

# CABARRUS COUNTY



## BOARD OF COMMISSIONERS WORK SESSION

**April 3, 2023  
4:00 PM**

- 
- 1. CALL TO ORDER - CHAIRMAN**
  - 2. APPROVAL OF WORK SESSION AGENDA - CHAIRMAN**
    - 2.1. BOC - Changes to the Agenda Pg. 3
  - 3. DISCUSSION ITEMS FOR ACTION**
    - 3.1. Human Resources - Compensation Study Pg. 5
    - 3.2. Active Living and Parks - Matching Incentive Grant Application Requested Changes Pg. 6
    - 3.3. BOC - Appointments to Boards and Committees Pg. 28
    - 3.4. BOC - Central Cabarrus Men's Basketball Proclamation Pg. 30
    - 3.5. BOC - Resolution in Support of House Bill 98 Pg. 33
    - 3.6. BOC - Rules of Procedure Pg. 36
    - 3.7. County Manager - Accept Transfer of R. Brown McAllister Elementary School Pg. 58
    - 3.8. County Manager - Authorization for One-Time Purchases Pg. 64
    - 3.9. County Manager - Vacant and Dilapidated Housing Pg. 67
    - 3.10. DHS - Budget Revision for Adult Protective Services Essential Fund Pg. 69
    - 3.11. DHS - Transportation 5310 Elderly and Handicapped Grant Pg. 78
    - 3.12. DHS - Transportation MPO Agreement Pg. 84
    - 3.13. Early Childhood Education - Grant Pg. 92
    - 3.14. Emergency Management - NC Tier II Competitive Grant Award and Budget Amendment Pg. 103
    - 3.15. EMS - Operational Update Pg. 109
    - 3.16. Finance - Budget Amendment to Increase Dental Insurance Expenditures Pg. 130
    - 3.17. Finance - Budget Amendment for Additional Tax Turnover to the Fire Districts Pg. 134
    - 3.18. Sheriff's Office - Acceptance of NHTSA (National Highway Traffic Safety Administration) Grant Pg. 138
    - 3.19. Sheriff's Office - Dedication of Bridge in Memory of Lt. Robert J. Eury Pg. 147
  - 4. APPROVAL OF REGULAR MEETING AGENDA**
    - 4.1. BOC - Approval of Regular Meeting Agenda Pg. 150

**5. CLOSED SESSION**

5.1. Closed Session - Pending Litigation and Economic Development Pg. 154

**6. ADJOURN**

*In accordance with ADA regulations, anyone in need of an accommodation to participate in the meeting should notify the ADA coordinator at 704-920-2100 at least 48 hours prior to the meeting.*

# CABARRUS COUNTY



## BOARD OF COMMISSIONERS WORK SESSION

**April 3, 2023  
4:00 PM**

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**AGENDA CATEGORY:**

Approval of Work Session Agenda - Chairman

**SUBJECT:**

BOC - Changes to the Agenda

**BRIEF SUMMARY:**

A list of changes to the agenda is attached.

**REQUESTED ACTION:**

Motion to approve the agenda as amended.

**EXPECTED LENGTH OF PRESENTATION:**

1 Minute

**SUBMITTED BY:**

Lauren Linker, Clerk to the Board

**BUDGET AMENDMENT REQUIRED:**

No

**COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:**

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**ATTACHMENTS:**

- Changes to the Agenda



**CABARRUS COUNTY BOARD OF COMMISSIONERS  
CHANGES TO THE AGENDA  
APRIL 3, 2023**

**ADDITIONS:**

**Discussion Items for Action  
3.15 EMS – Operational Update**

**UPDATED:**

**Discussion Items for Action  
3.6 BOC – Rules of Procedure**

**Approval of Regular Meeting Agenda  
4.1 BOC – Approval of Regular Meeting Agenda**

# CABARRUS COUNTY



## BOARD OF COMMISSIONERS WORK SESSION

**April 3, 2023  
4:00 PM**

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**AGENDA CATEGORY:**

Discussion Items for Action

**SUBJECT:**

Human Resources - Compensation Study

**BRIEF SUMMARY:**

Compensation consultant Becky Drozdz will share results from FY23 project that covered all County departments except Public Safety and Human Resources. HR will request an adjustment to the Personnel Ordinance to modify the 4 year review cycle and recommend a processing date for FY24 COLA if approved through the budget process.

**REQUESTED ACTION:**

Motion to approve the outlined recommendations.

**EXPECTED LENGTH OF PRESENTATION:**

10 Minutes

**SUBMITTED BY:**

Lundee Covington, Human Resources Director

**BUDGET AMENDMENT REQUIRED:**

No

**COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:**

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# CABARRUS COUNTY



## BOARD OF COMMISSIONERS WORK SESSION

**April 3, 2023  
4:00 PM**

### **AGENDA CATEGORY:**

Discussion Items for Action

### **SUBJECT:**

Active Living and Parks - Matching Incentive Grant Application Requested Changes

### **BRIEF SUMMARY:**

The Active Living and Parks Matching Incentive Grant Program provides seed money for civic, community and school groups to construct, improve or acquire recreational and park facilities in Cabarrus County. The grant will fund up to 50% of a project. In an effort to make the application process easier and more relevant, several changes are being requested.

#### A. Grant Priority Rating

##### Level 2 - Moderate Priority

Added: "and expendable maintenance equipment is eligible with certain restrictions.

Examples include, but are not limited to tractors, ATV's, Mowers, etc."

The change from Lowest Priority to Moderate Priority is to accommodate the Volunteer Athletic Associations as we move closer to having all School Park sites operated and maintained by the Volunteer groups and/or municipalities.

#### Application and Awards Procedures

A. Changed deadline to second Friday in September

B. Changed ALP Commission Meeting date for presentations to September.

Changed a second cycle of applications to "may be considered."

Date changes were made to accommodate the School Schedule better than previous dates.

The Park Commission reviewed and unanimously voted to recommend these changes to the BOC for approval.

### **REQUESTED ACTION:**

Motion to approve the change in Priority Level Rating requests and the submission and

presentation dates to the Matching Incentive Grant Application Manual.

**EXPECTED LENGTH OF PRESENTATION:**

5 Minutes

**SUBMITTED BY:**

Byron Haigler, Active Living and Parks Assistant Director

Megan Baumgardner, ALP Commission Chair

**BUDGET AMENDMENT REQUIRED:**

No

**COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:**

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**ATTACHMENTS:**

- 2023 MIG Application Revision

# MATCHING INCENTIVE GRANT PROGRAM

CABARRUS COUNTY ACTIVE LIVING AND PARKS

WHERE FUN COMES NATURALLY...  
AND LASTS FOREVER

Cabarrus County Active  
Living and Park  
P.O. Box 707  
Concord, NC 28026





## MATCHING INCENTIVE GRANT GUIDELINES

FUNDING

AVAILABLE:

Up to 50% of project cost. Actual amount of funds available for the grants will be determined with the approval of the FY Budget.

PURPOSE:

To provide seed money for civic and community groups to construct, improve or acquire recreational and park facilities in Cabarrus County.

SPONSORSHIP:

A project must be sponsored by non-profit civic or community group. The sponsoring organization must have elected officers, by-laws, and bank accounts. Examples of groups which can apply for funds are: PTO's, civic clubs, youth sports organizations, church organizations, garden clubs, athletic or recreation associations. The Active Living & Parks Department will determine which organizations meet the qualifications. Donations from corporations, grants, or individuals may be used to match county funds to construct or improve recreation facilities on publicly owned land in Cabarrus County. In-kind contributions are not eligible as a match.

ELIGIBILITY:

To be eligible, a project must meet the following criteria:

- A. The project must be located on public property owned by Cabarrus County, the boards of education, a municipality within the county, or property leased to the county for a minimum of fifteen years. Projects on school property must be consistent with the respective school system's long-range plans. Projects on park property must be consistent with the Parks Department's long-range plans.
- B. Provide a new recreational or park facility on eligible property or renovate an existing recreational or park facility.
- C. The project must be open to the public on a non-discriminatory basis upon completion, subject to such reasonable restrictions as may be agreed upon by the parties and stipulated in the application.

- D. The property the project is located on must remain unlocked and open to the public. (Gates may be locked at a reasonable hour agreed on by the Cabarrus County Active Living & Parks Department.)
- E. The project must remain open to the public, intact, maintained, and used for its intended purpose for fifteen years, unless the sponsoring organization reimburses the county for any grant funds provided or upon mutual agreement from the county.

GENERAL  
INFORMATION:

A. Grant Priority Rating

Level 1 – Highest Priority

New recreation facilities/ opportunities or renovation of existing recreation facilities/ opportunities Examples include, but are not limited to: Athletic sports fields, athletic courts, playgrounds, hiking and jogging trails, physical fitness courses, improvements to existing facilities

Level 2 – Moderate Priority

New support facilities for recreation opportunities, renovation of existing recreation support facilities, and expendable maintenance equipment is eligible with certain restrictions. Examples include, but are not limited to Tractors, ATVs, UTVs, Mowers, etc. Expendable equipment must remain on the school/recreation property at all times. Applicants must provide documentation of the equipment's storage and scheduled maintenance plan. Ineligible supplies include, but are not limited to concession equipment, PA systems, bats, balls, uniforms, etc.

Examples include, but are not limited to: Outdoor lighting, landscaping projects, picnic shelters & facilities, irrigation systems, restroom & concession facilities

Level 3 – Lowest Priority

Acquiring property for recreation facilities/ opportunities

~~B. Expendable maintenance equipment is eligible with certain restrictions. Examples include, but are not limited to Tractors, ATVs, UTVs, Mowers, etc. Expendable equipment must remain on the school/recreation property at all times. Applicants must provide documentation of the equipment's storage and scheduled maintenance~~

~~plan. Ineligible supplies include, but are not limited to concession equipment, PA systems, bats, balls, uniforms, etc.~~

- C. Project funds spent prior to application cannot be included toward an organization's match of county funds (exceptions: funds spent on planning, architectural, engineering, permitting and/or related services provided that all of Cabarrus County's public bidding requirements have been met).
- D. Funds from governmental agencies cannot be used to match Incentive Grant funds.
- E. Sponsoring organizations must have a minimum of 50% of the total project cost available at the time of application.
- F. The sponsoring organization's match must be cash.
- G. Provisions must be made for continuing maintenance and repair of the project once it is completed.
- H. Maintenance Agreement Form (or letter of responsibility) must be signed by School Principal/Mayor/Manager, Project Coordinator, and Director of Facilities, Operation and Construction/Director of Business Operations.

LAND ACQUISITION PROJECTS

- A. A "Notice of Limitation of Use" assurance must be part of the application and if approved for a Cabarrus County Matching Incentive Grant, the assurance must be made part of the project site's public property records. The "Limitation of Use" assures that the property described in the application and the dated project boundary map has been acquired and/or developed with Matching Incentive Grant monies and will in **perpetuity be used for public outdoor recreation purposes.**

Sample NOTICE OF LIMITATION OF USE  
Assurance Form

The (Applicant's Name) understands that **IF** the property identified on the project boundary map of this application is acquired and/or developed with financial assistance provided by Cabarrus County Active Living & Parks Department in accordance with the Matching

Incentive Grant program, **THEN**, this property may not be converted to other than public outdoor recreation uses (whether by transfer, sale, or in any other manner) without the express written approval of the Cabarrus County Active Living & Parks Department.

- B. The Matching Incentive Grant applicant must pay **all** costs associated with the purchase of property (attorney fees, title search, survey, recording fees, etc.).
- C. If the property is not in the name of Cabarrus County, a municipality, and/or school, the property must be leased to one of the government agencies for a minimum of fifteen years

APPLICATION AND  
AWARD PROCEDURES:

- A. Completed applications must be submitted to the Department between the **first Monday in August through the second Friday in September**. Incomplete applications will not be considered.
- B. Eligible applicants must be present at the **September (the third Thursday)** Active Living & Parks Commission Meeting to present their projects to the Commission. Each applicant will be allotted 5 minutes for presentation purposes.

The Property Committee of the Active Living & Parks Commission and the department staff will review all applications and make recommendations to the full Commission for funding.

If additional grant funds are still available after the initial grants are approved and awarded, a second cycle of applications **may be considered**. The same procedures will apply to both cycles of application.

- C. The Active Living & Parks Commission will prioritize the Incentive Grant projects that will be recommended for approval to the Board of County Commissioners. All projects, including those not recommended for funding (if any), will be presented to the Board of County Commissioners for their consideration as well.
- D. Upon approval of the projects by the Board of Commissioners, the Active Living & Parks Department will provide written confirmation of the grant to the sponsor, indicating the amount of the award, instructions, conditions, etc.

#### MATCHING INCENTIVE GRANT PROGRAM:

- A. Project must begin within sixty (60) days of notification of project approval and be completed by June 30th of the following fiscal year.
- B. Municipalities and boards of education may administer projects on municipal or school owned property. If the government entity administers the project with all monies paid to them, they must provide a summary of the expenditures at the conclusion of the project.
- C. In order to assure standards of quality, all improvements will be made under the supervision of the Active Living & Parks Department.
- D. Project plans and specifications must be approved by the Cabarrus County Active Living & Parks Department, School Principal, and the Director of Facilities, Operation and Construction/Director of Business
- E. Operations. Projects shall not deviate from the approved plans and program descriptions without prior approval of the Cabarrus County Active Living & Parks Department. Failure to comply will result in revocation of the grant award.
- F. Project plans and specifications must be submitted for a review period of at least 5 working days to the Director of Facilities, Operation and Construction of Cabarrus County Schools and/or the Director of Business Operations of Kannapolis City Schools.
- G. Any organization responsible for the operations and maintenance of a project completed on property not owned by the county must assume all general liability for the completed structure. The agency supervising the project construction will be liable for the project during the

construction period. This includes all utilities (water, sewage, etc.), maintenance, upkeep and supervision of the facility. Builders' risk insurance is required from all contractors.

- H. The sponsoring organization must submit its matching funds directly to Cabarrus County Active Living & Parks Department. Cabarrus County will be responsible for the expenditures of all funds unless other arrangements have been made and approved by the County Manager.
- I. The sponsoring organization will be responsible for any expenses not reflected in the grant application once the application is approved.
- J. Expenditures made by the county are subject to Cabarrus County and State of North Carolina purchasing procedures.
- K. If the project is at a school, the Principal and the Director of Facilities, Operations and Construction/Director of Business Operations must approve the grant request. If on municipal or county property, the respective city or county official must approve the grant request.
- L. Failure to comply with any of these requirements may result in revocation of funds.
- L. All public utilities must be in the name of the sponsoring organization.

For Further Information Contact:

Ian Sweeney, Project & Events Manager

Phone: 704-920-3488

Email: [IJSweeney@cabarruscounty.us](mailto:IJSweeney@cabarruscounty.us)

Cabarrus County Active Living and Parks

Post Office Box 707 Concord, NC 28026-0707

Fax: 704-920-3494

Revised June 30, 1989	Updated 6/30/06
Revised June 14, 1991	Updated 01/18/07
Revised June 23, 1992	Updated 01/28/08
Revised June 27, 1994	Updated 01/05/09
Revised April 27, 1995	Updated 10/15/09
Revised May 23, 1996	Updated 03/18/11
Revised June 23, 1997	Updated 04/17/12
Revised June 10, 1998	Updated 04/01/13
Updated June 7, 1999	Updated 04/04/14
Updated June 14, 2000	Updated 02/19/15
Updated June 19, 2001	Revised 10/15/15
Updated June 11, 2002	Revised 08/19/22
Updated June 18, 2003	<b>Revised April 2023</b>
Revised March 1, 2004	
Updated June 15, 2005	

## MATCHING INCENTIVE GRANT CHECKLIST

Applicant\_\_\_\_\_

Project Name\_\_\_\_\_

In order for Matching Incentive Grant Application to be complete, all items listed must be included. If item is not applicable to project, please indicate NA.

- \_\_\_\_\_ 1. Matching Incentive Grant Checklist
- \_\_\_\_\_ 2. Incentive Grant Applicant Information Form
- \_\_\_\_\_ 3. Project Narrative
- \_\_\_\_\_ 4. Minutes of Group Presentation(s)
- \_\_\_\_\_ 5. Budget Information
  - Budget Information Form
  - 3 Itemized Estimates/Quotes from Contractors/Vendors for any purchases over \$1,000.00
- \_\_\_\_\_ 6. Maintenance Agreement
- \_\_\_\_\_ 7. Design Drawings/Site Plan Form
  - a. Designs
  - b. Site Plan
- \_\_\_\_\_ 8. Land Acquisition Form (if applicable)
- \_\_\_\_\_ 9. Current Bank Statement



## Dates to Remember:

Second Friday in June – Grant Application Deadline

Third Friday in June – Grant Application Presentations  
Cabarrus County Active Living & Parks Commission

## MATCHING INCENTIVE GRANT SIGNATURE PAGE

By signing our names below, we attest to having seen and read the following pages. We also acknowledge that we agree with and support the scope of the project.

Attachment A      Matching Incentive Grant Applicant Information Form

Attachment B      Matching Incentive Grant Project Narrative

Attachment C      Matching Incentive Grant Budget Information Form & Itemized Estimates/ Quotes

Attachment D      Matching Incentive Grant Maintenance Agreement Form

Attachment E      Matching Incentive Grant Design/ Site Plan Form

Attachment F      Matching Incentive Grant Land Acquisition Form

\_\_\_\_\_  
*Director of Facilities, Operations & Construction/Director of Business Operations (if applicable)      Date*

\_\_\_\_\_  
*School Principal/Mayor/Manager      Date*

\_\_\_\_\_  
*Project Coordinator      Date*

Cabarrus County Active Living & Parks Department  
P.O. Box 707, Concord, NC 28026-0707

## MATCHING INCENTIVE GRANT APPLICANT INFORMATION FORM

<b>1. APPLICANT INFORMATION</b>			
ORGANIZATION NAME		NON-PROFIT _____ YES      _____ NO	
ADDRESS	PHONE NUMBER	FAX NUMBER	OTHER NUMBER
PROJECT COORDINATOR'S NAME			
EMAIL ADDRESS			
ADDRESS	PHONE NUMBER	FAX NUMBER	OTHER NUMBER
SCHOOL PRINCIPAL'S NAME (IF PROJECT LOCATED ON SCHOOL PROPERTY)			
EMAIL ADDRESS			
ADDRESS	PHONE NUMBER	FAX NUMBER	OTHER NUMBER
<b>2. PROJECT INFORMATION</b>			
DESCRIPTIVE TITLE OF PROJECT			
PROJECT SITE			
STREET ADDRESS	CITY	STATE	ZIPCODE
AREAS AFFECTED BY PROJECT: (SCHOOLS, MUNICIPALITIES, ETC.)		_____ NEW PROJECT	START DATE _____
		_____ ON-GOING PROJECT	COMPLETION DATE _____
WILL A FEE BE CHARGED FOR USE OF FACILITY/PROJECT? _____ YES      _____ NO	ON-GOING MAINTENANCE FOR PROJECT WILL BE PROVIDED BY:		
ESTIMATED FUNDING:	TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION IS TRUE AND CORRECT. THE DOCUMENT HAS BEEN AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE GRANT IS AWARDED.		
APPLICANT \$	TYPED NAME OF PROJECT COORDINATOR		
COUNTY \$			
IN-KIND \$	SIGNATURE OF PROJECT COORDINATOR		
TOTAL \$	_____		

Cabarrus County Active Living & Parks Department  
P.O. Box 707, Concord, NC 28026-0707

## MATCHING INCENTIVE GRANT PROJECT NARRATIVE

The PROJECT NARRATIVE gives the applicant an opportunity to describe and justify the need for the project being proposed, describe the levels of public involvement, citizens served, and planning and operation/maintenance for the proposed project. Please provide concise but detailed explanations for each section, using the section headings listed below. Include the information from the Scoring Sheet in narrative.

Title it: **PROJECT NARRATIVE FOR (PROJECT NAME)**

### 1. **Project Description**

Describe the project by listing the new, additional and/or renovated recreation facilities and support facilities that will be provided if the grant is awarded.

- Will this project provide the first recreation facility built with grant funding?
- Why is the project needed?
- What is the project designed to accomplish?
- Who will the project serve (clientele and area)?
- If the project includes renovation, justify the renovation, such as the age of the facility or overuse.
- If applicable, explain the need for land acquisition.

### 2. **Project Planning**

Describe all planning efforts and methods used to identify the need for this project.

- How were priorities established?
- Does this project correspond to the Livable Community Blueprint?

### 3. **Public Involvement**

Describe how community citizens have been involved in developing plans for the proposed project and the level of public support for the project. Consider public meetings for discussing the project, presentations to civic/community groups. Attach a copy of minutes or support documentation.

### 4. **Operation and Maintenance**

Describe who will be responsible for the development, operation, programming and maintenance of the site upon completion. Attach the Maintenance Agreement Form.

### 5. **Citizens Served**

To what extent will persons with disabilities be served by the proposed project? Is the project designed to meet or exceed the Americans with Disabilities Act Accessibility Guidelines?



Cabarrus County Active Living & Parks Department  
P.O. Box 707, Concord, NC 28026-0707

**MATCHING INCENTIVE GRANT BUDGET INFORMATION  
FORM**

Applicant\_\_\_\_\_

Project Name\_\_\_\_\_

BUDGETED ITEM	AMOUNT
Architectural/Engineering Fees	\$
Materials	\$
Construction	\$
Permits/Inspections	\$
Land Acquisition	\$
Demolition/Removal	\$
Other	\$
	\$
	\$
	\$
<b>TOTAL</b>	\$

NOTE: Three itemized estimates/quotes from contractors/vendors should be attached.

