners requested monthly reports of building and permit activities including information of plans under review. No action was required of the Board.

(F-6) EDC - August 2023 Monthly Summary Report

The Cabarrus Economic Development Corporation (EDC) provides monthly updates on the local economic and industry activities in the form of the included report. No action was required of the Board.

(G) GENERAL COMMENTS BY BOARD MEMBERS

Vice Chairman Shue commented to earlier comments regarding the Revenue Neutral Comments and mentioned the current requests of the Cabarrus County school system.

Commissioner Furr commented on the reoccurring maintenance of current Cabarrus County schools.

Chairman Morris responded to general comments regarding the Cabarrus County schools.

Commissioner Measmer commented on discussion.

Commissioner Furr commented on the discussion.

(I) CLOSED SESSION

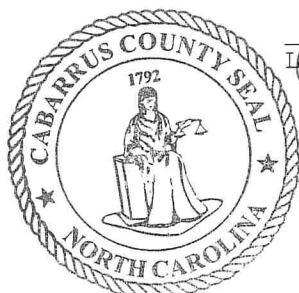
(I-1) Closed Session - Confidential Information and Pending Litigation

UPON MOTION of Chairman Morris, seconded by Vice Chairman Shue, and unanimously carried, the Board moved to go into closed session to discuss matters of confidential information, pending litigation, and personnel matters as authorized by NCGS 143-318.11(a)(1)(3) and (6).

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

(J) ADJOURN

UPON MOTION of Commissioner Measmer, seconded by Commissioner Furr and unanimously carried, the meeting adjourned at 8:18 p.m.



Lauren Linker

 Lauren Linker, Clerk to the Board