Cabarrus County Active Living & Parks Department  
P.O. Box 707, Concord, NC 28026-0707

# MATCHING INCENTIVE GRANT MAINTENANCE AGREEMENT FORM

Applicant \_\_\_\_\_

Project Name \_\_\_\_\_

It is understood that \_\_\_\_\_  
*(Organization)*

is submitting a Matching Incentive Grant Application to Cabarrus County Active Living & Parks Department

for \_\_\_\_\_  
*(Project)*

at \_\_\_\_\_  
*(Facility)*

*(Type of Maintenance)* \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

will be performed by \_\_\_\_\_  
*(Organization/Company)*

on a regular schedule consisting of \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
*Director of Facilities, Operation & Construction/Director of Business Operations (if applicable) Date*

\_\_\_\_\_  
*School Principal/Mayor/Manager Date*

\_\_\_\_\_  
*Project Coordinator Date*

**Note: Any equipment purchased with Cabarrus County funding will remain with the County if the association disbands.**

Cabarrus County Active Living & Parks Department  
P.O. Box 707, Concord, NC 28026-0707

## MATCHING INCENTIVE GRANT DESIGN/SITE PLAN FORM

Applicant \_\_\_\_\_

Project Name \_\_\_\_\_

The attached Design/Drawings for the \_\_\_\_\_  
*(Project)*

at \_\_\_\_\_  
*(Facility)*

are being submitted as a Cabarrus County Active Living & Parks Department Matching  
Incentive Grant Application and meet the approval of \_\_\_\_\_.  
*(Property Owner)*

\_\_\_\_\_  
*Director of Facilities, Operation & Construction/Director of Business Operations (if applicable) Date*

\_\_\_\_\_  
*School Principal/Mayor/Manager Date*

\_\_\_\_\_  
*Project Coordinator Date*



Cabarrus County Active Living & Parks Department  
P.O. Box 707, Concord, NC 28026-0707

# MATCHING INCENTIVE GRANT LAND ACQUISITION FORM

**This Landowner Agreement** is entered into effective the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by \_\_\_\_\_ (\*either an individual residing at \_\_\_\_\_, \_\_\_\_\_ North Carolina \_\_\_\_\_ or \_\_\_\_\_, a North Carolina corporation/limited liability company/partnership, with its principal place of business at \_\_\_\_\_, \_\_\_\_\_ North Carolina \_\_\_\_\_) (hereafter, the "**Landowner**"); Cabarrus County, North Carolina, with its principal place of business at 65 Church Street, Concord, North Carolina 28025 (the "**County**"); and \_\_\_\_\_, a North Carolina non-profit corporation with its principal place of business at \_\_\_\_\_, \_\_\_\_\_ North Carolina \_\_\_\_ ("**Applicant**").

**WHEREAS, Landowner** is the sole and exclusive owner in fee simple of the real estate and all improvements thereon located at \_\_\_\_\_, \_\_\_\_\_, North Carolina \_\_\_\_\_ totaling approximately \_\_\_\_\_ acres and more particularly described in **Exhibit A** attached hereto and incorporated herein (hereafter, the "Property") (\*need to attach a legal metes and bounds description of the real property as **Exhibit A**); and

**WHEREAS, Applicant** and **Landowner** jointly and severally represent to the **County** that **Applicant** and **Landowner** have entered into a conditional purchase agreement for **Applicant's** purchase of the Property, conditioned upon, among other things, **Landowner's** agreement to sell the Property for an aggregate purchase price of \$ \_\_\_\_\_ and **Applicant's** approval for receipt of funds in the aggregate amount of \$ \_\_\_\_\_ (the "Funds") pursuant to the **County** Matching Grants Incentive Program for the County's fiscal year 20\_\_ -20\_\_\_\_\_, offered by the **County** through the County Active Living & Parks Department (the "**Department**"), (hereafter, the above referenced Matching Grants Incentive Program may be referred to as the "Program"); and

**WHEREAS, Applicant** hereby represents to **Landowner** that **Applicant** has applied for or will timely apply for receipt of the Funds pursuant to the Program in order to purchase the Property; and

**WHEREAS, Landowner** hereby represents to the **Applicant** and the **County** that it is aware of and agrees to the restrictive uses for the Property that will be imposed by the **County** on the **Applicant's** use of the Property in order for **Applicant** to be considered for award of the Funds; and

**WHEREAS, Landowner** understands that the **Department** must evaluate all applications for Program funds, which are awarded on a limited basis, and that **Applicant** may or may not be granted the Funds pursuant to the Program.

**NOW THEREFORE**, in consideration of the premises and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree as follows:

- 1. Guarantee of Purchase Price to Applicant/Title to Property.** **Landowner** and **Applicant** represent and warrant to the **County** that they have agreed, respectively, to the sell and purchase the Property for an aggregate purchase price of \$\_\_\_\_ (the "Purchase Price") upon the terms and conditions more fully set forth in the purchase agreement by and between the **Landowner** and the **Applicant**, which is attached hereto as **Exhibit B** and incorporated as if more fully set forth herein. Such terms and conditions include, without limitation, a provision that **Landowner** is the sole and exclusive owner of the Property and has the sole and exclusive unencumbered right to transfer fee simple title to the **Applicant** by North Carolina General Warranty Deed, free and clear of all encumbrances whatsoever except for ad valorem property taxes not yet due and payable.
- 2. Right to Purchase.** **Landowner** represents and warrants to the **County** and **Applicant** that the Purchase Price and **Applicant's** right to purchase the Property shall remain in effect until the **Department** releases the names of the recipients of the Program funds. The **Department** warrants and represents that it will use its best efforts to announce the recipients of the Program funds no later than \_\_\_\_\_, 20\_\_.

3. **Environmental Warranties and Representations.** In addition to any other representations and warranties provided the **Applicant** by the **Landowner** with respect to the Property, **Landowner** represents and warrants to the **County** and the **Applicant** that the Property is not currently and to the best knowledge of the **Landowner** after due investigation, has never been in violation of any federal, state or local laws, rules, regulations, or ordinances pertaining to environmental matters of any kind or nature and to the best of **Landowner's** knowledge, no adjoining property is or has ever been in violation of any federal, state or local laws, rules, regulations or ordinances pertaining to environmental matters of any kind or nature.
  
4. **Obligation to Purchase.** Notwithstanding any term or condition of this or any other agreement regarding the Property, no term or condition of this Agreement or any other agreement shall be construed to require **Applicant** to purchase the Property in the event: (1) **Landowner** is in default under this or any other agreement by and between **Applicant** and **Landowner** with regard to the Property; or (2) **Applicant** is not the recipient of the full amount of the Funds under the Program. Furthermore, no term or condition of this or any other agreement shall be construed to impose a duty, express or implied, upon the **County** or the **Department** to award the Funds or any portion thereof to the **Applicant**.
  
5. **Landowner** understands that in the event the **Landowner** is in default under the terms and conditions of **Exhibit B**, if any **Landowner** representations and warranties set forth herein are false or misleading, or in the event **Applicant** is not the recipient of the full amount of the Funds, neither **Applicant** nor the **County** is under any express or implied obligation whatsoever to purchase the Property.
  
6. **Miscellaneous.** This agreement shall be governed by the laws of the state of North Carolina. For purposes of enforcement of this Agreement, the parties agree to the exclusive jurisdiction of the courts of Cabarrus County, North Carolina without application of any conflicts of laws provisions of any jurisdiction. Paragraph headings are for convenience only and shall not be deemed to be a controlling part of this Agreement. In the event any provision of this Agreement is deemed for any reason to be unenforceable, the remaining provisions shall remain in full force and effect. No party hereto may assign this Agreement without the express prior written consent of the other parties hereto. However, this Agreement shall be deemed binding upon any successor in interest to the **Landowner** and any other permitted successors and/or assigns of the parties. No provision of this or any other agreement shall be construed to imply a joint venture, partnership or agency agreement between or among the parties hereto.

**LANDOWNER:**

**APPLICANT:**

\_\_\_\_\_

\_\_\_\_\_

By : \_\_\_\_\_(Seal)

By : \_\_\_\_\_(Seal)

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

**READ AND AGREED TO:**

**CABARRUS COUNTY, NORTH CAROLIINA**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: Director, Active Living & Parks Department of Cabarrus County

This instrument has been audited in accordance with the Local Government Budget and Fiscal Control Act. By: \_\_\_\_\_, Pam DuBois, Finance Director, Cabarrus County, North Carolina



# CABARRUS COUNTY



## BOARD OF COMMISSIONERS WORK SESSION

**April 3, 2023  
4:00 PM**

### **AGENDA CATEGORY:**

Discussion Items for Action

### **SUBJECT:**

BOC - Appointments to Boards and Committees

### **BRIEF SUMMARY:**

The following appointment to Boards and Committees are recommended for April:

#### Appointments - Human Services Advisory Board

Dr. Natalie Atwell's term on the Human Services Advisory Board ends May 31, 2023. Dr. Atwell filled an unexpired term through May 31, 2023, and is eligible and recommended to be reappointed for another term. A letter in this regard is included in the agenda.

Representative recommendation is Dr. Natalie Atwell.

#### Appointments and Removals - Active Living and Parks Commission

Active Living and Parks Commission members Charles Grimsley and Sara Newell have resigned from their positions on this Commission. It is requested to remove their names from the roster.

At the March 16, 2023 meeting the Active Living and Parks Commission voted to recommend and appoint Emily Baldwin (Concord) and Millicent Malit (Kannapolis) to the Commission.

Appointments are still needed for the Midland and Northwest Planning Areas.

Representative recommendations are Emily Baldwin and Millicent Malit.

#### Appointments and Removals - Cabarrus-Rowan Metropolitan Planning Organization Technical Coordinating (TAC) Committee

Each year the Board of Commissioners appoint a commission member to serve on the TAC as the regular member, along with an alternate member. Commissioner Strang currently serves as the representative for Cabarrus County and Commissioner Measmer serves as the alternate.

Due to his schedule, Commissioner Measmer has requested to be removed from the Committee. It is requested to appoint Commissioner Shue to be appointed to serve out the rest of the year as the alternate representative.

Representative recommendation is Commissioner Shue.

**REQUESTED ACTION:**

Provide information.

**EXPECTED LENGTH OF PRESENTATION:**

1 Minute

**SUBMITTED BY:**

Lauren Linker, Clerk to the Board

**BUDGET AMENDMENT REQUIRED:**

No

**COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:**

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# CABARRUS COUNTY



## BOARD OF COMMISSIONERS WORK SESSION

**April 3, 2023  
4:00 PM**

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**AGENDA CATEGORY:**

Discussion Items for Action

**SUBJECT:**

BOC - Central Cabarrus Men's Basketball Proclamation

**BRIEF SUMMARY:**

Recognition of Central Cabarrus High School's men's basketball team for their North Carolina State championship win.

**REQUESTED ACTION:**

Motion to suspend the Rules of Procedure.

Motion to adopt the proclamation.

**EXPECTED LENGTH OF PRESENTATION:**

5 Minutes

**SUBMITTED BY:**

Chairman Morris

**BUDGET AMENDMENT REQUIRED:**

No

**COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:**

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**ATTACHMENTS:**

▣ Proclamation



**PROCLAMATION  
CENTRAL CABARRUS MEN'S BASKETBALL  
STATE CHAMPIONSHIP**

**WHEREAS**, it has been brought to the attention of the Cabarrus County Commissioners that the **Central Cabarrus Men's Basketball team** has exhibited astounding athletic abilities which has earned them a North Carolina 3A State Championship title; and,

**WHEREAS**, the team was made of fifteen outstanding players: Jaiden Thompson, Chase Daniel, Jake Baker, Emari Russell, Adriel Miller, Kevonta' Martin, Elijah Ford, Carson Daniel, Gavin Bullock, Cayden Smith, Micah Murray, Desmond Kent Jr., Chinua Ezeigbo, LarQuise Bruse-Jones, Noah Edmisten; and

**WHEREAS**, the team had an undefeated season and won the second state championship for the program; and

**WHEREAS**, Desmond Kent Jr., received the North Carolina 3A State Championship Game Valuable Player; and

**NOW, THEREFORE, BE IT PROCLAIMED**, that the Cabarrus County Board of Commissioners do hereby extend Congratulations and Best Wishes on behalf of the citizens of Cabarrus County to the,

**Central Cabarrus 2023 NC State Men's Basketball 3A Championship Team.**

Adopted this 3<sup>rd</sup> day of April, 2023.

\_\_\_\_\_  
Stephen M. Morris, Chairman  
Cabarrus County Board of Commissioners



# CABARRUS COUNTY



## BOARD OF COMMISSIONERS WORK SESSION

**April 3, 2023  
4:00 PM**

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**AGENDA CATEGORY:**

Discussion Items for Action

**SUBJECT:**

BOC - Resolution in Support of House Bill 98

**BRIEF SUMMARY:**

A resolution in support of House Bill 98 has been submitted by Commissioner Wortman.

**REQUESTED ACTION:**

Motion to adopt the resolution.

**EXPECTED LENGTH OF PRESENTATION:**

5 Minutes

**SUBMITTED BY:**

Commissioner Wortman

**BUDGET AMENDMENT REQUIRED:**

No

**COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:**

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**ATTACHMENTS:**

- Resolution



#### RESOLUTION IN SUPPORT OF HOUSE BILL 98

WHEREAS, the North Carolina House of Representative is now considering the enactment of House Bill 98, "An Act Prohibiting State Agencies, Local Governments, and Political Subdivisions of the State from Discriminating Against Persons Based on Their Refusal to Provide Proof of a COVID-19 Vaccination or to Submit to a COVID-19 Vaccination and Prohibiting Public Schools, State and Local Public Health Agencies, State and Local Public Health Officials, and Local Governments from Requiring Any Person to Provide Proof of or to Submit to a COVID-19 Vaccination"; and

WHEREAS, there are various reason why North Carolinians choose not to be vaccinated; including, but not limited to, established medical conditions, lack of long-term medical data regarding the vaccine's impact, previous infection and recovery, preference for therapeutics, potential adverse effects, religious beliefs, intolerance to vaccine ingredients, and previous anaphylactic or other reactions; and

WHEREAS, the rights of individuals to make their own health decisions, and to choose which medicines to put into their bodies, is a critical and fundamental liberty right in this country; and

WHEREAS, no adult individual should be forced to take a vaccine that they do not wish to take, especially when that decision could detrimentally affect his or her health, ability to find or retain a job or to support his or her family; and

WHEREAS, many North Carolinians have lost their jobs, their ability to attend school, their in-person access to public places and other freedoms due to their choices to not receive the COVID-19 vaccine; and

WHEREAS, the Cabarrus County Board of Commissioners believes House Bill 98 to be in the best interests of the residents of Cabarrus County in order to protect the individual liberties which the State of North Carolina and the United States Constitutions guarantee to them;

NOW, THEREFORE, BE IT RESOLVED by the Cabarrus County Board of Commissioners that the Board supports House Bill 98/Senate Bill 121, and urges the North Carolina House of Representatives, the North Carolina Senate and the Governor of North Carolina to enact this law.

Adopted this \_\_\_\_ day of April, 2023.

CABARRUS COUNTY BOARD OF COMMISSIONERS

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Stephen M. Morris  
Chair

ATTEST:

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Lauren Linker  
Clerk to the Board

# CABARRUS COUNTY



## BOARD OF COMMISSIONERS WORK SESSION

**April 3, 2023  
4:00 PM**

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**AGENDA CATEGORY:**

Discussion Items for Action

**SUBJECT:**

BOC - Rules of Procedure

**BRIEF SUMMARY:**

Rules of Procedures updates as discussed at the Board Retreat.

**REQUESTED ACTION:**

Motion to approve the Rules of Procedure.

**EXPECTED LENGTH OF PRESENTATION:**

5 Minutes

**SUBMITTED BY:**

Commissioner Morris

**BUDGET AMENDMENT REQUIRED:**

No

**COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:**

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**ATTACHMENTS:**

- ▢ Rules of Procedure
- ▢ Updated Language

# **Rules of Procedure for the Cabarrus County Board of Commissioners**

## **Part I. Applicability**

### **Rule 1. Applicability of Rules**

These rules apply to all meetings of the Board of Commissioners of Cabarrus County. For purposes of these rules, a meeting of the board occurs whenever a majority of the board's members gather, whether in person or simultaneously by electronic means, to conduct hearings, deliberate, vote, or otherwise transact public business within the board's real or apparent jurisdiction.

## **Part II. Quorum**

### **Rule 2. Quorum**

The presence of a quorum is necessary for the board to conduct business. A quorum consists of a majority of the board's membership. The term "majority" as used here and elsewhere in these rules means, unless otherwise specified, a simple majority, that is, more than half. Vacancies do not reduce the number of members necessary to establish a quorum. A member who withdraws from a meeting of the board without being excused by majority vote of the remaining members present is deemed present for quorum purposes. The board may compel an absent member to attend by ordering the sheriff to take the member into custody.

## **Part III. Open Meetings**

### **Rule 3. Remote Participation in Board Meetings**

A member may remotely participate in Board Meetings so long as they can be clearly heard by all present at the meeting and can clearly hear the discussion being had by the present quorum. The remote participant may vote on any item so long as they are fully informed prior to the vote.

### **Rule 4. Meetings to Be Open to the Public**

Except as permitted by Rule 5 (Closed Sessions), all meetings of the board shall be open to the public, and any person may attend its meetings.

### **Rule 5. Closed Sessions**

**(a) Motion to Enter Closed Session.** The board may enter a closed session from which the public is excluded only upon a motion duly made and adopted in open session. The motion to enter closed session must cite one or more of the permissible bases for closed session listed in paragraph (b) of this rule. A

motion to enter closed session under subparagraph (b)(1) or (b)(2) must contain the additional information specified in those provisions.

**(b) Bases for Closed Session.** A closed session is permissible under the following circumstances and no others:

- (1) To prevent the disclosure of information that is privileged or confidential under the law of North Carolina or of the United States or that does not constitute a public record within the meaning of Chapter 132 of the General Statutes. The motion to enter closed session must name or cite the law that renders the information confidential or privileged.
- (2) To consult with the county attorney or another attorney employed or retained by the county in order to preserve the attorney–client privilege. If the board expects to discuss a pending lawsuit with its attorney, the motion to enter closed session must name the parties to the lawsuit.
- (3) To discuss matters relating to (a) the location or expansion of industries or other businesses in the area served by the county or (b) the closure or realignment of a military installation. The board may reach agreement in closed session on a tentative list of economic development incentives to be offered in negotiations, but the approval of the signing of any economic development contract or commitment and the authorization of the payment of economic development expenditures must take place in open session.
- (4) To establish or instruct staff or agents concerning the county’s position in negotiating the price or other material terms of an agreement to acquire real property by purchase, exchange, or lease.
- (5) To establish or instruct staff or agents concerning the amount of compensation or other material terms of an employment contract.
- (6) To consider the qualifications, competence, performance, character, fitness or conditions of appointment or employment of a public officer or employee or prospective public officer or employee, except when the individual in question is a member of the board or other public body or is being considered to fill a seat on the board or other public body. Final action to appoint or employ a public officer or employee must take place in open session.
- (7) To hear or investigate a charge or complaint by or against a public officer or employee. Final action discharging an employee or removing an officer must occur in open session.
- (8) To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.
- (9) To view a law enforcement recording released pursuant to G.S. 132-1.4A.
- (10) On any other basis permitted by law.

**(c) Closed Session Participants.** Unless the board directs otherwise, the county manager, county attorney, and clerk to the board may attend closed sessions of the board. No other person may attend a closed session unless invited by the board.

**(d) Motion to Return to Open Session.** Upon completing its closed session business, the board shall end the closed session by adopting a duly made motion to return to open session.

## **Rule 6. Meeting Minutes**

**(a) Minutes Required for All Meetings.** The board must keep full and accurate minutes of all of its meetings, including closed sessions. To be “full and accurate,” minutes must record all actions taken by the board. They should set out the precise wording of each motion and make it possible to determine the number of votes cast for and against each motion. The minutes need not record discussions of board members, though the board in its discretion may decide to incorporate such details into the minutes.

**(b) General Accounts of Closed Sessions.** In addition to minutes, the board must keep a general account of each closed session. The general account must be sufficiently detailed to provide a person not in attendance with a reasonable understanding of what transpired. The board may combine the minutes and general account of a closed session into one document, so long as the document contains both a complete record of actions taken and the level of detail required for a general account.

**(c) Sealing Closed Session Records.** Minutes and general accounts of closed sessions shall be sealed until unsealed by order of the board or, if the board delegates the authority to unseal to one or more staff members, in accordance with guidelines adopted by the board. The sealed minutes and general account of any closed session may be withheld from public inspection, so long as public inspection would frustrate the purpose(s) of the closed session.

## **Rule 7. Broadcasting and Recording Meetings**

**(a) Right to Broadcast and Record.** Any person may photograph, film, tape-record, or otherwise reproduce any part of a board meeting that must take place in open session. Except as provided in paragraph (b) of this rule, any radio or television station may broadcast any such part of a board meeting.

**(b) Equipment Placement.** The staff may regulate the placement and use of camera or recording equipment in order to prevent undue interference with a board meeting, so long as he or she allows the equipment to be placed where it can carry out its intended function. If the county manager determines in good faith that the equipment and personnel necessary to broadcast, photograph, or record the meeting cannot be accommodated without undue interference to the meeting, and an adequate alternative meeting room is not readily available, the county manager may require the pooling of the equipment and the personnel operating it.

## **Part IV. Organization of the Board**

### **Rule 8. Organizational Meeting; Selection of Chair and Vice Chair**

**(a) Requirement to Hold Organizational Meeting.** The board shall hold an organizational meeting each December to take the actions set out in this rule.

#### **(b) Scheduling Organizational Meeting**

- (1) *Even-numbered years.* The board shall hold an organizational meeting at its regular meeting place on the first Monday in December of each even-numbered year. [The organizational meeting shall be convened and concluded before the regular December meeting is convened.]
- (2) *Odd-numbered years.* The board shall hold an organizational meeting during its first regular

meeting in December.

**(c) Order of Business**

(1) *Even-numbered years*

- (A) As the first order of business at the organizational meeting, all persons elected or reelected to the board at the most recent county election must take and subscribe the oath of office set out in Article VI, Section 7, of the North Carolina Constitution, unless they did so earlier in the day. They must then take the General Oath prescribed by G.S. 11-11. Each member’s constitutional oath must be filed with the clerk to the board. Although a newly elected or reelected member who has not yet been sworn and who is not present for the organizational meeting may be sworn in later, the member must take, subscribe, and file the constitutional oath and take the G.S. 11-11 oath before he or she begins performing any of the duties of the member’s office.
- (B) As the second order of business, the board shall elect a chair and vice chair from among its members using the procedure specified in Rule 38 (Appointments.)
- (C) As the third order of business, the board shall approve the bonds of the register of deeds and induct any other newly elected county officials into office.

(2) *Odd-Numbered Years.* As the first order of business, the board will elect the chair and vice chair.

**(d) Presiding Officer.** The outgoing chair shall call the organizational meeting to order and preside until the board elects a new chair. If the organizational meeting takes place during an even-numbered year in which the outgoing chair has lost his or her seat on the board, the county manager shall fill the role of presiding officer until a new chair is elected. Once elected, the new chair shall preside.

**Rule 9. Terms of the Chair and Vice Chair**

The member selected as chair at the organizational meeting shall serve for the ensuing year unless removed by the board for cause. The vice chair shall serve at the board’s pleasure.

**Part V. Types of Meetings**

**Rule 10. Regular Meetings**

**(a) Regular Meeting Schedule.** The board shall hold a regular meeting (Agenda Work Session) on the first Monday of each month, in the Multipurpose Room of the Government Center (65 Church Street Concord, NC) beginning at 4:00 p.m. The board will also hold a regular meeting on the third Monday of each month, in the board chambers of the Government Center (65 Church Street Concord, NC) to begin at 6:30 p.m., except if a regular meeting day is on a holiday on which county offices are closed. The board will then determine the next meeting date and have it published according to N.C.G.S. timeline. The board shall adopt a resolution establishing the meeting schedule each year consistent with this rule. For purposes of these rules, any meeting that appears on the board’s duly adopted schedule is considered a regular meeting. (In all other cases, a work session is a special meeting to which the provisions of Rule 11(Special



Meetings) apply.)

**(b) Notice of Regular Meeting Schedule.** The board must ensure that a copy of its current regular meeting schedule is filed with the clerk to the board and posted on the county's website. At least 10 days before the first regular meeting held pursuant to the schedule, the board must cause the schedule to be published as required by law.

**(c) Change to Regular Meeting Schedule.** The board may adopt a resolution altering the time or place of a particular regular meeting or all regular meetings within a specified period. The board must ensure that the resolution is filed with the clerk to the board at least seven (7) calendar days before the first meeting held pursuant to the revised schedule. The board must also have the revised schedule posted on the county's website. Additionally, the board must cause notice of the temporary change to be posted at or near its regular meeting place and to be sent to everyone who has submitted a written request for notice of its special meetings.

## **Rule 11. Special Meetings**

**(a) Calling Special Meetings.** The chair or a majority of members may call a special meeting of the board by signing a written notice stating the date, time, and place of the meeting and the subjects to be considered.

**(b) Notice to the Public.** At least forty-eight hours before a special meeting, the board shall cause the written notice to be (1) posted on the board's principal bulletin board or, if the board has no such bulletin board, at the door of the board's usual meeting room and (2) delivered, emailed, or mailed to each newspaper, wire service, radio station, television station, and person who has filed a written request for notice with the clerk to the board. If the board's website is maintained by one or more county employees, the board must also have the notice posted there prior to the special meeting. Furthermore, the member or members who call a special meeting are responsible for ensuring that the notice is posted on the courthouse bulletin board at least forty-eight (48) hours before the meeting.

**(c) Notice to Members.** At least forty-eight (48) hours before a special meeting, the chair or the members who called the meeting shall have the written notice of the meeting delivered to the other members of the board or left at their usual dwelling places.

**(d) Transacting Other Business.** Only those items of business specified in the notice to members may be taken up at a special meeting.

## **Rule 12. Emergency Meetings**

**(a) Calling Emergency Meetings.** The chair or a majority of the board's members may call an emergency meeting to address generally unexpected circumstances that demand the board's immediate attention.

**(b) Notice of Emergency Meetings.** The member or members who call an emergency meeting must take reasonable action to inform the other members of the board and the public of the meeting. In addition, notice of the meeting must be given to each local newspaper, local wire service, local radio station, and local television station that has filed with the clerk to the board a written request to be notified of emergency meetings. To be valid, the request must include the newspaper's, wire service's, or station's

telephone number. Notice may be given by telephone, email, or the same method used to notify board members. Notice must be provided immediately after members have been notified and at the expense of the media organization notified.

**(c) Transaction of Other Business Prohibited.** Only business connected with the emergency may be discussed or otherwise considered at an emergency meeting.

### **Rule 13. Recessed Meetings**

**(a) Calling Recessed Meetings.** When conducting a properly called regular, special, or emergency meeting, the board may recess the meeting to another date, time, or place by a procedural motion made and adopted in open session, as provided in Rule 32 (Motion 3 - To Recess to a Certain Time and Place.) The motion must state the time (including the date, if the meeting will resume on a different day) and place at which the meeting will reconvene.

**(b) Notice of Recessed Meetings.** If the board's website is maintained by one or more county employees, notice of the recessed meeting's date, time, and place must appear on the webpage prior to the meeting. No further notice of a properly called recessed meeting is required.

### **Rule 14. Limited Authority to Meet Outside the County**

The board must hold all of its meetings within the county except for the following:

- a joint meeting of the board with another public body, if the joint meeting is held within the political subdivision represented by the other public body;
- a retreat, forum, or similar gathering held solely to provide board members with general information relating to the performance of their duties, so long as members do not vote or otherwise transact business during the event;
- a meeting between the board and the local legislative delegation during a session of the General Assembly, provided board members do not vote or otherwise transact public business during the meeting except with regard to matters pertaining directly to legislation proposed to or pending before the General Assembly; and
- a convention, association meeting, or similar gathering but only if board members confine their deliberations to event-related issues that are not legally binding on the board or its constituents, such as convention resolutions and the elections of association officers.

## **Part VI. Agenda**

### **Rule 15. Agenda**

#### **(a) Draft Agenda**

- (1) *Preparation.* The [clerk to the board] shall prepare a draft agenda in advance of each meeting of the board. For a regular meeting, a request to have an item of business placed on the draft agenda must be received by the clerk at least eight working days before the date of the meeting. The clerk

must place an item on the draft agenda in response to a board member's timely request.

- (2) *Supplemental information/materials.* The agenda packet shall include the draft agenda, any proposed ordinances or amendments to ordinances, and supporting documentation and background information relevant to items on the agenda.
- (3) *Delivery to board members.* Except in the case of an emergency meeting, each member shall receive a paper or electronic copy of the draft agenda and agenda packet at least forty-eight (48) hours before the meeting.
- (4) *Public inspection.* The draft agenda and agenda packet will be available to the public when they are ready to be circulated.

**(b) Adoption of the Agenda**

- (1) *Adoption.* As its first order of business at each meeting, the board shall review the draft agenda, make whatever revisions it deems appropriate, and adopt the agenda for the meeting.
- (2) *Amending the agenda.* Both before and after the board adopts the agenda, it may add or subtract agenda items by majority vote of the members present and voting, except that
  - the board may not add to the items stated in the notice of a special meeting unless the requirements in Rule 11(d - Transacting Other Business) are satisfied and
  - only business connected with the emergency may be discussed or otherwise considered at an emergency meeting.

**(c) Consent Agenda.** The board may designate part of an agenda for a regular meeting as the *consent agenda*. Items may be placed on the consent agenda by the person(s) charged with preparing the draft agenda if they are judged to be noncontroversial and routine. Prior to the board's adoption of the meeting agenda, the request of any member to have an item moved from the consent agenda to unfinished business must be honored by the board. All items on the consent agenda must be voted on and adopted by a single motion, with the minutes reflecting the motion and vote for each item.

**(d) Informal Discussion of Agenda Items.** The board may informally discuss an agenda item even when no motion regarding that item is pending.

**Rule 16. Acting by Reference to Agenda or Other Document**

The board shall not deliberate, vote, or otherwise take action on any matter by reference to the agenda or any other document unless copies of the agenda or document are available for public inspection at the meeting and so worded that people at the meeting can understand what is being deliberated or acted upon.

**Rule 17. Agenda Items from Members of the Public**

If a member of the public wishes to request that the board include an item on its regular meeting agenda, he or she must submit the request to the clerk to the board by the deadline specified in Rule 15(Agenda) (a – Draft Agenda)(1- Preparation). The board is not obligated to place an item on the agenda merely because such a request has been received.

## **Rule 18. Order of Business**

Items shall be placed on a regular meeting agenda according to the order of business. The usual order of business for each regular meeting shall include the following topics and any others the clerk feels necessary to complete board business:

- Approval or Correction of Minutes
- Approval of the Agenda,
- Recognitions and Presentations
- Informal Public Comments
- Old Business,
- Consent Agenda,
- New Business,
- Appointments,
- Reports,
- General Comment by Board Members
- Water & Sewer District of Cabarrus County
- Closed Session
- Adjourn

Without objection, the chair may call agenda items in any order most convenient for the dispatch of business. Rule 19 (Role of the Presiding Officer).

## **Rule 19. The Chair**

**(a) Presiding Officer.** The chair shall preside at meetings of the board.

**(b) Voting by the Chair.** The chair has the same duty to vote as other members, though in no event may the chair break a tie on a motion on which he or she has already voted.

**(c) Recognition of Members.** A member must be recognized by the chair or (or other presiding officer) in order to address the board, but recognition is not necessary for an appeal pursuant to Rule 32 (Motion 1-To Appeal a Ruling of the Presiding Officer).

**(d) Powers as Presiding Officer.** As presiding officer, the chair is to enforce these rules and maintain order and decorum during board meetings. The chair may:

- (1) rule on points of parliamentary procedure, to include ruling out of order any motion clearly offered for obstructive or dilatory purposes;
- (2) determine whether a member or other speaker has gone beyond reasonable standards of courtesy in his or her remarks and entertain and rule on objections from other members on this ground;
- (3) entertain and answer questions of parliamentary procedure;

- (4) call a brief recess at any time; and
- (5) adjourn in an emergency.

**(e) Appeals of Procedural Rulings.** A member may appeal a decision made or answer given by the chair under subparagraph (d)(1), (2), or (3) in accordance with Rule 32 (Motion 1 - To Appeal a Ruling of the Presiding Officer).

### **Rule 20. Presiding Officer in the Chair's Absence**

The vice chair shall preside over meetings of the board in the chair's absence. If both the chair and vice chair are absent, the members present may choose a temporary chair from among themselves. The vice chair or other member presiding in place of the chair has the powers listed in Rule 19(d - Powers as Presiding Officer). Service as presiding officer does not relieve the vice chair or other member of the duty to vote on all questions except as excused from voting pursuant to Rule 29 (Duty to Vote).

### **Rule 21. When the Presiding Officer Is Active in Debate**

If the chair becomes active in debate on a particular proposal, he or she may have the vice chair preside during the board's consideration of the matter. If the vice chair is absent or is also actively debating the matter, the chair may designate another member to preside until the matter is concluded. Similarly, if while presiding, the vice chair or temporary chair wishes to join in debating a topic, he or she may designate another member to preside for the duration of the board's consideration of the matter.

## **Part VII. Motions and Voting**

### **Rule 22. Action by the Board**

Except as otherwise provided in these rules, the board shall act by motion. Any member may make a motion.

### **Rule 23. One Motion at a Time**

A member may make only one motion at a time.

### **Rule 24. Withdrawal of Motion**

The member who introduces a motion may withdraw the motion unless the motion has been amended or put to a vote.

### **Rule 25. Debate**

The presiding officer shall state the motion and then open the floor to debate, presiding over the debate according to the principles listed below.

- The maker of the motion is entitled to speak first.
- A member who has not spoken on the issue shall be recognized before a member who has

already spoken.

### **Rule 26. Adoption by Majority Vote**

A motion is adopted if supported by a simple majority of the votes cast, a quorum being present, except when a larger majority is required by these rules or state law.

### **Rule 27. Changing a Vote**

A member may change his or her vote on a motion at any time before the presiding officer announces whether the motion has passed or failed. Once the presiding officer announces the result, a member may not change his or her vote without the unanimous consent of the remaining members present. A member's request for unanimous consent to change a vote is not in order unless made immediately following the presiding officer's announcement of the result.

### **Rule 28. Duty to Vote**

**(a) Duty to Vote.** Every board member must vote except when excused from voting as provided by this rule.

**(b) Grounds for Excusal.** A member may be excused from voting on a matter involving the member's own financial interest or official conduct, though not if the proposal in question is one to alter the compensation or allowances paid to board members. Members may also be excused from voting when prohibited from voting under G.S. 14-234 (contract providing direct benefit to member), G.S. 153A-340(g) (legislative zoning decision likely to have a direct, substantial, and readily identifiable financial impact on member), or G.S. 160A-388(e) (2) (member's participation in quasi-judicial decision would violate affected person's right to an impartial decision maker). Any further questions about whether a basis for excusal exists should be directed to the county attorney.

#### **(c) Procedure for Excusal**

- (1) *At the member's request.* Upon being recognized at a duly called meeting of the board, a member who wishes to be excused from voting shall so inform the presiding officer, who must then submit the matter to a vote of the remaining members present. If a majority of the remaining members present vote to excuse the member, the member is excused from voting on the matter.
- (2) *On the board's initiative.* Even when a member has not asked to be excused from voting on a matter, a majority of the remaining members present may by motion and vote excuse the member from voting if the member is prohibited from voting under paragraph (b).

**(d) Consequence of Non-Excused Failure to Vote.** If a member who has not been excused from voting fails to vote on a matter, the member's failure to vote shall be recorded as an affirmative vote, provided

- (1) the member is physically present in the meeting room or
- (2) the member has physically withdrawn from the meeting room without being excused by majority vote of the remaining members present.

## **Rule 29. Voting by Written Ballot**

**(a) Secret Ballots Prohibited.** The board may not vote by secret ballot.

**(b) Rules for Written Ballots.** The board may decide by majority vote or unanimous consent to vote on a motion by written ballot. Each member must sign his or her ballot, and the minutes must record how each member voted by name. The ballots must be made available for public inspection in the office of the clerk to the board immediately following the meeting at which the vote took place and remain there until the minutes of that meeting are approved, at which time the ballots may be destroyed.

## **Rule 30. Substantive Motions**

A substantive motion is not in order if made while another motion is pending. Once the board disposes of a substantive motion, it may not take up a motion that presents essentially the same issue at the same meeting, unless it first adopts a motion to reconsider pursuant to Rule 32 (Motion 14 – To Reconsider).

## **Rule 31. Procedural Motions**

**(a) Certain Motions Allowed.** The board may consider only those procedural motions listed in this rule. Unless otherwise noted, each procedural motion may be debated and amended and requires a majority of votes cast, a quorum being present, for adoption.

**(b) Priority of Motions.** The procedural motions set out in this paragraph are listed in order of priority. A procedural motion is not in order so long as another procedural motion of higher priority is pending, except that

- any procedural motion other than an appeal under Motion 1 (To Appeal a Ruling of the Presiding Officer) is subject to amendment as provided in Motion 12 (To Amend), and
- a motion to call the question (end debate) may be made with regard to any procedural motion in accordance with Motion 9 (To End Debate[Call the Previous Question]).

When several procedural motions are pending, voting must begin with the procedural motion highest in priority, except that a motion to amend or end debate on the highest priority motion must be voted on first.

**Motion 1. To Appeal a Ruling of the Presiding Officer.** Any member may appeal the presiding officer's ruling on whether a motion is in order or on whether a speaker has violated reasonable standards of courtesy. The presiding officer's response to a question of parliamentary procedure may also be appealed by any member. An appeal is in order immediately after the disputed ruling or parliamentary response and at no other time. The member who moves to appeal need not be recognized by the presiding officer, and if timely made, the motion may not be ruled out of order.

**Motion 2. To Adjourn.** This motion may be used to close a meeting. The board must be out of closed session before adjourning any meeting.

**Motion 3. To Recess to a Certain Time and Place.** This motion may be used to call a recessed meeting as permitted under Rule 13 (Recessed Meetings). The motion must state the time (including the date, if the meeting will reconvene on a different day) and place at which the meeting will resume. The motion is

not in order if the board is in closed session.

**Motion 4. To Take a Brief Recess.**

**Motion 5. To Follow the Agenda.** This motion must be made at the time an item of business that deviates from the agenda is proposed; otherwise, the motion is out of order as to that item.

**Motion 6. To Suspend the Rules.** To be adopted, a motion to suspend the rules must receive affirmative votes equal to at least a quorum of the board. The board may not suspend provisions in these rules that are required under state law.

**Motion 7. To Divide a Complex Motion.** This motion is in order whenever a member wishes to consider and vote on parts of a complex motion separately. The member who makes this motion must specify how the complex motion will be divided.

**Motion 8. To Defer Consideration.** The board may defer its consideration of a substantive motion, and any proposed amendments thereto, to an unspecified time. A motion that has been deferred expires unless the board votes to revive it pursuant to Motion 13 (To Revive Consideration) within 100 days of deferral. A new motion having the same effect as a deferred motion may not be introduced until the latter has expired.

**Motion 9. To End Debate (Call the Previous Question).** If adopted, this motion terminates debate on a pending motion, thereby bringing it to an immediate vote. This motion is not in order until every member has had an opportunity to speak once on the pending motion.

**Motion 10. To Postpone to a Certain Time.** This motion may be employed to delay the board's consideration of a substantive motion, and any proposed amendments thereto, until a designated day, meeting, or hour. During the period of postponement, the board may not take up a new motion raising essentially the same issue without first suspending its rules pursuant to Motion 6 (To Suspend the Rules).

**Motion 11. To Refer a Motion to a Committee.** The board may vote to refer a substantive motion to a committee for study and recommendations. While the substantive motion is pending before the committee, the board may not take up a new motion raising essentially the same issue without first suspending its rules pursuant to Motion 6 (To Suspend the Rules). If the committee fails to report on the motion within 60 days of the referral date, the board must take up the motion if asked to do so by the member who introduced it.

**Motion 12. To Amend.**

**(a) Germaneness.** A motion to amend must concern the same subject matter as the motion it seeks to alter.

**(b) Limit on Number of Motions to Amend.** When a motion to amend is under consideration, a motion to amend the amendment may be made; however, no more than one motion to amend and one motion to amend the amendment may be pending at the same time.



**(c) Amendments to Ordinances.** Any amendment to a proposed ordinance must be reduced to writing before the vote on the amendment.

**Motion 13. To Revive Consideration.** The board may vote to revive consideration of any substantive motion that has been deferred pursuant to Motion 8 (To Defer Consideration), provided it does so within 100 days of its vote to defer consideration.

**Motion 14. To Reconsider.** The board may vote to reconsider its action on a matter, provided the motion to reconsider is made (a) at the same meeting during which the action to be reconsidered was taken and (b) by a member who voted with the prevailing side. For purposes of this motion, “the same meeting” includes any continuation of a meeting through a motion to recess to a certain time and place (Motion 3 – To Recess to a Certain Time and Place). The motion is not in order if it interrupts the board’s deliberation on a pending matter.

**Motion 15. To Rescind.** The board may vote to rescind an action taken at a prior meeting provided rescission is not forbidden by law.

**Motion 16. To Prevent Reintroduction for [Six] Months.** This motion may be used to prevent the reintroduction of a failed substantive motion for a time, but it is in order only when made immediately following the substantive motion’s defeat. To be adopted, this motion must receive affirmative votes equal to at least a quorum of the board. If this motion is adopted, the ban on reintroduction remains in effect for [six] months or until the board’s next organizational meeting in an even-numbered year, whichever occurs first.

## **Part VIII. Ordinances and Contracts**

### **Rule 32. Introduction of Ordinances**

For purposes of these rules, the “date of introduction” for a proposed ordinance is the first date on which the board actually considers the proposed ordinance.

### **Rule 33. Adoption, Amendment, and Repeal of Ordinances**

**(a) Form of Proposed Ordinances.** The board may not adopt a proposed ordinance unless it has been reduced to writing and distributed to members before the vote is taken.

**(b) Adoption of Ordinances Not Subject to Public Hearing Requirements.**

- (1) *Approval on date of introduction.* To be adopted at the meeting where first introduced, an ordinance or any action having the effect of an ordinance must receive the affirmative votes of all members of the board. If the measure receives a majority of votes cast on the date of introduction but not the unanimous support of all members, the board must take it up again at its next regular meeting.
- (2) *Approval after date of introduction.* At its first regular meeting following the date of introduction or at any meeting thereafter within 100 days of the date of introduction, the board may adopt the

proposed ordinance or action having the effect of an ordinance by a majority of votes cast, a quorum being present.

**(c) Adoption of Ordinances Subject to Public Hearing Requirements.**

- (1) *The budget ordinance or budget amendments.* Rule 35 (Adoption of the Budget Ordinance) governs the approval of the budget ordinance and amendments.
- (2) *Other ordinances.* Following a required public hearing on a proposed ordinance, the board may adopt the measure by a majority of votes cast, a quorum being present, regardless of whether the vote occurs on the date of introduction.

**(d) Amendment and Repeal of Ordinances.** The same voting requirements that govern the adoption of proposed ordinances also apply to the amendment or repeal of an ordinance.

**Rule 34. Adoption of the Budget Ordinance**

**(a) Special Rules for the Adoption or Amendment of the Budget Ordinance.** Notwithstanding any provision in general law or any local act,

- (1) the board may adopt or amend the budget ordinance at a regular or special meeting of the board by a majority of those members present and voting, a quorum being present;
- (2) no action taken with respect to the adoption or amendment of the budget ordinance need be published or is subject to any other procedural requirement governing the adoption of ordinances or resolutions by the board; and
- (3) the adoption or amendment of the budget ordinance and the levy of taxes in the budget ordinance are not subject to the provisions of any local act concerning initiative or referendum.

**(b) Notice Requirements for Budget Meetings.** During the period beginning with the submission of the budget to the board and ending with the adoption of the budget ordinance, the board may hold any special meetings that may be necessary to complete its work on the budget ordinance. Except for the notice requirements of the open meetings law, which continue to apply, no provision of law or these rules concerning the call of special meetings applies during that period, so long as

- (1) each member of the board has actual notice of each special meeting called for the purpose of considering the budget and
- (2) no business other than consideration of the budget is taken up.

**(c) No Authority for Closed Sessions.** This rule shall not be construed to authorize the board to hold closed sessions on any basis other than the grounds set out in Rule 5 (Closed Session).

**Part IX. Public Hearings and Comment Periods**

**Rule 35. Public Hearings**

**(a) Calling Public Hearings.** In addition to holding public hearings required by law, the board may hold any public hearings it deems advisable. The board may schedule hearings or delegate that responsibility

to county staff members, as appropriate, except when state law directs the board itself to call the hearing. If the board delegates scheduling authority, it must provide adequate guidance to assist staff members in exercising that authority.

**(b) Public Hearing Locations.** The board may hold public hearings anywhere within the county.

**(c) Notice of Public Hearings.** Any public hearing at which a quorum of the board is present shall be considered part of a regular or special meeting. Consequently, the relevant notice and related requirements of the open meetings law, as set out in Rules 10 through 13 (Types of Meetings), apply to such hearings. Some statutes mandate additional notice for particular types of hearings, and such notice must be provided together with the notice required by the open meetings law.

**(d) Rules for Public Hearings.** The board may adopt reasonable rules for public hearings that, among other things,

- fix the maximum time allotted to each speaker,
- provide for the designation of spokespersons for groups of persons supporting or opposing the same positions,
- provide for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the meeting room (so long as arrangements are made, in the case of a hearing subject to the open meetings law, for those excluded from the meeting room to listen to the hearing), and
- provide for the maintenance of order and decorum in the conduct of the hearing.

**(e) Continuing Public Hearings.** The board may continue any public hearing without further advertisement to a certain time and place, provided the time (including the date, if the hearing will resume on a different day) and place of the continued hearing are announced in open session. Except for hearings conducted pursuant to paragraph (g), if a quorum of the board is not present for a properly scheduled public hearing, the hearing must be continued until the board's next regular meeting without further advertisement.

**(f) Conduct of Public Hearings.** At the time appointed for the hearing, the chair shall call the hearing to order and proceed to allow public input in accordance with any rules adopted by the board for the hearing. Unless the board votes to extend the hearing, when the time allotted for the hearing expires, or when no one wishes to speak who has not done so, the chair shall declare the hearing closed, and the board shall resume the regular order of business.

**(g) Public Hearings by Less Than a Majority of Board Members.** Nothing in this rule prevents the board from appointing a member or members to hold a public hearing on the board's behalf, except when state law requires that the board itself conduct the hearing.

### **Rule 36. Public Comment Periods**

**(a) Frequency of Public Comment Periods.** The board must provide at least one opportunity for public comment each month at a regular meeting.

**(b) Rules for Public Comment Periods.** The board may adopt reasonable rules for public comment periods that, among other things,

- fix the maximum time allotted to each speaker,
- provide for the designation of spokespersons for groups supporting or opposing the same positions,
- provide for the selection of delegates from groups supporting or opposing the same positions when the number of persons wishing to attend the public comment period exceeds the capacity of the meeting room (so long as arrangements are made for those excluded from the meeting room to listen to the public comment period), and
- provide for the maintenance of order and decorum in the conduct of the public comment period.

**(c) Content-Based Restrictions Generally Prohibited.** The board may not restrict speakers based on subject matter, as long as their comments pertain to subjects within the board's real or apparent jurisdiction.

## **Part X. Appointments and Appointed Bodies**

### **Rule 37. Appointments**

**(a) Appointments in Open Session.** The board must consider and make any appointment to another body or, in the event of a vacancy on the board, to its own membership in open session.

**(b) Nomination and Voting Procedure for Appointed Bodies.** The board shall use the following procedure to appoint individuals to bodies over which it has the power of appointment. The chair shall open the floor for nominations, whereupon board members may put forward and debate nominees. When debate ends, the chair shall call the roll of the members, and each member shall cast a vote for his or her preferred nominee. The voting shall continue until a nominee receives a majority of votes cast during a single balloting.

**(c) Nomination and Voting Procedure to Fill a Vacancy on the Board.** The procedure described in paragraph (b) shall be used to fill a vacancy on the board, except as superseded by the provisions of G.S. 153A-27 or -27.1. If the county is divided into electoral districts, the person selected to fill the vacancy must reside in the same electoral district as the member being replaced. If the member being replaced was elected as the nominee of a political party, then his or her replacement must belong to the same party.

**(d) Multiple Appointments.** If the board is making more than one appointment to a body, each member shall have as many votes in each balloting as there are slots to be filled, and the votes of a majority of the total number of members voting shall be required for each appointment. No member may cast more than one vote for the same candidate for the same position during a single balloting.

**(e) Vote by Written Ballot.** The board may vote on proposed appointments by written ballot in accordance with Rule 30 (Voting by Written Ballot).

### **Rule 38. Committees and Boards**

**(a) Establishment and Appointment.** The board may establish temporary and standing committees, boards, and other bodies to help carry on the work of county government. Unless otherwise provided by law or the board, the power of appointment to such bodies lies with the board.

**(b) Open Meetings Law.** The requirements of the open meetings law apply whenever a majority of an appointed body's members gather in person or simultaneously by electronic means to discuss or conduct official business.

**(c) Procedural Rules.** The board may prescribe the procedures by which the county's appointed bodies operate, subject to any statutory provisions applicable to particular bodies. In the absence of rules adopted by the board, an appointed body may promulgate its own procedural rules, so long as they are in keeping with any relevant statutory provisions and generally accepted principles of parliamentary procedure.

## **Part XI. Miscellaneous**

### **Rule 39. Amendment of the Rules**

These rules may be amended at any regular meeting or at any properly called special meeting for which amendment of the rules is one of the meeting's stated purposes. Any amendment to these rules must be consistent with any relevant statutes and generally accepted principles of parliamentary procedure. To be adopted, a motion to amend these rules must be approved by a majority of the board's members.

### **Rule 40. Reference to Robert's Rules of Order Newly Revised**

The board shall refer to *Robert's Rules of Order Newly Revised* for guidance when confronted with a procedural issue not covered by these rules or state law. Having consulted *Robert's*, the chair shall make a ruling on the issue subject to appeal to the board under Rule 32 (Motion 1 – To Appeal a Ruling of the Presiding Officer).

# Rules of Procedure for the Cabarrus County Board of Commissioners

## Part I. Applicability

### Rule 1. Applicability of Rules

These rules apply to all meetings of the Board of Commissioners of Cabarrus County. For purposes of these rules, a meeting of the board occurs whenever a majority of the board's members gather, whether in person or simultaneously by electronic means, to conduct hearings, deliberate, vote, or otherwise transact public business within the board's real or apparent jurisdiction.

## Part II. Quorum

### Rule 2. Quorum

The presence of a quorum is necessary for the board to conduct business. A quorum consists of a majority of the board's membership. The term "majority" as used here and elsewhere in these rules means, unless otherwise specified, a simple majority, that is, more than half. Vacancies do not reduce the number of members necessary to establish a quorum. A member who withdraws from a meeting of the board without being excused by majority vote of the remaining members present is deemed present for quorum purposes. The board may compel an absent member to attend by ordering the sheriff to take the member into custody.

## Part III. Open Meetings

### Rule 3. Remote Participation in Board Meetings

~~A member may remotely participate in Board Meetings so long as they can be clearly heard by all present at the meeting and can clearly hear the discussion being had by the present quorum. The remote participant may vote on any item so long as they are fully informed prior to the vote.~~

The board acknowledges that attendance at board meetings is essential for its members to perform their official duties. The board strongly encourages its members to be physically present for all board meetings. The board recognizes, however, that extenuating circumstances may occasionally prevent a member from being physically present at a meeting. It further recognizes that advances in technology, such as audio and video conferencing have made it possible for members to communicate and deliberate simultaneously with each other from remote locations.

Therefore, to promote full participation of board members while ensuring access and transparency for the public as required by the Open Meetings Law, NCGS § 143-318.9 *et seq.*,

the board authorizes remote participation in official board meetings subject to the following procedures and requirements. Remote participation is not to be used solely for a member's convenience.

The intent of this rule is to establish the board's practice for remote participation by board members when there is no state of emergency existing (local or statewide). When a state of emergency exists, this policy is superseded by the provisions of NCGS § 166A-19.24 or other board policies, as the case may be. The board reserves the right to suspend, amend, or rescind this policy at any time by majority vote of the board.

When there is a request to participate remotely, the requesting commissioner should submit the request to the chair, vice-chair, County manager, or clerk to the board as soon as the member is aware of the need, but to the extent possible, preferably within forty-eight (48) hours, but not less than twelve (12) hours before the official meeting so that proper arrangements might be put in place.

The clerk should be made aware as soon as possible. At the beginning of the meeting, the chair or vice-chair will announce that a named commissioner will be participating remotely. Minutes from the meeting shall reflect which commissioner(s) participated remotely. The remote participation rules shall be followed.

Participation by a board member by electronic means in any properly noticed meeting. Participation shall be by telephone or video conference as determined by the clerk. Any method chosen must allow for the participating commissioner to hear what is said by other commissioners; hear what is said by individuals addressing the board; and be heard by other members of the board when speaking.

It is the responsibility of the participating commissioner to obtain and maintain technology (proficiency with use of said technology) to meet the above requirements.

Members participating remotely will be counted in the determination of a quorum, and be eligible to participate in debate and vote as long as the remote connection is maintained throughout the debate. Their vote must be by voice. Members participating remotely will NOT be eligible to participate in closed session discussion. Members participating remotely will identify themselves during introductions and indicate they are participating remotely. Members participating remotely shall notify the chair if leaving the meeting before the meeting is officially adjourned, or when rejoining the meeting after a period of absence. Members continually connected throughout the discussion, but failing to vote when called upon will be deemed voting in favor of the item on the floor. The official board minutes will reflect the member's remote participation.

- provide for the designation of spokespersons for groups supporting or opposing the same positions,
- provide for the selection of delegates from groups supporting or opposing the same positions when the number of persons wishing to attend the public comment period exceeds the capacity of the meeting room (so long as arrangements are made for those excluded from the meeting room to listen to the public comment period), and
- provide for the maintenance of order and decorum in the conduct of the public comment period.

**(c) Content-Based Restrictions Generally Prohibited.** The board may not restrict speakers based on subject matter, as long as their comments pertain to subjects within the board's real or apparent jurisdiction.

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**(c) Nomination and Voting Procedure to Fill a Vacancy on the Board.** The procedure described in paragraph (b) shall be used to fill a vacancy on the board, except as superseded by the provisions of NCGS §153A-27. ~~If the county is divided into electoral districts, the person selected to fill the vacancy must reside in the same electoral district as the member being replaced.~~ If the member being re-placed was elected as the nominee of a political party, then his or her replacement must belong to the same party. **If an existing member resigns, but delays the effective date of the resignation, such member can vote on his/her replacement so long as the vote occurs before the effective date of the resignation.**

**(d) Multiple Appointments.** If the board is making more than one appointment to a body, each member shall have as many votes in each balloting as there are slots to be filled, and the votes of a majority of the total number of members voting shall be required for each appointment. No member may cast more than one vote for the same candidate for the same position during a single balloting.

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### **Rule 39. Amendment of the Rules**

These rules may be amended at any regular meeting or at any properly called special meeting for which amendment of the rules is one of the meeting's stated purposes. Any amendment to these rules must be consistent with any relevant statutes and generally accepted principles of parliamentary procedure. To be adopted, a motion to amend these rules must be approved by a majority of the board's members.

### **Rule 40. Reference to Robert's Rules of Order Newly Revised**

The board shall refer to *Robert's Rules of Order Newly Revised* for guidance when confronted with a procedural issue not covered by these rules or state law. Having consulted *Robert's*, the chair shall make a ruling on the issue subject to appeal to the board under Rule 32 (Motion 1 – To Appeal a Ruling of the Presiding Officer).

### **Rule 41. One Hour Rule**

Any member's proposals or inquiries, including items to be added to a meeting agenda, shall not involve or receive more than one (1) hour of staff time, unless the entire board is made aware of the proposal or inquiry. The purpose of this rule is to facilitate transparency and communication and focus staff time on priorities of the entire board. Such proposals or inquiries shall be transmitted through the County manager to the appropriate staff member or department.

# CABARRUS COUNTY



## BOARD OF COMMISSIONERS WORK SESSION

**April 3, 2023  
4:00 PM**

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**AGENDA CATEGORY:**

Discussion Items for Action

**SUBJECT:**

County Manager - Accept Transfer of R. Brown McAllister Elementary School

**BRIEF SUMMARY:**

The Board of Education currently owns R. Brown McAllister Elementary School. Due to the construction of the replacement school, the County has issued debt for the facility necessitating the need for the County to own the property.

**REQUESTED ACTION:**

Motion to accept transfer of R. Brown McAllister Elementary School from the Cabarrus County Board of Education to Cabarrus County.

**EXPECTED LENGTH OF PRESENTATION:**

1 Minute

**SUBMITTED BY:**

Rodney Harris, Deputy County Manager

**BUDGET AMENDMENT REQUIRED:**

No

**COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:**

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**ATTACHMENTS:**

- ▣ Deed
- ▣ Exhibit

Excise Tax \$0.00

Recording Time, Book and Page

Tax Lot No. \_\_\_\_\_ Parcel Identifier No. Part of 5630-33-6834 & 5630-32-5905  
Verified by \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_,  
by \_\_\_\_\_

Mail after recording to Richard M. Koch (ROD Box 74)

This instrument was prepared by Richard M. Koch, Cabarrus County Attorney (No title search)

Brief description for the Index

R. Brown McAllister School Site

### NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this \_\_\_\_\_ day of March \_\_\_\_\_, 2023, by and between

CABARRUS COUNTY BOARD OF EDUCATION,  
Successor to GRADED SCHOOL BOARD OF CONCORD

GRANTEE

CABARRUS COUNTY  
P.O. Box 707  
Concord, NC 28026

**Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.q. corporation or partnership.**

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that

certain lot or parcel of land situated in the City of Concord, No. 11 Township, Cabarrus County, North Carolina and more particularly described as follows:

See attached Exhibit A

The property hereinabove described was acquired by Grantor by instrument recorded in Book 266, Page 393  
and Book 16406, Page 298

A map showing the above described property is recorded in Plat Book 94 page 48

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

1. Easement for Encroachment recorded in Book 11013, Page 31.
2. All easements, rights of way and restrictions of record.
3. Possible overlap with Weaver property as shown in recorded plat.

IN WITNESS, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

CABARRUS COUNTY BOARD OF EDUCATION  
(Corporate Name)

By: \_\_\_\_\_  
Board Chair

ATTEST: \_\_\_\_\_  
Secretary (Corporate Seal)

USE BLUE INK ONLY

\_\_\_\_\_  
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SEAL-STAMP

NORTH CAROLINA \_\_\_\_\_ County.  
I, a Notary Public of the County and State aforesaid, certify that \_\_\_\_\_ Grantor,  
personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my  
hand and official stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
My commission expires: \_\_\_\_\_ Notary Public

Use Blue Ink

SEAL-STAMP

NORTH CAROLINA, \_\_\_\_\_ County.  
I, a Notary Public of the County and State aforesaid, certify \_\_\_\_\_  
personally came before me this day and acknowledged that \_\_\_\_\_ he is \_\_\_\_\_ Secretary to  
\_\_\_\_\_, and that by authority duly  
given and as the act of the Board, the foregoing instrument was signed in its name by its \_\_\_\_\_  
sealed with its seal and attested by \_\_\_\_\_ as its \_\_\_\_\_ Secretary.  
Witness my hand and official stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
My commission expires: \_\_\_\_\_ Notary Public

Use Blue Ink

The foregoing Certificate(s) of \_\_\_\_\_

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

REGISTER OF DEEDS FOR \_\_\_\_\_ COUNTY

By \_\_\_\_\_ Deputy/Assistant – Register of Deeds

## EXHIBIT A

### TRACT I:

Lying and being in Ward No. 3 of the City of Concord, and No. 11 Township of Cabarrus County, North Carolina, adjoining the lands of Sadie V. Graeber, James A. Graeber, Dan Ritchie, the H. M. Winecoff Estate, Blackwelder, and S.K. Patterson, and being a part of Lot No. 2 and the first lot of division No. 7 of the W. H. Blume Estate, as recorded in Map Book No. 1, Page 25, in the Cabarrus County Registry, and being on the east side of South Church Street, and bounded as follows:

BEGINNING at an iron stake on the east side of South Church Street, a corner of Sadie V. Graeber (said iron stake being S. 27 degrees 28 minutes E. 64 feet from an iron stake on the east side of South Church Street, a corner of Sadie V. Graeber and Dan Ritchie) and running thence with the east side of South Church Street South 27 degrees 28 minutes East 140 feet to an iron pipe, corner of James A. Graeber on South Church Street; thence with three lines of James A. Graeber, North 59 degrees 50 minutes East 236.4 feet to an iron stake; thence South 37 degrees 31 minutes East 112.35 feet to an iron stake; thence South 45 degrees 47 minutes West 267.4 feet to an iron pipe on the east side of South Church Street; thence with the east side of South Church Street South 27 degrees 28 minutes East 551.3 feet to an iron pipe on the East side of South Church Street, corner of S.K. Patterson; thence with the line of S.K. Patterson and the Blackwelder land North 45 degrees 44 minutes East 1697.5 feet to an iron pipe, corner of the Blackwelder land and H.M. Winecoff Estate; thence North 27 degrees 46 minutes West 939.3 feet to an iron pipe, corner of the Winecoff land and Dan Ritchie; thence with the line of Dan Ritchie South 45 degrees 23 minutes West 1520.2 feet to an iron pipe, corner of Sadie V. Graeber in the line of Dan Ritchie; thence with two of the lines of Sadie V. Graeber, South 27 degrees 22 minutes East 107.5 feet to an iron pipe; thence South 59 degrees 34 minutes West 166.45 feet to the BEGINNING, containing 33.72 acres, more or less.

The above-described land was conveyed to Charles C. Graeber by Lillie J. Blume, by deed dated January 13, 1923, and recorded in Deed Book No. 100, Page 115; by Mabel Graeber, by deed dated April 8, 1944, and recorded in Deed Book No. 170, Page 600; and by Mabel Graeber, Eugene B. Graeber and others, by deed dated April 8, 1944, and recorded in Deed Book No. 170, Page 601 and 602, all in the office of the Register of Deeds for Cabarrus County, North Carolina.

**LESS AND EXCEPT:**

The 3.544-acre tract as shown in the plat recorded in Book 94, Page 48 conveyed by the Cabarrus County Board of Education to Robert B. Tucker and wife, Carolyn C. Tucker by general warranty deed dated March 8, 2023 and recorded in Book 16406, Page 294 of the Cabarrus County Public Registry.

**TRACT II:**

The 2.230-acre tract as shown in the plat recorded in Book 94, Page 48 conveyed by Robert B. Tucker and wife, Carolyn C. Tucker to the Cabarrus County Board of Education by general warranty deed dated March 10, 2023 and recorded in Book 16406, Page 298 of the Cabarrus County Public Registry.

# CABARRUS COUNTY



## BOARD OF COMMISSIONERS WORK SESSION

**April 3, 2023  
4:00 PM**

### AGENDA CATEGORY:

Discussion Items for Action

### SUBJECT:

County Manager - Authorization for One-Time Purchases

### BRIEF SUMMARY:

Every March, the County receives a hold-harmless payment from the State if Medicaid claims are less than the revenue generated from the local sales and use tax previously exchanged for the State to assume responsibility for the non-administrative costs of Medicaid. The March 2023 payment exceeded budget by \$6.1 million. The County Manager recommends allocating just under \$2.8 million for one-time purchases to address needs for Emergency Medical Services, Information Technology Services, and the Sheriff's Office, among others. The recommended purchases are:

<b><u>Department</u></b>	<b><u>Description</u></b>	<b><u>Amount</u></b>
Active Living & Parks	Master Plan	200,000
Emergency Medical Services	Tactical Helmets	20,000
Information Technology Services	Enterprise Physical Security	150,000
Information Technology Services	ERP System	2,000,000
Sheriff's Office	Bomb Equipment	26,000
Sheriff's Office	Breaching Tool	10,000
Sheriff's Office	Camera	40,000
Sheriff's Office	Chairs	14,000
Sheriff's Office	Cubicles/Building Renovations	142,000
Sheriff's Office	Night Vision Optics	65,000
Sheriff's Office	Throw/Pole Extension Camera	6,000



Sheriff's Office	Training Manikin	35,000
Sheriff's Office	Transport Van	70,000
<b>TOTAL</b>		<b>2,778,000</b>

**REQUESTED ACTION:**

Motion to approve recommended purchases and the associated budget amendment.

**EXPECTED LENGTH OF PRESENTATION:**

1 Minute

**SUBMITTED BY:**

Rodney Harris, Deputy County Manager

**BUDGET AMENDMENT REQUIRED:**

Yes

**COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:**

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**ATTACHMENTS:**

- ▢ Budget Amendment

**Budget Revision/Amendment Request**

Date: 4/17/2023

Amount: 2,778,000.00

Dept. Head: Rodney Harris

Department: CMO

Internal Transfer Within Department

Transfer Between Departments/Funds

Supplemental Request

To budget one time expenditures with funds received over budget for Medicaid hold harmless.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	1910-6445	MEDICAID HOLD HARMLESS	3,500,000	2,778,000	-	6,278,000
001	9	8140-9605	Consultants	75,000	200,000	-	275,000
001	9	2730-9330	Tools & Minor Equipment	36,588	20,000	-	56,588
001	9	1810-9570	Service Contracts	-	2,150,000		2,150,000
001	9	2110-9860	Equipment & Furniture	59,529	338,000		397,529
380	9	2110-9863	Motor Vehicles	2,869,360	70,000		2,939,360
							-
							-
							-
							-

**Budget Officer**

- Approved
- Denied

**County Manager**

- Approved
- Denied

**Board of Commissioners**

- Approved
- Denied

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Signature

\_\_\_\_\_  
Signature

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Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

# CABARRUS COUNTY



## BOARD OF COMMISSIONERS WORK SESSION

**April 3, 2023  
4:00 PM**

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### **AGENDA CATEGORY:**

Discussion Items for Action

### **SUBJECT:**

County Manager - Vacant and Dilapidated Housing

### **BRIEF SUMMARY:**

Planning and Development Staff and Construction Standards Staff have been approached by multiple citizens recently regarding dilapidated and vacant housing that is near their property. Traditionally, staff have worked with property owners where possible to resolve the issue. If the owner is unwilling or unable to clear the structure on their own, it would fall to the county to handle after due process is followed in order to gain compliance. This would result in the county incurring costs to remove and/or demolish the structure at county costs. The county would then place a lien on the property in an attempt to recover those funds. It would likely, in most cases, take a while to be able to recapture those funds, if the full amount could be recaptured. Currently, there is no funding set aside for this work in the budget. If the Board wishes to actively pursue the clearance of these structures, funds would be needed to be allocated so that contractors could be hired to handle the demolition and removal of the debris. Staff would like some direction on the issue.

### **REQUESTED ACTION:**

Advise staff of board consensus.

### **EXPECTED LENGTH OF PRESENTATION:**

10 Minutes

### **SUBMITTED BY:**

Kelly Sifford, AICP  
Assistant County Manager

**BUDGET AMENDMENT REQUIRED:**

No

**COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:**

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# CABARRUS COUNTY



## BOARD OF COMMISSIONERS WORK SESSION

**April 3, 2023  
4:00 PM**

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### **AGENDA CATEGORY:**

Discussion Items for Action

### **SUBJECT:**

DHS - Budget Revision for Adult Protective Services Essential Fund

### **BRIEF SUMMARY:**

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

Cabarrus County DHS's allocation for this fund is \$3,943.00. There is no county match required.

### **REQUESTED ACTION:**

Motion to adopt the budget amendment.

### **EXPECTED LENGTH OF PRESENTATION:**

5 Minutes

### **SUBMITTED BY:**

Anthony Hodges, Adult and Aging Services Program Administrator

**BUDGET AMENDMENT REQUIRED:**

Yes

**COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:**

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**ATTACHMENTS:**

- ▣ APS Essential Funds Budget Amendment
- ▣ NC DAAS DCDL
- ▣ APS Essential Fund Funding Authorization

**Budget Revision/Amendment Request**

Date:

Amount:

Dept. Head:

Department:

Internal Transfer Within Department     
  Transfer Between Departments/Funds     
  Supplemental Request

The Aging Dept was awarded additional nonrecurring allocations to the APS Essential Services Fund in the amount of \$3,943.90. The second allocation will cover services from January 2023 through June 2023. The APS Essential Services Fund must be used to provide and arrange for essential needs on behalf of an individual receiving Protective services for Adults Planning and Mobilizing Services such as medical care, personal hygiene assistance, food and clothing assistance, heated and ventilated shelter, and protection from abuse, neglecte, and exploitation. This fund is 100% federally funded. No county share required.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	5660-946101-ARP	Emergency Assistance	-	3,943.90		3,943.90
001	6	5660-6384-ARP	Cares Act Relief Payment	-	3,943.90		3,943.90
001	9						0.00
001	9						0.00

**Total**      0.00

**Budget Officer**

Approved  
 Denied

**County Manager**

Approved  
 Denied

**Board of Commissioners**

Approved  
 Denied

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*Signature*

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*Signature*

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*Signature*

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*Date*

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*Date*

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*Date*



NC DEPARTMENT OF  
**HEALTH AND  
HUMAN SERVICES**

**ROY COOPER** • Governor

**KODY H. KINSLEY** • Secretary

**JOYCE MASSEY-SMITH, MPA** •  
Director, Division of Aging and Adult Services

March 10, 2023

**DEAR COUNTY DIRECTOR OF SOCIAL SERVICES**

**ATTENTION:** ADULT SERVICES SUPERVISORS AND PROGRAM MANAGERS

**SUBJECT:** ADULT PROTECTIVE SERVICES ESSENTIAL SERVICES FUND (Funding Allocation-2, FA-2 and Funding Allocation-3, FA-3)

**REQUIRED ACTION:**  Information Only  Time Sensitive  Action Required

The Division of Aging and Adult Services (DAAS) established the Adult Protective Services (APS) Essential Services Fund during SFY 21-22 to help county departments of social services provide vital services to disabled adults for whom the need for protective services had been substantiated. The funding was used to help in nearly 900 instances with housing, medications, food and other much needed services. It allows vulnerable adults to age in place and helps to eliminate unnecessary institutionalization and promotes opportunities for them to return to community-based settings.

In response to the extensive use of the first allocation of funding, DAAS has allocated two additional nonrecurring allocations to the APS Essential Services Fund. The second funding allocation (FA-2) of \$528,699 will be dispersed during SFY 22-23 and cover service months January 2023 through June 2023. The third funding allocation (FA-3) of \$1,000,000 will be dispersed during SFY 23-24 and cover service months July 2023 through June 2024.

As with the first allocation, both FA-2 and FA-3 allocations are intended to assist county departments of social services in addressing identified protective services needs and mobilizing protective services where limited county funding and limited local resources may be a barrier. The funds are being made available in addition to any funds already allocated by the county and are not intended to replace funds already in place. Counties should ensure no other funding sources or resources are available to assist the individual prior to using this funding.

The APS Essential Services Fund must be used to provide and arrange for essential needs on behalf of an individual receiving Protective Services for Adults Planning and Mobilizing Services (SIS Code 204). The individual must be opened for SIS Code 204 services on a signed DSS-5027. If the individual is a recipient of the Community Alternatives Program (CAP) or the Special Assistance In Home Program (SAIH), counties should ensure that APS Essential Services Funds are used for needs that are not being covered through either of the programs.

**NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF AGING AND ADULT SERVICES**

LOCATION: 693 Palmer Drive, Taylor Hall, Raleigh, NC 27603  
MAILING ADDRESS: 2101 Mail Service Center, Raleigh, NC 27699-2101  
www.ncdhhs.gov • TEL: 919-855-3400 • FAX: 919-733-0443

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER



These essential services needs include the provision of medical care for physical and mental health, assistance in personal hygiene, assistance with obtaining appropriate food, clothing, seeking and providing heated and ventilated shelter, providing for protection from health and safety hazards, and protection from abuse, neglect, and exploitation.

The APS Essential Services Fund Reporting Tool will continue to be a required component to receive reimbursement for this funding. The completion of the tool is similar to the previous allocation and is an attachment to this letter, the information required by the tool includes:

- The county name
- The first and last name of the county staff completing the tool
- The email address of the staff completing the tool
- The SIS ID of the individual open for 204 services receiving services through the Essential Services Fund
- The amount spent in each of the applicable categories for that individual:
  - Medication/medical care
  - Housing supports (rent/mortgage payments, taxes, hotels)
  - Groceries
  - Personal hygiene/clothing
  - Household supplies (appliances/furniture)
  - Home repairs/modifications
  - Personal Care (sitter/respice/personal care aid, life alert, adult day care)
  - Utilities (electric, gas, telephone, water, internet)
  - Health and wellness supplies
  - Transportation
  - Other (please describe)

Please continue to complete one tool for each individual receiving the APS Essential Services funding for each month funding is available. A link to submit the monthly tool is provided in the attachment, APS Essential Services Fund Reporting Tool FA2. As with the previous allocation, all tools must be completed by 5:00 p.m. on the first working day of the month for the previous month. For example, all requested reimbursements for March 2023 should be entered in the monthly tool by 5:00 p.m. on April 3, 2023. If you are unable to submit an invoice in the APS Essential Services Reporting Tool by the due date, you may submit the invoice the following month for reimbursement. To claim reimbursements for January 2023 and February 2023, the tool should be completed by April 3, 2023.

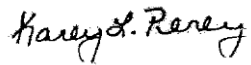
No prior approval is needed by your agency to utilize this funding. Your agency will complete the DSS-1571 Part II to receive reimbursement for the previous month. The invoices should be submitted to DAAS via the APS Essential Services Fund Reporting Tool as a part of this reimbursement process.

Please see the attached document, APS Essential Services Funding Authorization FA2, with each county's allocation. This document contains the FA-2 allocation. FA-3 allocations will be sent in July 2023. Counties should track their monthly reimbursements to ensure you do not expend beyond your allocation. DAAS used the same funding formula for allocations, the number of individuals who received Protective Services in each county in SFY 2022-2023 and a weighted percent of 10% for SIS Code 202, 70% for SIS Code 204, and 20% based on the number of citizens at or below the poverty level for 2019.

The remaining funding from the initial allocation can be used for essential needs that were provided for SIS Code 204 clients during service months February 2022 through December 2022 as well as service months January 2023 through June 2023.

If you have questions or need additional information, please contact Sarah M. Richardson at [sarah.richardson@dhhs.nc.gov](mailto:sarah.richardson@dhhs.nc.gov) or the Adult Services listserv at [dssasup@listserv.unc.edu](mailto:dssasup@listserv.unc.edu).

Sincerely,



Karey Perez  
Adult Services Section Chief

DAAS\_AS\_06\_2023

Attachments: APS Essential Service Funding Authorization FA2  
APS Essential Services Fund Reporting Tool FA2



**DIVISION OF SOCIAL SERVICES**

**APS Essential Services**

**FUNDING SOURCE: 1510-8004-TH**

**EFFECTIVE DATE: 1/1/2023**

**AUTHORIZATION NUMBER: 2**

**ALLOCATION PERIOD**

**FROM JANUARY 2023 THRU JUNE 2023 SERVICE MONTHS**

**FROM FEBRUARY 2023 THRU JULY 2023 PAYMENT MONTHS**

Co. No.	COUNTY	Initial (or Previous) Allocation Funding Authorization		Additional Allocation		Grand Total Allocation	
		Federal	Total	Federal	Total	Federal	Total
01	ALAMANCE	17,887.60	17,887.60	0.00	0.00	17,887.60	17,887.60
02	ALEXANDER	1,873.18	1,873.18	0.00	0.00	1,873.18	1,873.18
03	ALLEGHANY	2,949.74	2,949.74	0.00	0.00	2,949.74	2,949.74
04	ANSON	1,513.50	1,513.50	0.00	0.00	1,513.50	1,513.50
05	ASHE	1,939.05	1,939.05	0.00	0.00	1,939.05	1,939.05
06	AVERY	698.91	698.91	0.00	0.00	698.91	698.91
07	BEAUFORT	7,659.76	7,659.76	0.00	0.00	7,659.76	7,659.76
08	BERTIE	2,072.80	2,072.80	0.00	0.00	2,072.80	2,072.80
09	BLADEN	3,300.39	3,300.39	0.00	0.00	3,300.39	3,300.39
10	BRUNSWICK	4,231.22	4,231.22	0.00	0.00	4,231.22	4,231.22
11	BUNCOMBE	24,541.45	24,541.45	0.00	0.00	24,541.45	24,541.45
12	BURKE	4,886.87	4,886.87	0.00	0.00	4,886.87	4,886.87
13	CABARRUS	3,943.90	3,943.90	0.00	0.00	3,943.90	3,943.90
14	CALDWELL	9,061.39	9,061.39	0.00	0.00	9,061.39	9,061.39
15	CAMDEN	292.69	292.69	0.00	0.00	292.69	292.69
16	CARTERET	5,489.16	5,489.16	0.00	0.00	5,489.16	5,489.16
17	CASWELL	839.21	839.21	0.00	0.00	839.21	839.21
18	CATAWBA	10,002.45	10,002.45	0.00	0.00	10,002.45	10,002.45
19	CHATHAM	2,583.13	2,583.13	0.00	0.00	2,583.13	2,583.13
20	CHEROKEE	2,126.26	2,126.26	0.00	0.00	2,126.26	2,126.26
21	CHOWAN	1,326.83	1,326.83	0.00	0.00	1,326.83	1,326.83
22	CLAY	1,559.81	1,559.81	0.00	0.00	1,559.81	1,559.81
23	CLEVELAND	5,816.29	5,816.29	0.00	0.00	5,816.29	5,816.29
24	COLUMBUS	3,522.45	3,522.45	0.00	0.00	3,522.45	3,522.45
25	CRAVEN	6,157.52	6,157.52	0.00	0.00	6,157.52	6,157.52
26	CUMBERLAND	15,090.19	15,090.19	0.00	0.00	15,090.19	15,090.19
27	CURRITUCK	517.63	517.63	0.00	0.00	517.63	517.63
28	DARE	1,579.99	1,579.99	0.00	0.00	1,579.99	1,579.99
29	DAVIDSON	7,814.89	7,814.89	0.00	0.00	7,814.89	7,814.89
30	DAVIE	5,806.95	5,806.95	0.00	0.00	5,806.95	5,806.95
31	DUPLIN	2,941.73	2,941.73	0.00	0.00	2,941.73	2,941.73
32	DURHAM	13,230.36	13,230.36	0.00	0.00	13,230.36	13,230.36
33	EDGECOMBE	5,677.33	5,677.33	0.00	0.00	5,677.33	5,677.33
34	FORSYTH	8,413.02	8,413.02	0.00	0.00	8,413.02	8,413.02
35	FRANKLIN	2,820.96	2,820.96	0.00	0.00	2,820.96	2,820.96
36	GASTON	42,022.70	42,022.70	0.00	0.00	42,022.70	42,022.70
37	GATES	400.03	400.03	0.00	0.00	400.03	400.03
38	GRAHAM	224.79	224.79	0.00	0.00	224.79	224.79
39	GRANVILLE	2,155.21	2,155.21	0.00	0.00	2,155.21	2,155.21
40	GREENE	910.07	910.07	0.00	0.00	910.07	910.07
41	GUILFORD	9,325.16	9,325.16	0.00	0.00	9,325.16	9,325.16
42	HALIFAX	3,735.96	3,735.96	0.00	0.00	3,735.96	3,735.96
43	HARNETT	2,504.89	2,504.89	0.00	0.00	2,504.89	2,504.89
44	HAYWOOD	4,972.42	4,972.42	0.00	0.00	4,972.42	4,972.42
45	HENDERSON	9,650.03	9,650.03	0.00	0.00	9,650.03	9,650.03
46	HERTFORD	1,854.64	1,854.64	0.00	0.00	1,854.64	1,854.64
47	HOKE	2,279.84	2,279.84	0.00	0.00	2,279.84	2,279.84

		Initial (or Previous) Allocation Funding Authorization		Additional Allocation		Grand Total Allocation	
	COUNTY	Federal	Total	Federal	Total	Federal	Total
48	HYDE	712.63	712.63	0.00	0.00	712.63	712.63
49	IREDELL	3,342.80	3,342.80	0.00	0.00	3,342.80	3,342.80
50	JACKSON	1,511.13	1,511.13	0.00	0.00	1,511.13	1,511.13
51	JOHNSTON	12,508.58	12,508.58	0.00	0.00	12,508.58	12,508.58
52	JONES	223.71	223.71	0.00	0.00	223.71	223.71
53	LEE	1,631.01	1,631.01	0.00	0.00	1,631.01	1,631.01
54	LENOIR	2,114.37	2,114.37	0.00	0.00	2,114.37	2,114.37
55	LINCOLN	7,644.33	7,644.33	0.00	0.00	7,644.33	7,644.33
56	MACON	1,505.07	1,505.07	0.00	0.00	1,505.07	1,505.07
57	MADISON	1,801.91	1,801.91	0.00	0.00	1,801.91	1,801.91
58	MARTIN	1,446.50	1,446.50	0.00	0.00	1,446.50	1,446.50
59	MCDOWELL	2,534.18	2,534.18	0.00	0.00	2,534.18	2,534.18
60	MECKLENBURG	29,509.79	29,509.79	0.00	0.00	29,509.79	29,509.79
61	MITCHELL	756.55	756.55	0.00	0.00	756.55	756.55
62	MONTGOMERY	5,193.92	5,193.92	0.00	0.00	5,193.92	5,193.92
63	MOORE	5,396.21	5,396.21	0.00	0.00	5,396.21	5,396.21
64	NASH	3,047.86	3,047.86	0.00	0.00	3,047.86	3,047.86
65	NEW HANOVER	15,300.95	15,300.95	0.00	0.00	15,300.95	15,300.95
66	NORTHAMPTON	1,867.62	1,867.62	0.00	0.00	1,867.62	1,867.62
67	ONslow	8,340.77	8,340.77	0.00	0.00	8,340.77	8,340.77
68	ORANGE	2,076.16	2,076.16	0.00	0.00	2,076.16	2,076.16
69	PAMLICO	336.15	336.15	0.00	0.00	336.15	336.15
70	PASQUOTANK	1,336.51	1,336.51	0.00	0.00	1,336.51	1,336.51
71	PENDER	3,967.16	3,967.16	0.00	0.00	3,967.16	3,967.16
72	PERQUIMANS	554.41	554.41	0.00	0.00	554.41	554.41
73	PERSON	1,716.84	1,716.84	0.00	0.00	1,716.84	1,716.84
74	PITT	11,008.93	11,008.93	0.00	0.00	11,008.93	11,008.93
75	POLK	1,332.45	1,332.45	0.00	0.00	1,332.45	1,332.45
76	RANDOLPH	2,823.75	2,823.75	0.00	0.00	2,823.75	2,823.75
77	RICHMOND	2,125.68	2,125.68	0.00	0.00	2,125.68	2,125.68
78	ROBESON	27,207.22	27,207.22	0.00	0.00	27,207.22	27,207.22
79	ROCKINGHAM	11,287.76	11,287.76	0.00	0.00	11,287.76	11,287.76
80	ROWAN	5,583.80	5,583.80	0.00	0.00	5,583.80	5,583.80
81	RUTHERFORD	2,743.62	2,743.62	0.00	0.00	2,743.62	2,743.62
82	SAMPSON	7,002.44	7,002.44	0.00	0.00	7,002.44	7,002.44
83	SCOTLAND	864.27	864.27	0.00	0.00	864.27	864.27
84	STANLY	3,512.80	3,512.80	0.00	0.00	3,512.80	3,512.80
85	STOKES	1,932.35	1,932.35	0.00	0.00	1,932.35	1,932.35
86	SURRY	7,472.17	7,472.17	0.00	0.00	7,472.17	7,472.17
87	SWAIN	2,814.42	2,814.42	0.00	0.00	2,814.42	2,814.42
88	TRANSYLVANIA	1,768.51	1,768.51	0.00	0.00	1,768.51	1,768.51
89	TYRRELL	2,680.28	2,680.28	0.00	0.00	2,680.28	2,680.28
90	UNION	4,493.63	4,493.63	0.00	0.00	4,493.63	4,493.63
91	VANCE	2,388.35	2,388.35	0.00	0.00	2,388.35	2,388.35
92	WAKE	13,574.17	13,574.17	0.00	0.00	13,574.17	13,574.17
93	WARREN	1,114.40	1,114.40	0.00	0.00	1,114.40	1,114.40
94	WASHINGTON	634.86	634.86	0.00	0.00	634.86	634.86
95	WATAUGA	1,884.44	1,884.44	0.00	0.00	1,884.44	1,884.44
96	WAYNE	9,227.17	9,227.17	0.00	0.00	9,227.17	9,227.17
97	WILKES	5,736.60	5,736.60	0.00	0.00	5,736.60	5,736.60
98	WILSON	8,199.18	8,199.18	0.00	0.00	8,199.18	8,199.18
99	YADKIN	869.23	869.23	0.00	0.00	869.23	869.23
100	YANCEY	1,835.06	1,835.06	0.00	0.00	1,835.06	1,835.06
	<b>Total</b>	<b>528,699.00</b>	<b>528,699.00</b>	<b>0.00</b>	<b>0.00</b>	<b>528,699.00</b>	<b>528,699.00</b>

APS Essential Services

AUTHORIZATION NUMBER: 2

**FUNDING SOURCE: 1510-8004-TH**

**CFDA Number: 93.747**

**CFDA Name: Elder Abuse Prevention Interventions Program**

**Award Name: (APC6) American Rescue Plan (ARP) for APS under SSA Title XX Section 2042(b)**

**Award Number: 2101NCAPC6**

**Award Date: August 3, 2021**

**Federal Agency: DHHS/ACL**

**GRANT INFORMATION: This represents 100% federal dollars.**

**XS411 Heading: APS Essential Svcs**

**Tracked on XS411: Federal Share 100%**

**OBLIGATIONS INCURRED AND EXPENDITURES MADE UNDER THIS ADVICE WILL BE SUBJECT TO LIMITATIONS PUBLISHED BY FEDERAL AND STATE AGENCIES AS TO THE AVAILABILITY OF FUNDS**

**THIS FUNDING AUTHORIZATION IS CONTINGENT UPON APPROPRIATION BY THE NORTH CAROLINA GENERAL ASSEMBLY.**

**THESE AMOUNTS ARE CURRENTLY ESTIMATES AND ARE SUBJECT TO CHANGE UPON APPROPRIATION.**

**AUTHORIZED SIGNATURE**

**DATE:**



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**March 9, 2023**

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# CABARRUS COUNTY



## BOARD OF COMMISSIONERS WORK SESSION

**April 3, 2023  
4:00 PM**

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**AGENDA CATEGORY:**

Discussion Items for Action

**SUBJECT:**

DHS - Transportation 5310 Elderly and Handicapped Grant

**BRIEF SUMMARY:**

The goal of the FTA Section 5310 program is to improve mobility for older adults and people with disabilities.

**REQUESTED ACTION:**

Motion to approve the 5310 Elderly and Handicapped Grant from the City of Concord.

**EXPECTED LENGTH OF PRESENTATION:**

5 Minutes

**SUBMITTED BY:**

Bob Bushey, Transportation Manager

**BUDGET AMENDMENT REQUIRED:**

No

**COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:**

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**ATTACHMENTS:**

- 5310 Program Application

# Section 5310 Funding Program Application

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Please complete Parts I – III of the 5310 Funding Program Application. Return the completed application to City of Concord as noted in the Application Process Section.

## Part I – Funding Request

### Applicant Information

Organization Name: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Website: \_\_\_\_\_

### Project Information

Title: \_\_\_\_\_

Brief Description:

Service days/hours (if applicable): \_\_\_\_\_

Estimated Cost per One-Way Trip (if applicable): \_\_\_\_\_

Estimated Daily Riders per Weekday/Weekend (if applicable): \_\_\_\_\_

## **Part II – Project Narrative**

Please complete the Project Narrative questions below for your application. These questions closely align with the Project Selection Criteria included in the 5310 Program Management Plan and 5310 Application Package.

### **Expanded Project Description**

*Please use this space to expand on your project description beyond the brief description provided in Part I of the application.*

### **Project Needs**

*How is the proposed project consistent with eligible 5310 program activities and objectives of the 5310 funding program?*

*Describe how the project will increase or enhance the availability of transportation for the elderly and disabled populations in the Cabarrus-Rowan Urbanized Area?*

*What need(s) does the project address in the Local Coordinated Plan? Please provide the page number(s) in the Local Coordinated Plan your project corresponds with.*



*Does the project provide a service or investment that otherwise would not be available? If so, please explain.*

### **Project Planning and Implementation**

*Describe how the proposed project might coordinate or link with other transportation providers or transportation stakeholders?*

*Describe the project timeline and project lifespan?*

*Please note how you plan to market your proposed project? If an existing service, note how your service is currently marketed?*

*When could your project begin upon receiving funding? Describe the process your organization would take to implement the project.*

### **Project Budget**

Draft Program Management Plan

*In addition to filling out the Proposed Project Budget, note any plans for continued investment and/or maintenance for the proposed project after the 5310 funds are spent.*

## **Program Effectiveness and Evaluation**

*How does your organization plan to collect information to monitor quality control and customer satisfaction related to implementing the proposed project? Include in your description any measurable indicators you propose to use.*

## **Organizational Preparedness**

*Describe the staffing plan for this project. Who would be the primary staff person responsible for managing the grant? What other staff would be involved? Describe any relevant past experience these staff have in working on the type of project proposed.*

*Please note any experience your organization has with financial reporting such as quarterly reports, annual audits and/or other forms of financial reporting.*

*Describe any training, maintenance, inspections and/or service monitoring you plan to do focused on managing risk and providing safe services?*

## **Part III – Proposed Project Budget**

### **Project Funding**

Local matching funds are required for all application submittals. For projects requiring nontraditional (operating) funds the required match is 50% from non-federal transportation funds. For traditional (capital) projects the required match is 20% + from non-federal transportation funds. Some potential traditional match exceptions are noted in the FTA guidance and the CK Rider Area Transit 5310 Program Management Plan.

Total Project Budget

Traditional Federal Share - 80%

Traditional Local Match - 20%

Nontraditional Federal Share - 50%

Nontraditional Local Match - 50%

Local Match Fund Source: \_\_\_\_\_

Note: The applicant must demonstrate a commitment to provide local funds and provide appropriate documentation. Documentation may be in the form of a letter or other supporting documentation noting where funds will be drawn from.

# CABARRUS COUNTY



## BOARD OF COMMISSIONERS WORK SESSION

**April 3, 2023  
4:00 PM**

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### **AGENDA CATEGORY:**

Discussion Items for Action

### **SUBJECT:**

DHS - Transportation MPO Agreement

### **BRIEF SUMMARY:**

The North Carolina Integrated Mobility Division (IMD) along with the Federal Transit Administration (FTA) requires all Public Transportation Departments have a written agreement with their MPO (Metropolitan Planning Organization).

### **REQUESTED ACTION:**

Approve and sign agreement.

### **EXPECTED LENGTH OF PRESENTATION:**

5 Minutes

### **SUBMITTED BY:**

Bob Bushey, Transportation Manager

### **BUDGET AMENDMENT REQUIRED:**

No

### **COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:**

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### **ATTACHMENTS:**

- Cabarrus/MPO Agreement

Performance Management Agreement

between

Cabarrus-Rowan MPO,

Cabarrus County Public Transit, and

the North Carolina Department of Transportation (NCDOT), the South Carolina Department of Transportation (SCDOT), the Gaston-Lincoln-Cleveland Metropolitan Planning Organization (GCLMPO), Charlotte Regional Transportation Planning Organization (CRTPO), and Rock Hill-Fort Mill Area Transportation Study (RFATS)

**WHEREAS**, the United States Department of Transportation promulgated transportation planning regulations in 23 CFR 450.314, and

**WHEREAS**, MPO(s), State(s), and providers of public transportation are required by 23 CFR 450.314 to cooperatively determine their mutual responsibilities in carrying out the performance-based planning and programming requirements established by federal law, and

**WHEREAS**, the 23 CFR 450.314(h) requires that Metropolitan Planning Organizations (MPO)(s), State(s), and providers of public transportation shall jointly agree upon and develop specific written procedures for cooperatively developing and sharing information related to transportation performance data, the selection of performance targets, the reporting of performance targets, the reporting of performance to be used in tracking progress toward achievement of critical outcomes for the region of the MPO, and the collection of data for the State asset management plan for the National Highway System (NHS).<sup>1</sup>

**NOW, THEREFORE, BE IT RESOLVED**, that the parties do hereby agree to adhere to the following protocols for coordination to meet performance-based planning and programming requirements in accordance with 23 CFR 450 and established federal guidance.

- 1) Transportation performance data
  - a. NCDOT will collect and provide (or otherwise make available) to the Cabarrus-Rowan MPO and the providers of public transportation, with data used in developing statewide targets for all applicable measures.

<sup>1</sup> For definitions of performance "targets" and other terms in this agreement, see 23 CFR 490.101.

- b. If the MPO chooses to develop its own target for any measure, Cabarrus-Rowan MPO will collect and provide NCDOT with any supplemental data used in association with the MPO target setting process, if applicable.
- c. For the Charlotte Urbanized Area (UZA) only, NCDOT, SCDOT, CRMPO, CRTPO, GCLMPO, and RFATS will share data, as applicable, to develop single unified targets for the UZA for two CMAQ congestion performance measures: Annual Hours of Peak-Hour Excessive Delay per Capita, and Percent of non-SOV travel.

2) Selection of transportation performance targets

- a) NCDOT, the MPO, and the provider(s) of public transportation will set performance targets in coordination with each other.
  - (i) Coordination will include as many of the following opportunities as deemed appropriate for the measure: in-person meetings, webinars, conference calls, work group/committee representation, and email/written communication.
  - (ii) For each performance measure, MPO's shall establish a target by either agreeing to plan and program projects so that they contribute toward the accomplishment of NCDOT's target for that performance measure, or commit to a quantifiable target for that performance measure for their metropolitan planning area (23 CFR 490.209 (c)(4)).
  - (iii) Per 23 CFR 490.209 (c) (5), MPO's that establish quantifiable fatality rate or serious injury rate targets shall report the VMT estimate to NCDOT used for such targets and the methodology used to develop the estimate. The methodology should be consistent with other Federal reporting requirements, if applicable.
  - (iv) If the MPO chooses to set its own target, the MPO will develop the target in coordination with NCDOT and the provider(s) of public transportation.
- b) The NCDOT will set statewide performance targets to meet the federal performance management requirements
  - (i) The NCDOT will provide written notice to the MPO when NCDOT sets a target. This notice will provide the targets and the date NCDOT set the target, which will begin the 180-day time-period in which the MPO must set performance targets.
  - (ii) If the MPO chooses to support the statewide or provider(s) of public transportation targets, the MPO will provide documentation in the form of a support resolution to NCDOT and the provider(s) of public

transportation that the MPO agrees to plan and program projects that will contribute toward the achievement of the statewide and/or provider(s) of public transportation targets.

- (iii) If the MPO chooses to set its own target(s), the MPO will provide NCDOT and the provider(s) of public transportation documentation (in the form of a signed resolution) that includes the target(s) and when the MPO established those target(s).

c) Provider(s) of public transportation Targets:

- i) The Tier 1 providers of public transportation will establish performance targets to meet the federal performance management requirements for transit asset management and transit safety (pending final rule). Tier 1 transit providers are defined in 23 CFR 625.5.
- ii) The provider of public transportation will provide written notice to the MPO and NCDOT when they establish target(s). This notice will provide the targets and the date the target was set. The date the initial targets were set will begin the 180-day time-period within which the MPO must establish their transit-related performance targets. MPO's may choose to update their targets when the provider(s) of public transportation updates their targets, or when the MPO amends their Metropolitan Transportation Plan (MTP). At a minimum, an MPO shall update their transit-related targets when the MPO updates the MTP by extending the MTP's horizon year in accordance with 23 CFR 450.324 (c).
- iii) If the MPO chooses to support the provider(s) of public transportation target(s), the MPO will provide to NCDOT and the provider of public transportation documentation in the form of a support resolution duly considered by the MPO's governing body that the MPO agrees to plan and program MPO projects so that they contribute toward achievement of the transit provider's target.
- iv) For Tier 2 providers of public transportation that choose to participate in NCDOT's group plan: NCDOT shall notify MPOs and those participating Tier 2 providers within 30 days of establishment of transit-related targets. The MPO will provide documentation to NCDOT and the provider of public transportation of target establishment or support in the form of a resolution duly considered by the MPO's governing body. Tier 2 transit providers are defined in 23 CFR 625.5.

- d) For the Charlotte Urbanized Area {UZA} only, NCDOT, SCOOT, CRMPO, CRTPO, GCLMPO, and RFATS will coordinate and set single unified targets for the UZA for two CMAQ congestion performance measures: Annual Hours of Peak-Hour Excessive Delay

per Capita, and Percent of non-SOV travel. Greater Hickory MPO is encouraged to coordinate to set targets for these two measures.

- 3) Reporting of performance targets
  - a. Reporting of targets and performance will be done as specified in 23 CFR 490, 23 CFR 450, 49 CFR 625, and 49 CFR 673.
  - b. NCDOT will report all targets to FHWA and FTA as applicable. NCDOT will provide written notice of the targets to the MPO within 15 business days of reporting targets.
  - c. The MPOs will report any MPO targets to NCDOT within 15 business days after the MPO establishes a target. The MPO will provide documentation of target establishment to NCDOT and the provider of public transportation in the form of a resolution duly considered by the MPO's governing body.
  - d. The MPO agrees to report their annually established safety targets to NCDOT within 15 business days of establishment. (23 CFR 490.209(c)). Establishment of targets shall be evidenced by a signed resolution from the MPO's governing board.
  
- 4) Reporting of performance to be used in tracking progress toward achievement of critical outcomes for the region of the MPO.
  - a. Where available and practicable, NCDOT will provide the MPO with the statewide performance data used in developing statewide targets. All updates of this data will include prior performance data, as available and practicable.
  - b. If MPO sets a different target than the statewide target the MPO will provide NCDOT with MPO-wide performance data used to develop the target. All updates of performance data by the MPO will include prior performance data.
  - c. Where applicable, the MPO will provide data to NCDOT for the CMAQ on-road emissions measure.
  - d. Where applicable, the MPO will provide NCDOT and the provider of public transportation with a copy of the CMAQ Performance Plan at least 45 days prior to when NCDOT's performance period reports are due per 23 CFR 490.107. As applicable, NCDOT will include as an attachment the MPO's CMAQ Performance Plan as a part of NCDOT's performance period report.
  
- 5) The collection of data for the State asset management plans for the NHS



- a. NCDOT will be responsible for the collection of bridge and pavement condition data for the State asset management plan for the NHS. This includes NHS roads that are not on a State highway system but instead are under the ownership of local jurisdictions, if such roads exist.
- 6) All parties agree that email communications shall be considered written notice for all portions of this agreement.
- 7) The State, MPO, and providers of public transportation are responsible for financial planning that demonstrates how MTP's and TIP's can be implemented consistent with principles of fiscal constraint. Federal requirements (23 CFR 450.314(a)) direct that specific provisions be agreed upon for cooperatively developing and sharing information for development of financial plans to support the MTP (23 CFR 450.324) and metropolitan TIP (23 CFR 450.326), as well as development of the annual listing of obligated projects (23 CFR 450.334). For purposes of this agreement, the following shall not apply to providers of public transportation nor South Carolina Department of Transportation:
  - a) To support the development of the financial plan for the MTP, the North Carolina Department of Transportation (NCDOT) shall provide the MPO with a listing of the most recent 10-year historical funding for the Counties located within the MPO boundary categorized by funding source. The MPO will review the historical information and extrapolate the funding trends for the MTP's planning horizon while considering other factors that may affect a reasonable funding forecast. The MPO shall add any local or private funding sources reasonably expected to be available during the planning horizon. If the MPO recommends any alternative financing strategies to fund the projects and programs in the MTP, they shall be identified and included in the MTP. In the case of new funding sources, strategies for ensuring their availability shall be identified and documented. If a revenue source is subsequently removed or substantially reduced (i.e., by legislative or administrative actions), the MPO will not act on a full update or amended MTP and/or TIP that does not reflect the changed revenue situation. Updates or amendments to a TIP or the STIP are acceptable as long as the changes don't involve the removed or reduced sources of funding.
  - b) Annual Obligation Report: Within 90 days after the close of a federal fiscal year, NCDOT shall provide the MPO with the information needed to be included in the annual listing of obligated projects. The MPO shall publish the annual listing of obligated projects on their web site and in accordance with any other procedures outlined in their Public Participation Plan to ensure adequate access by the public and other interested stakeholders. To the extent possible, this report will contain the projects (including investments in pedestrian walkways and bicycle transportation facilities) for which federal highway or transit funds

were obligated in the preceding program year. It shall include all federally funded projects authorized, including those revised to increase obligations in the preceding program year. At a minimum, it shall include:

- i) TIP project description and implementing agency information,
- ii) Identify for each project, the amount of Federal funds requested in the TIP/STIP,
- iii) the Federal funding that was obligated during the preceding year,
- iv) and the Federal funding remaining and available for subsequent years.

**[Signature page to follow]**

Signature page

Representation on Authority of Parties/Signatories.

**Each person signing this Agreement represents and warrants that he or she is duly authorized and has legal capacity to execute and deliver this Agreement. Each party represents and warrants to the other that the execution and delivery of the Agreement and the performance of such party's obligations hereunder have been duly authorized and that the Agreement is a valid and legal agreement binding on such party and enforceable in accordance with its terms.**

\_\_\_\_\_  
Cabarrus-Rowan MPO TAC Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Cabarrus County Board of Commissioners, Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Bobby Lewis, Chief Operating Officer, NCDOT

\_\_\_\_\_  
Date

\_\_\_\_\_  
Christy A. Hall, Secretary of Transportation, SCOOT or  
James J. Fedra, Jr., Deputy Secretary for Intermodal Planning, SCOOT

\_\_\_\_\_  
Date

\_\_\_\_\_  
Ryan Dayvault, Chair, CRMPO

\_\_\_\_\_

# CABARRUS COUNTY



## BOARD OF COMMISSIONERS WORK SESSION

**April 3, 2023  
4:00 PM**

### **AGENDA CATEGORY:**

Discussion Items for Action

### **SUBJECT:**

Early Childhood Education - Grant

### **BRIEF SUMMARY:**

Through the Preschool Development Grant Funding, the NC Division of Child Development and Early Education (DCDEE) is sponsoring, with The Hunt Institute, to develop, implement, and evaluate a training and technical assistance strategy designed to support diverse county-level cross-sector human services leadership teams in developing or enhancing scalable and sustainable local strategic plans informed by early childhood data.

### **Funds may be used for:**

- a. Stakeholder engagement strategies
  - i. Focus group facilitation or participation
  - ii. Survey creation and/or completion
- b. County team meetings
- c. Data collection strategies including fees for data collection or sources, analysis, interpretation, or cleaning
- d. Communications or messaging including development of communication plans or messaging strategies
- e. Graphic design or other services to finalize strategic plans
- f. Other approved activities included in the application

### **REQUESTED ACTION:**

Motion to accept the grant, authorize the County Manager to sign the MOU and adopt the associated budget amendment.

**EXPECTED LENGTH OF PRESENTATION:**

5 Minutes

**SUBMITTED BY:**

Carla Brown, Early Childhood Education Coordinator

**BUDGET AMENDMENT REQUIRED:**

Yes

**COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:**

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**ATTACHMENTS:**

- ▣ MOU
- ▣ Grant Application
- ▣ Budget Amendment

**Agreement**  
between  
**Cabarrus County Government**  
and  
**James B. Hunt, Jr. Institute for Educational Leadership and Policy Foundation**  
for  
**Local Data-Informed Strategic Planning**

This Memorandum of Understanding (“**MOU**”) represents the agreement (“**agreement**”) between the **James B. Hunt, Jr. Institute for Educational Leadership and Policy Foundation, Inc., 4000 CentreGreen Way, Suite 301, Cary, NC 27513 (“The Hunt Institute”)** and **Cabarrus County Government (“Grantee”), 65 Church St. S., Concord, NC 28025**, as a participant in the Local Data-Informed Strategic Planning Preschool Development Grant activity.

Grantee agrees to adhere to the Grant Contract Requirements. (Attachment A)

Grantee agrees to perform all duties and achieve all objectives as presented in their Micro Grant Application, submitted separately, and incorporated here. (Attachment B).

Total funding under this MOU is **\$3,000**. The Hunt Institute shall make a payment of \$3,000 upon complete execution of this MOU and receipt of Grantee’s strategic plan. No other expenses or fees will be reimbursed.

**MOU Term: The agreement will be in effect upon receipt of funds until April 30, 2023.**

Both parties may amend this agreement only upon written approval. Each party to this MOU acknowledges that they are independent of each other.

By signing here, each party agrees to the above stated terms and conditions.

\_\_\_\_\_  
Grantee

\_\_\_\_\_  
Michele Jordan, Vice President  
The Hunt Institute

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**Local Data-Informed Strategic Planning Micro Grant  
Grant Agreement Requirements**

- 1) **Participation in the Local Data-Informed Strategic Planning Preschool Development Grant activity:** Micro Grants may be used to support systems building and strategic planning.

**Funds may be used for:**

- a. Stakeholder engagement strategies
  - i. Focus group facilitation or participation
  - ii. Survey creation and/or completion
- b. County team meetings
- c. Data collection strategies including fees for data collection or sources, analysis, interpretation, or cleaning
- d. Communications or messaging including development of communication plans or messaging strategies
- e. Graphic design or other services to finalize strategic plans
- f. Other approved activities included in the application

**Funds may not be used for:**

- Stipends that supplement county team member's wages.
- Any activity not approved by The Hunt Institute as outlined in the MOU or application.

- 2) **Completion and sharing of a Local Data-Informed Strategic Plan:** Grantee agrees to complete the strategic planning template for sharing at the final convening April 4, 2023.

All templates will be provided to the grantee. The grantee agrees to submit digital copies of the strategic plan produced by March 7, 2023.

**Local Data-Informed Strategic Planning Micro Grant  
Grant Application**

**(see online form)**



# Local Data-Informed Strategic Planning Micro- Grant Application

Through Preschool Development

Grant Funding, the NC Division of Child Development and Early Education (DCDEE) is sponsoring with The Hunt Institute to develop, implement, and evaluate a training and technical assistance strategy designed to support diverse **county-level** cross-sector human services leadership teams in developing or enhancing scalable and sustainable local **strategic plans** informed by **early childhood data**.

This activity

is based on a recommendation from the University of North Carolina's Jordan Institute for Families [2019 Report on Early Childhood Education Data Users](#) to build internal capacity in early childhood organizations at the local/county level to collect, manage, and use quality data to support data-informed decision-making about programs, policies, and practices.

This

Request for Applications is for each county team that has participated in the Local-Data Informed Strategic Planning trainings to receive a microgrant of **\$3,000** to support the process of creating a strategic plan that is informed by early childhood data. To support the process, funds from the microgrant may be used to support the follow activities:

- Stakeholder Engagement Strategies
- County Team Meetings
- Data Collection Strategies
- Communications and Messaging
- Graphic Design or other services to finalize strategic plans

This is not an exhaustive list and

approval for the uses of microgrant funding is at the discretion of The Hunt Institute and DCDEE.

## Restrictions

- The microgrant funds **cannot** be used for stipends that supplement county team member's wages or any activity not approved by The Hunt Institute as outlined in the MOU application

- Only one application per county team may be submitted.

**Additional Information**

- Applications must be submitted by the county team lead (team lead as of the date of this application).
- Microgrant funding will be award to the organization of the county team lead.
- Applications for microgrant funding are **due by 5:00 PM ET on March 7, 2023 with submission of the County's Strategic Plan.**

County Team \*

Cabarrus



Name (of Person Completing Application) \*

Carla Brown

Title \*

Early Childhood Education Coordinator

Organization \*

Cabarrus County Government

Address of Organization \*

65 Church St S. Concord, NC 28025

Email \*

cbrown@cabarruscounty.us

Phone Number \*

704-492-3795

Which category(ies) does your county intend to spend the Microgrant funding (see cover page for examples of activities for each category). \*

- Stakeholder engagement
- County team meetings
- Data collection strategies
- Communications and messaging
- Graphic design or other services to finalize strategic plans
- Other: .....

Please provide a brief description of how the microgrant will be used based on each category checked and how it will benefit the county's efforts to create or sustain a strategic plan. \*

The microgrant will be used to purchase graphic design and other services to finalize the strategic plan so, it is formatted properly, concise, and easily digestible. Funds may also be used to purchase services to assist with the design and set up to share the plan via the county's Neo-Gov platform. I would like the community to see the progress made towards the various goals and provide feedback if desired. Communication and messaging will be important to the sustainability of the strategic plan; therefore, funds will be utilized for communication and messaging efforts with community partners who participated in the workgroups as well as families and other community members. Funds may also be used to create a brochure or hard copy messaging tool. I think it would be beneficial for members of the Board of Commissioners to have a hard copy of the entire strategic plan. My presentation to them will condensed as I will be limited to 30 minutes.

.....

## Terms of Agreement/Acknowledgement \*

Please check each term to indicate understanding.

- I attest that all the information provided in the application is true and correct to the best of my knowledge.
- Microgrant funding will be sent to and administered by the organization of the person listed as Team Lead on the application and on record with The Hunt Institute.
- If there are multiple team leads from different organizations, only one organization will receive the funding as noted in this application. Team leads should determine the primary organization.
- By submitting this application, the team agrees to allow the use of the information contained in the application to be used for program evaluation and research purposes.
- These are one time grant funding.
- I understand that The Hunt Institute or DCDEE are not liable if the funds are used by the receiving organization for activities approved in the application.
- I read and understand the information above.

This content is neither created nor endorsed by Google.

Google Forms

Date: April 17, 2023

Amount: 3,000.00

Dept. Head: Carla Brown (Prepared by James Howden)

Department: Fund 001 - General Fund

Internal Transfer Within Department

Transfer Between Departments/Funds

Supplemental Request

This budget amendment is to budget for the receipt and expenditure of the Grant funds related to the Early Childhood Education and Hunt Institute's Local Data Informed Strategic Planning Preschool Development Grant program for \$3,000.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	1210-681001	Grant - Hunt Institute	-	3,000.00	-	3,000.00
001	9	1210-9320-HUNT	Printing and Binding - Hunt Institute	-	3,000.00	-	3,000.00

Total 0.00

**Budget Officer**

**County Manager**

**Board of Commissioners**

Approved

Approved

Approved

Denied

Denied

Denied

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Date*

# CABARRUS COUNTY



## BOARD OF COMMISSIONERS WORK SESSION

**April 3, 2023  
4:00 PM**

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### **AGENDA CATEGORY:**

Discussion Items for Action

### **SUBJECT:**

Emergency Management - NC Tier II Competitive Grant Award and Budget Amendment

### **BRIEF SUMMARY:**

NC Tier II grants provide Local Emergency Planning Committees (LEPC's) with funding to expand the scope of their hazardous materials emergency preparedness programs through response planning, training and related exercises to include fixed facility planning. The grant award is in the amount of \$1,000.00 and does not require a match. Funding will provide lunch and learn training opportunities for our LEPC.

### **REQUESTED ACTION:**

Motion to accept the grant award and adopt the associated budget amendment.

### **EXPECTED LENGTH OF PRESENTATION:**

5 Minutes

### **SUBMITTED BY:**

Jason Burnett, Emergency Management Director

### **BUDGET AMENDMENT REQUIRED:**

Yes

### **COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:**

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### **ATTACHMENTS:**

- ▢ Tier II Grant Award Letter
- ▢ Tier II 2023 Grant Overview
- ▢ Tier II Grant Budget Amendment





# North Carolina Department of Public Safety

## Emergency Management

Roy Cooper, Governor  
Eddie M. Buffaloe, Jr., Secretary

William C. Ray, Director

February 16, 2023

### Fiscal Year 2023 NC Tier II Competitive Grant Award Notification

**Recipient:**

Jason Burnett  
Cabarrus County  
30 Corban Ave SE  
Concord, NC 28026-0707  
UEID: PF3KTEELMHV6(Exp: 6/8/2023)

**Period of performance:**

January 1, 2023 to January 31, 2024

**Project title:** Cabarrus Tier II

**MOA #:** 2371045

**Award amount:** \$1,000.00

The North Carolina Department of Public Safety (NCDPS) / NC Emergency Management (NCEM) is pleased to inform you that your application for the Fiscal Year 2023 NC Tier II Competitive Grant has been approved for funding. In accordance with the provisions of the Grant, NCEM hereby awards your organization a grant in the amount shown above to complete the approved project during the designated period of performance. Indirect costs are not authorized under this award.

**Payment of funds:** The grant shall be effective upon final approval and execution of the corresponding Memorandum of Agreement (MOA) by Recipient and NCDPS/NCEM, for the period of performance indicated above. Grant funds will be disbursed upon receipt of acceptable documentation submitted by Recipient that funds have been invoiced, products or services received, and proof of payment is provided. Reimbursements will be made in conjunction with the timely submission of required reports by Recipient as specified in the MOA.

**Conditions:** Recipient agrees that funds will only be expended to complete the approved project(s) not to exceed the funding amount for the project(s) during the designated period of performance. Recipient also agrees to comply with all terms, conditions and responsibilities specified in the MOA, and to comply with all applicable federal, state and local laws, rules and regulations in the performance of this grant.

**Supplanting:** These grant funds will be used to supplement existing funds and will not replace (supplant) funds that have been appropriated for the same purpose. Recipient may be required to supply documentation certifying that a reduction in non-grant funds occurred for reasons other than the receipt or expected receipt of these grant funds.

In the box below, list the names and emails authorized as Recipient signatories for the above-referenced MOA in the preferred order of signature and receipt. Append "cc" to designate copy-only.

Example: *John Smith* ([john.smith@yahoo.com](mailto:john.smith@yahoo.com))

*Mary Jones* ([mary.jones@hotmail.com](mailto:mary.jones@hotmail.com)) cc

*Sam Brown* ([s.brown@gmail.com](mailto:s.brown@gmail.com))

Kyle Bilafer ([kdbilafer@cabarruscounty.us](mailto:kdbilafer@cabarruscounty.us))

Jim Howden ([jmhowden@cabarruscounty.us](mailto:jmhowden@cabarruscounty.us))

Jason Burnett ([jaburnett@cabarruscounty.us](mailto:jaburnett@cabarruscounty.us))

**Mailing Address:**  
4236 Mail Service Center  
Raleigh, NC 27699-4236  
[www.ncdps.gov](http://www.ncdps.gov)  
[www.ReadyNC.gov](http://www.ReadyNC.gov)



An Equal Opportunity Employer

**Office Location:**  
1636 Gold Star Drive  
Raleigh, NC 27607  
Phone: 919-825-2500  
Fax: 919-825-2685



## **FY23 North Carolina Tier II Grant Program**

### **Purpose:**

Tier II grants provide Local Emergency Planning Committees (LEPCs) funding to expand the scope of their hazardous materials emergency preparedness programs through response planning, training and related exercises. All active LEPCs awarded under this program receive grant funds from the hazardous materials facility fees collected during the Tier II reporting period. The Tier II grants must be used for hazardous materials emergency response planning, training and related exercises, with some conditions and limitations in accordance with the provisions of N.C.G.S. §166A-29.1. Operational equipment is currently ineligible for this grant.

### **Grant Amount Estimate:**

\$10,000.00 maximum per award; total of \$160,000.00 available statewide. Amounts may vary due to requests processed.

### **Associated Deadlines:**

- |   |   |
|---|---|
| 1. Application period (90 days):              | October 1, 2022- December 31, 2022              |
| 2. Period of Performance                      | January 1, 2023- December 31, 2023              |
| 3. Award letter and MOA distributed:          | February, 2023 (retroactive to January 1, 2022) |
| 4. Period of Performance Completion Reminder: | October 31, 2023                                |
| 5. Final cost report due:                     | January 30, 2024                                |

### **Grant Point of Contacts:**

Mr. Cole Owen, *Hazardous Materials Coordinator*  
North Carolina Emergency Management  
hazmat@ncdps.gov  
919-397-6739

Ms. Lisa Patton, *Grants Administrator – Administration*  
Division of Emergency Management  
Lisa.Patton@ncdps.gov  
919-825-2280

**Eligible Project Activities:**

The funds awarded under this grant may only be used by your county LEPC or regional LEPC and must fall under one or more of the following categories:

1. Supporting costs incurred facilitating LEPC meetings.
2. Enhancing LEPC outreach efforts or produce promotional materials through printing or general office supplies.
3. Supporting LEPC meetings and collaboration with food and non-alcoholic beverages.
4. Hosting or supporting local and regional LEPC conferences.
5. Creating or updating hazardous material emergency response plans.
6. Supporting local or regional hazardous materials response exercises.
7. Supporting purchases of equipment necessary to support the LEPC and its mission.
8. Supporting hazardous material risk assessments.
9. Subscriptions to hazardous materials related web services (ex: MSDS online, Chemtrac)
10. Non-operational equipment to support the LEPC. Please note that all equipment purchases must receive pre-approval from the grant point of contact.

**Ineligible Project Activities:**

Tier II grants funds may not be used for any of the following items:

1. Salaries or benefits for any employee.
2. Drone aircraft or unmanned aerial vehicles.
3. Items intended as gifts.
4. Other support for programs not focused on hazardous materials preparedness and response.
5. Operational response equipment.



# CABARRUS COUNTY



## BOARD OF COMMISSIONERS WORK SESSION

**April 3, 2023  
4:00 PM**

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**AGENDA CATEGORY:**

Discussion Items for Action

**SUBJECT:**

EMS - Operational Update

**BRIEF SUMMARY:**

EMS Operational update to include standby guidelines and current staffing.

**REQUESTED ACTION:**

No action required.

**EXPECTED LENGTH OF PRESENTATION:**

10 Minutes

**SUBMITTED BY:**

Jimmy Lentz, EMS Chief

**BUDGET AMENDMENT REQUIRED:**

No

**COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:**

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**ATTACHMENTS:**

- ▣ Standby Guidelines
- ▣ Response Time Guidelines
- ▣ EMS Response



**Title**                **Stand-By Guidelines**  
**Section**            **Operations**  
**Policy No.**        **300.7**  
**Procedure**        **N/A**  
**Modified**        **06/09/2022, (Implemented 3/24/2008) Chief: Jimmy Lentz**

<u>AVL should be used to dispatch closes unit regardless of standby status!</u>	<u>Supervisor discretion permitted at all times based on system status.</u>
<b>Scenario/Units Out</b>	<b>Response</b>
All station 1 units out	Stations 4 or 5 to station 1 (physical location), rotate standbys between stations 4 and 5.
All station 2 units out	Station 3, 6, or 8 to station 2 (physical location), rotate standbys between stations 3, 6 and 8.
All station 3 units out	Station 2 to station 3 (physical location), if both station 2 trucks available. If not, station 2 to Allen Fire Department (physical location).
All station 8 units out	Station 2 to Allen Fire Department (physical location)
All station 3 and 8 units out	Station 2 to Allen Fire Department (physical location)
All station 1 and 4 units out	Station 5 to Station 1 (physical location)
All station 1, 4 and 5 units out	Station 9 to Station 1 (physical location)
All station 2, 3, 6, and 8 units out	Station 9 to Station 2 (physical location)
Three units remaining in county	One unit to station 4, one unit to the triangle and one unit to Allen Fire Department.
Two units remaining in county	One unit to station 1 and one unit to Allen Fire Department. Community Paramedic on standby, Squad 410 on standby. Active 911 to supervisors with take home vehicles. Adjacent counties on stand-by at county line (supervisor discretion)
One unit remaining in county	One unit to triangle, Community Paramedic on standby, Squad 410 on standby. Kannapolis Medic 16 on standby (if available). Active 911 to supervisors with take home vehicles. Adjacent counties on stand-by at county line (supervisor discretion)
No units remaining	Active 911 to supervisors with take home vehicles. Adjacent counties on stand-by to county line.

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Title	<b>Response Time Guidelines</b>
Section	<b>Operations</b>
Policy No.	<b>300.8</b>
Procedure	<b>N/A</b>
Modified	<b>05/19/2022, (Implemented 4/1/2015) Chief: Jimmy Lentz</b>

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- 300.8.1 It is the intent of Cabarrus EMS to maintain an average countywide response time of eight minutes or less.
- 300.8.2 Units should be enroute (EMS Wheels Rolling Time -chute time) on all E-911 calls within 60 seconds.
- 300.8.3 The closest unit identified by communications, vehicle locators, or individual unit should acknowledge and accept calls to which they are closer.
- 300.8.4 Shift change should not delay response to 911 calls.
- 300.8.5 Once assigned to a call, personnel should not make crew changes enroute, on the scene, or during transit to the hospital.
- 300.8.6 System data in regards to response time, fractile response time, unit placement, unit hour utilization, and stand by policies will be monitored as part of the quality management program in order to promote the efficient and timely delivery of service. EMS PIC Tool Kit data may be incorporated into quality management recommendations.
- 300.8.7 First Responder Organizations provide coverage to all areas of Cabarrus County and serve to promote rapid delivery of basic life support skills on Bravo, Charlie, Delta, and Echo dispatches.
- 300.8.8 EMS units should maintain a back in service time of 30 minutes or less.
- 300.8.9 Units should check “available” when departing the ED after a call. AVL dispatch requires unit availability while traveling back to response area station.
- 300.8.10 The Cabarrus County EMS Protocol provides additional information related to response times.

300.8.11 ALS inter-facility transfers will be managed based on the urgency (relayed by the requesting party). Response time for critical transfers should be handled the same as a 911 response. Prioritization and response to non-critical transfers can be managed by the EMS Supervisor based on system status and staffing, so long as the response is within a reasonable amount of time.

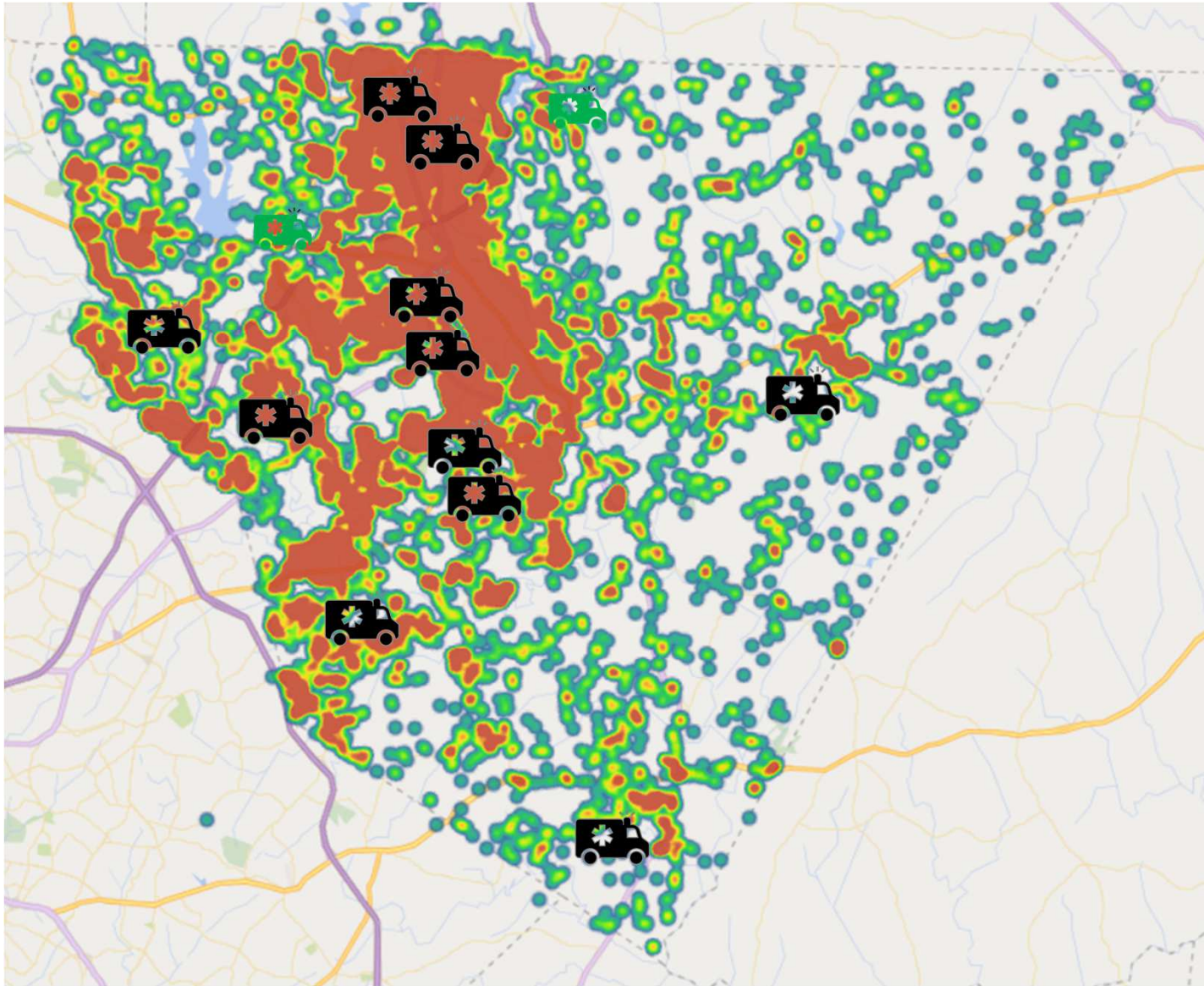


# EMS Update

April 3<sup>rd</sup>, 2023

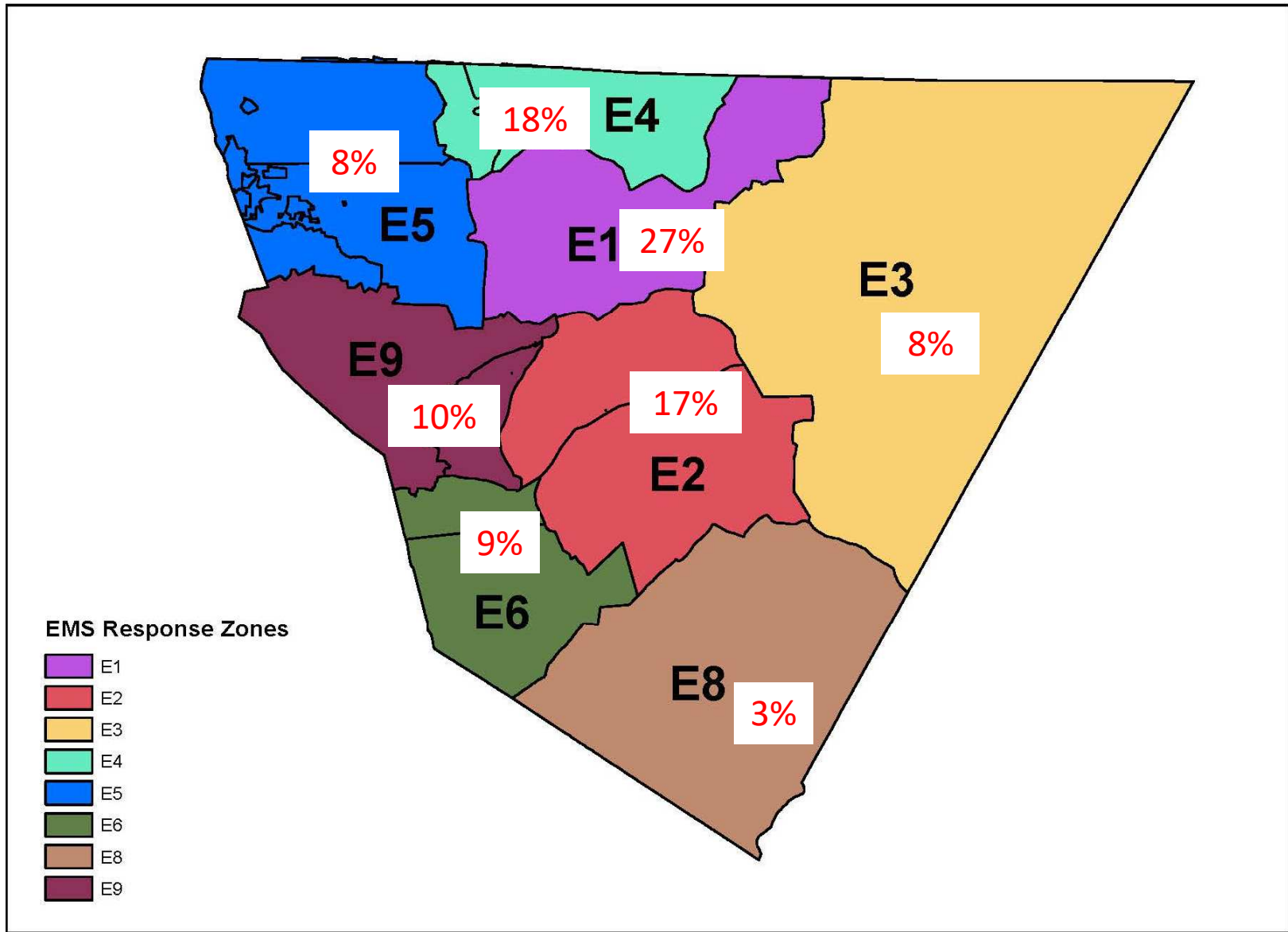
Presented by:  
Chief Jimmy Lentz  
Deputy Chief Justin Brines





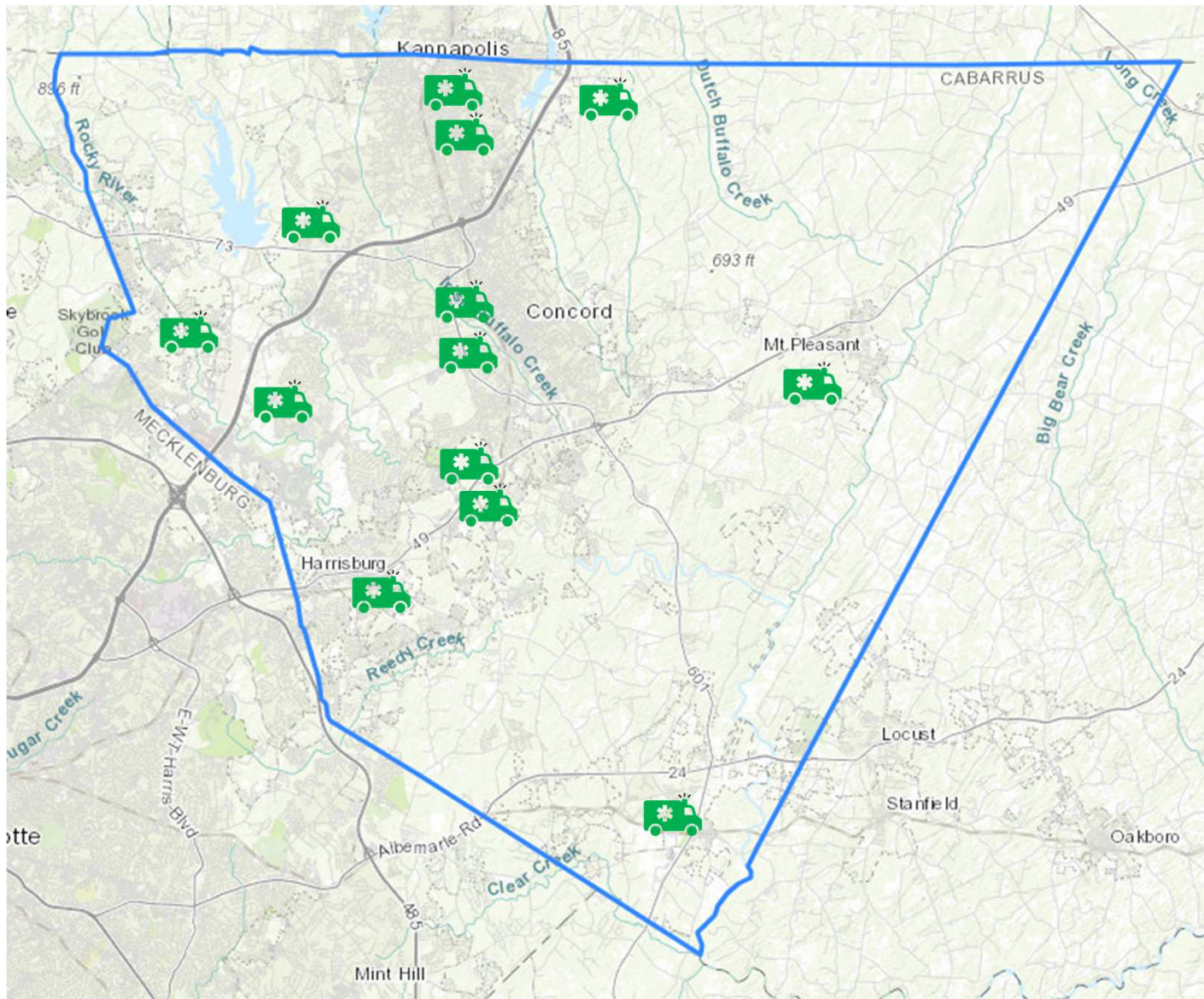
All units in quarters with call volume overlaid.  
3/2022 – 3/2023





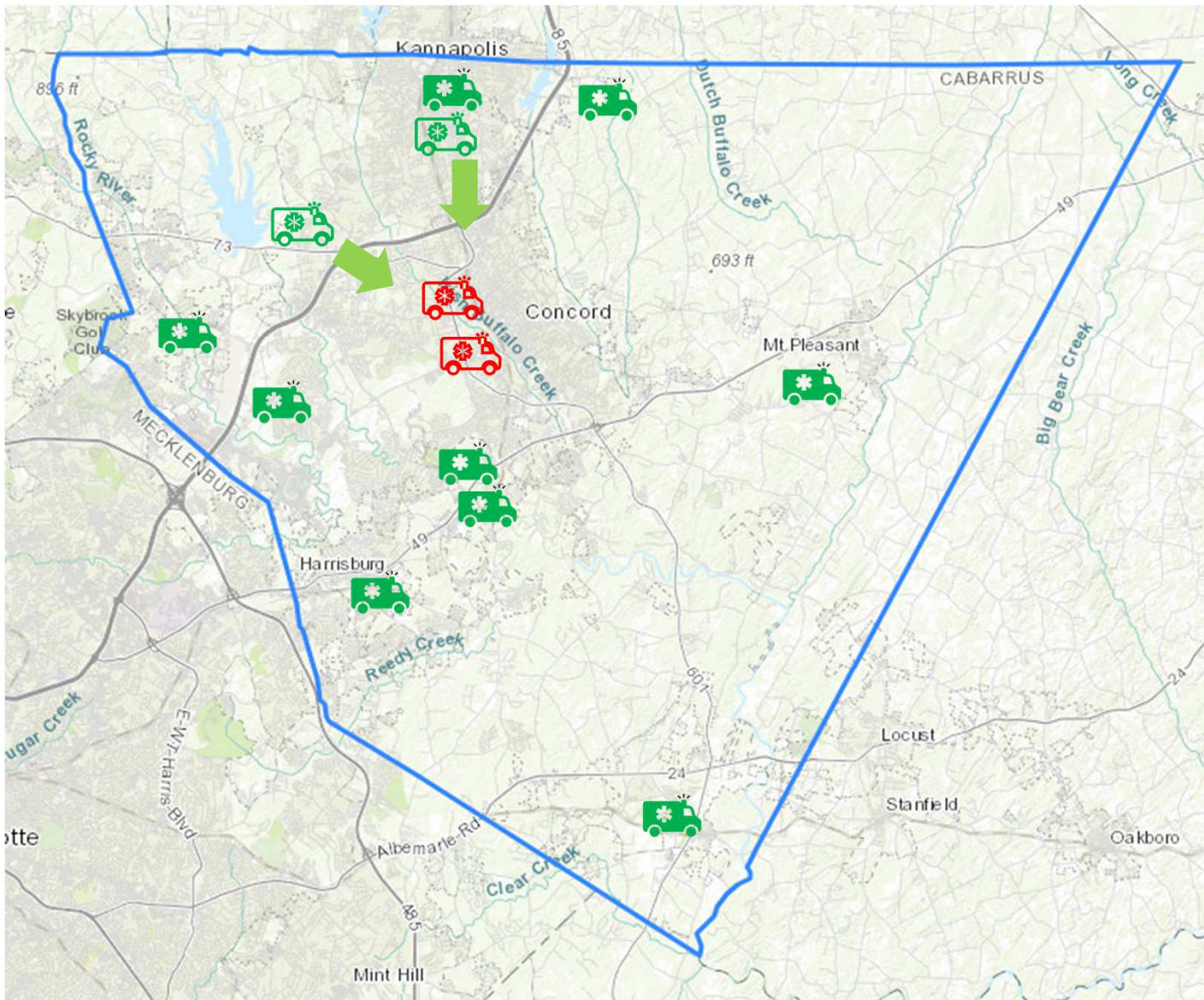
EMS call volume by response zone.  
3/2022 – 3/2023





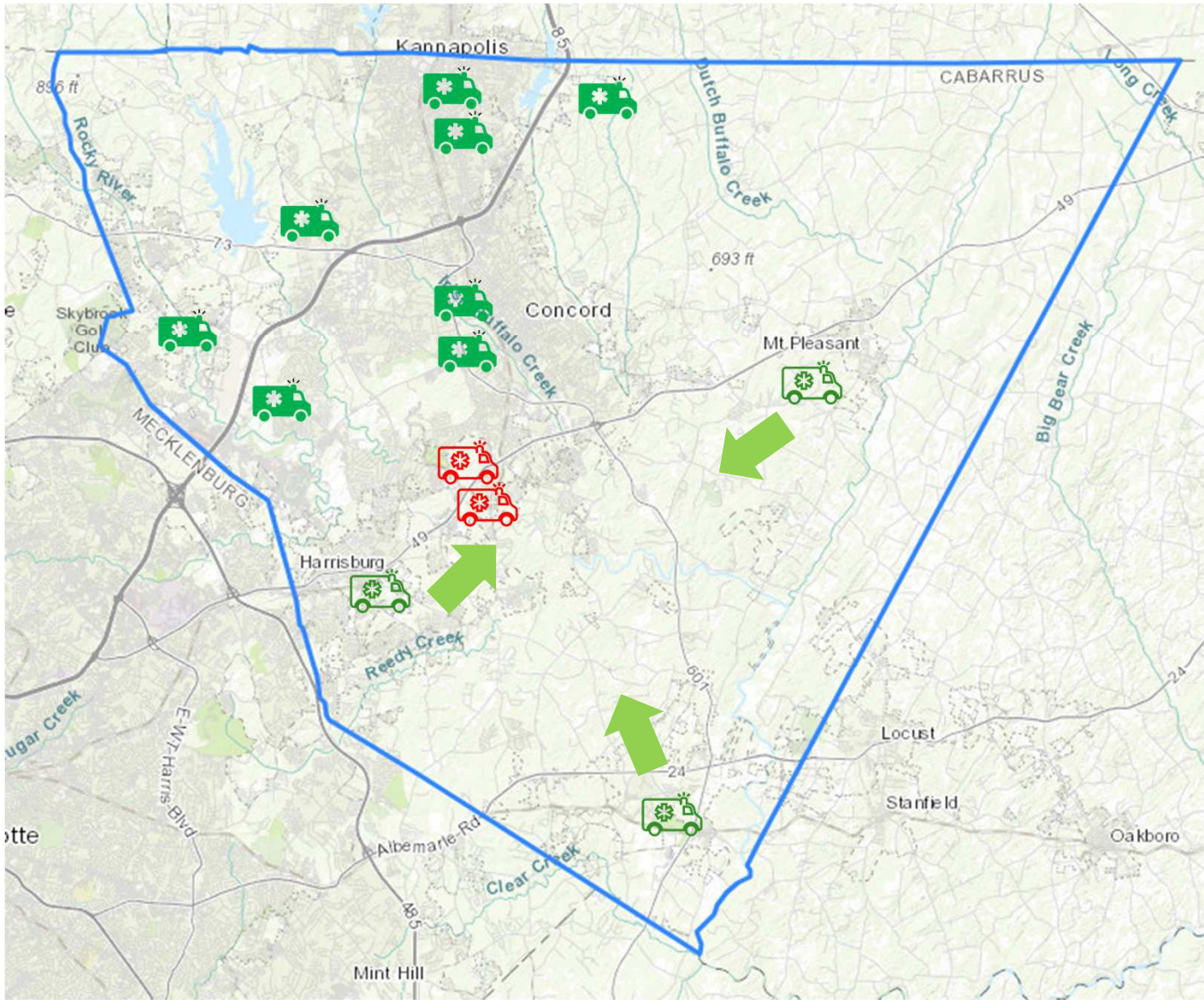
All units in quarters.





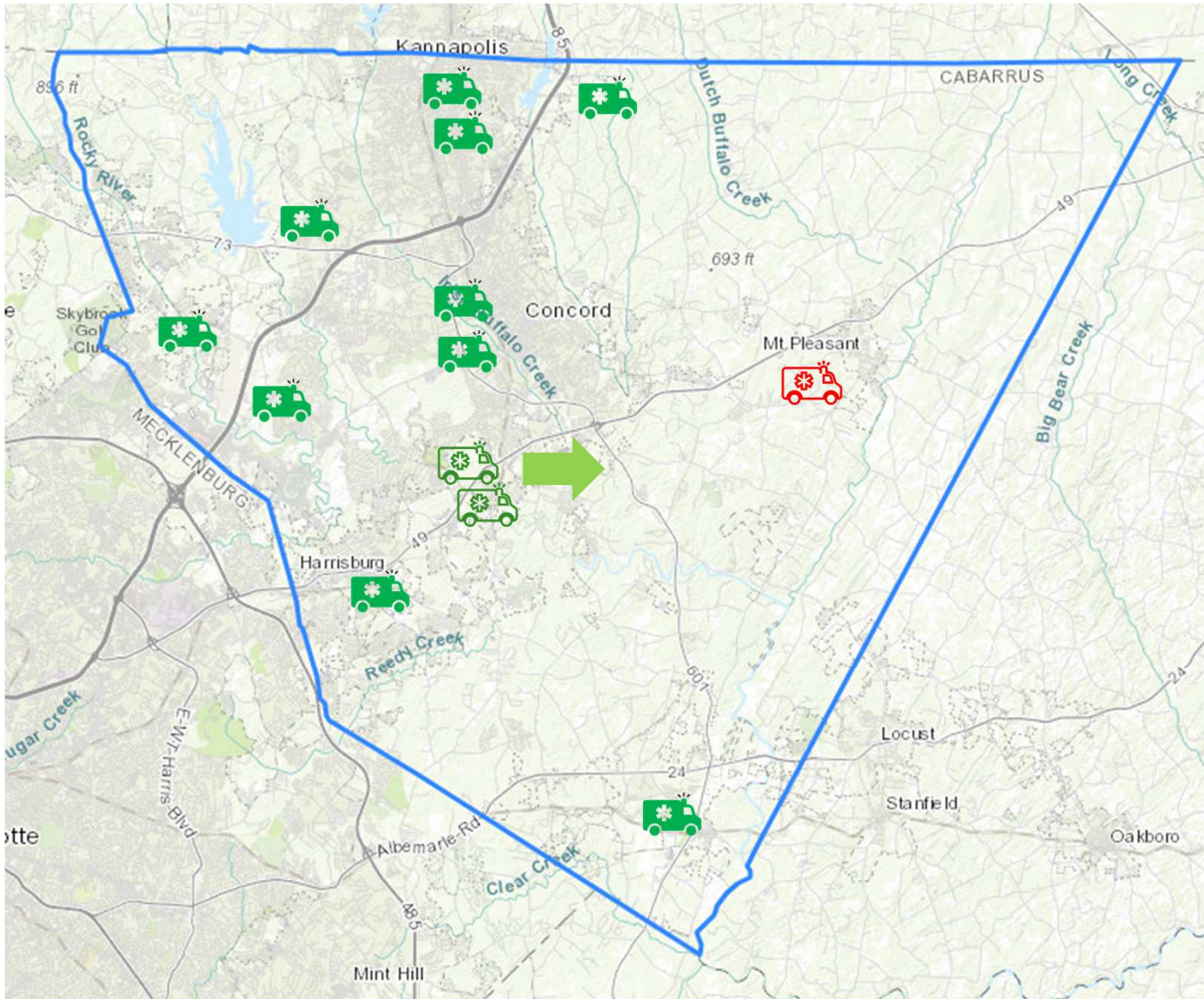
All station 1 units out.





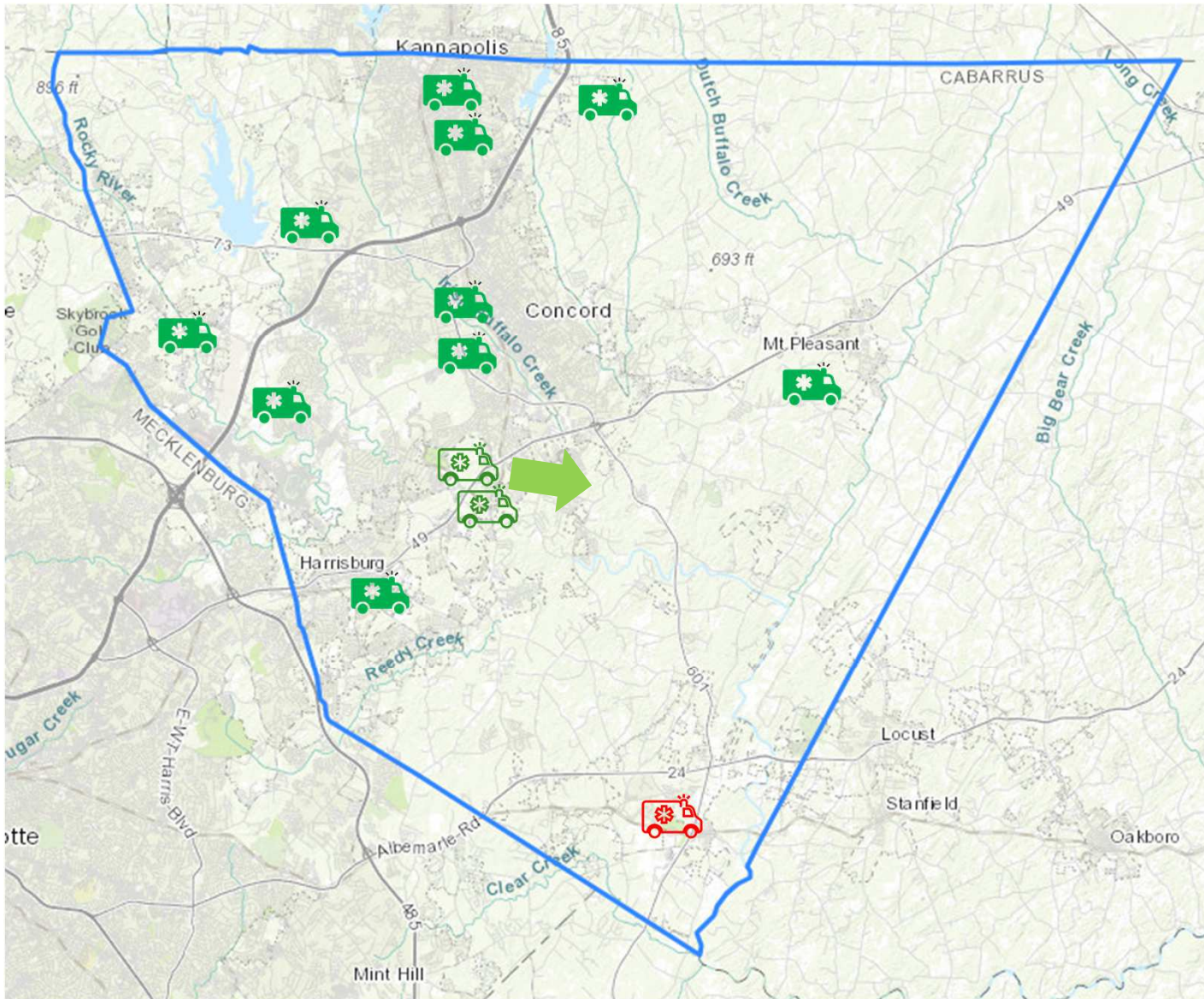
All station 2 units out.





All station 3 units out.

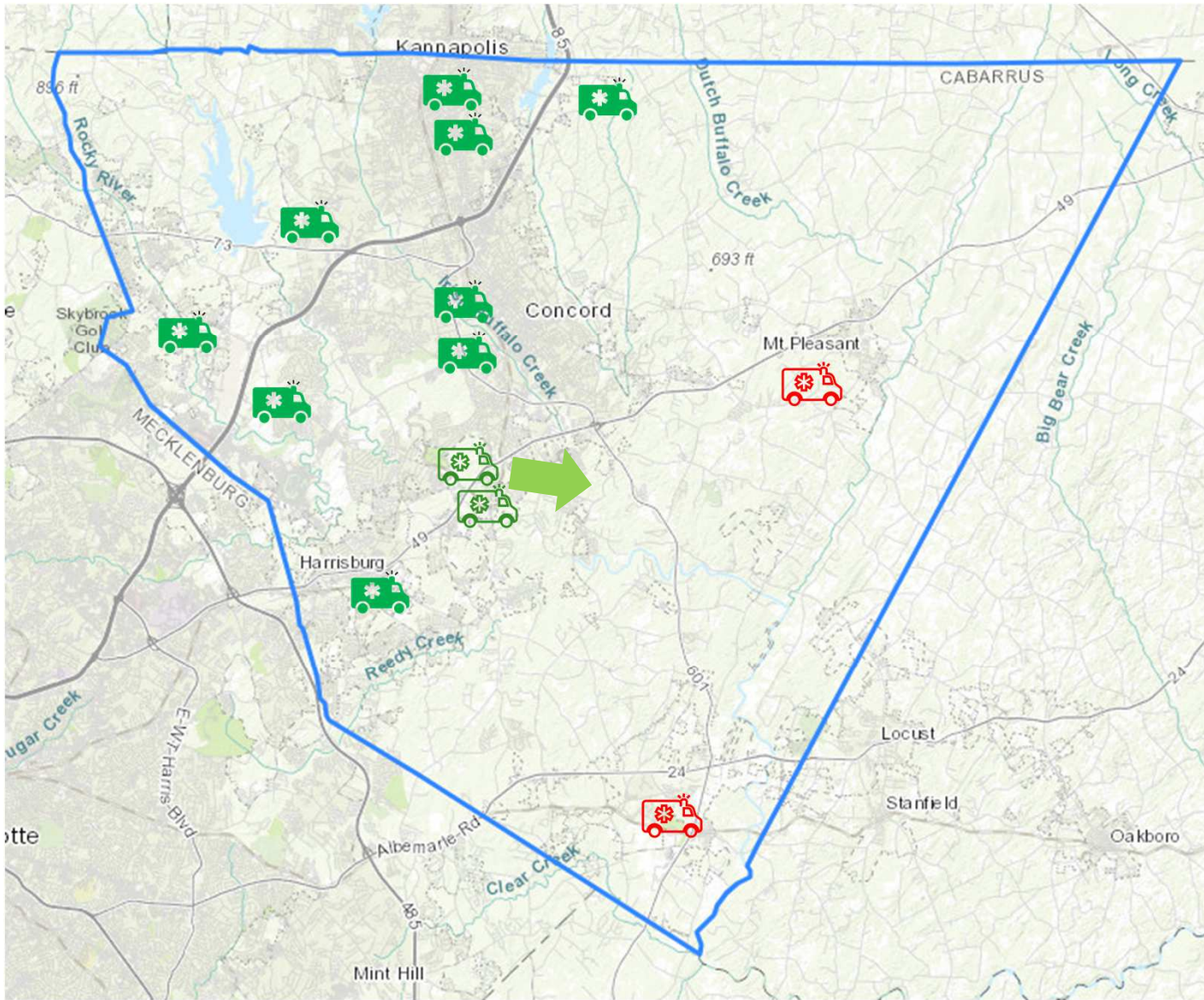




All station 8 units out.

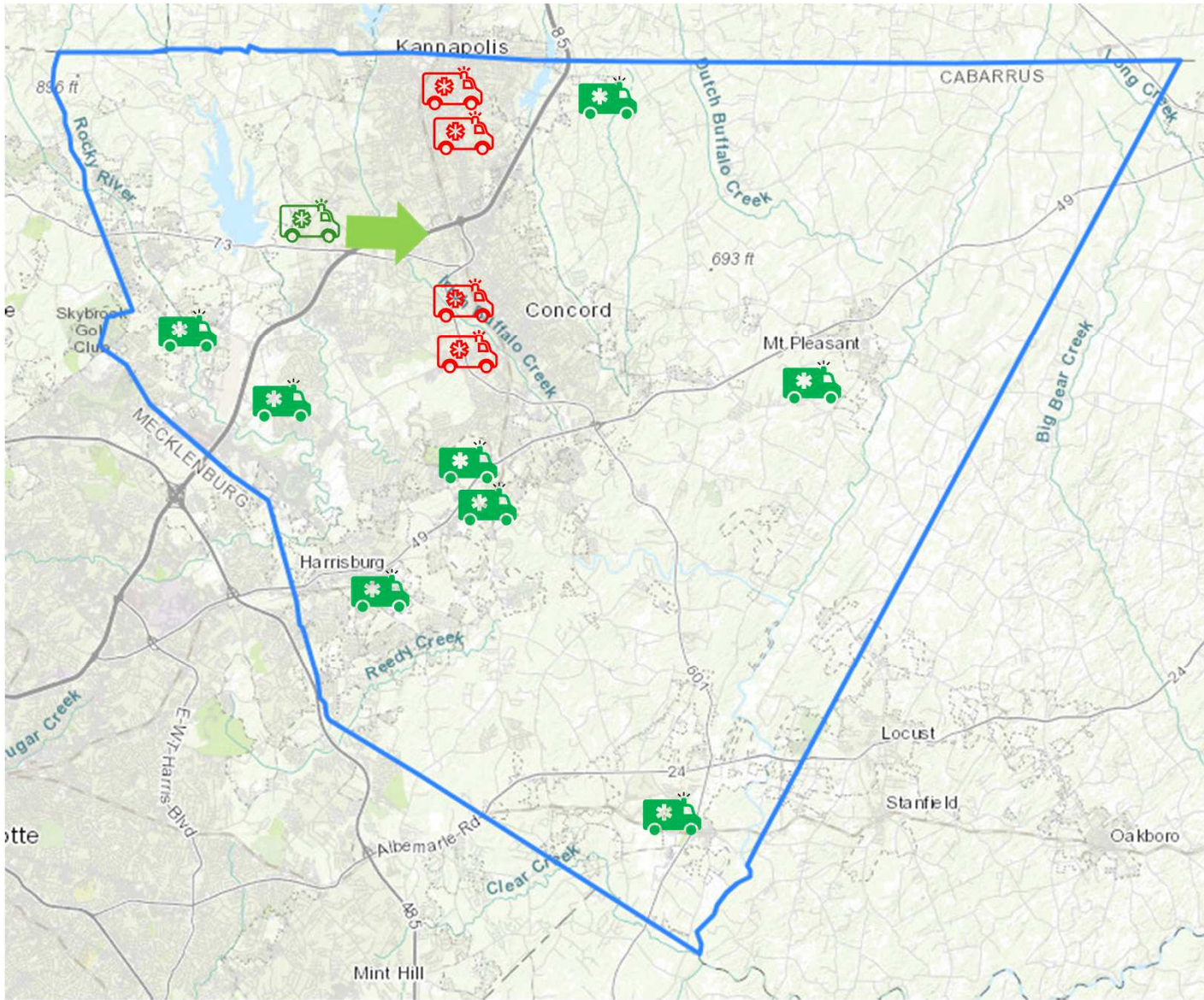






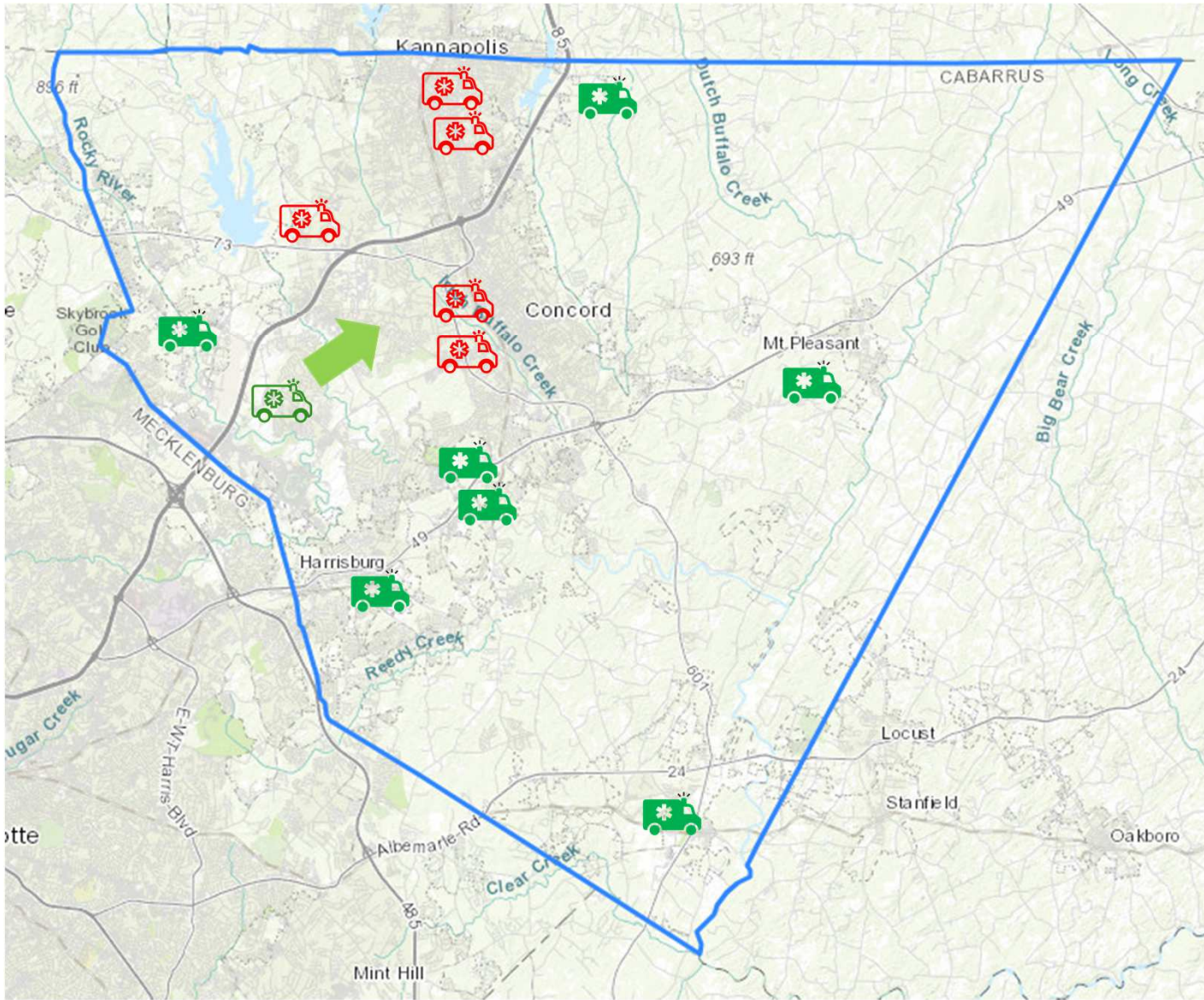
All station 3 and 8 units out.





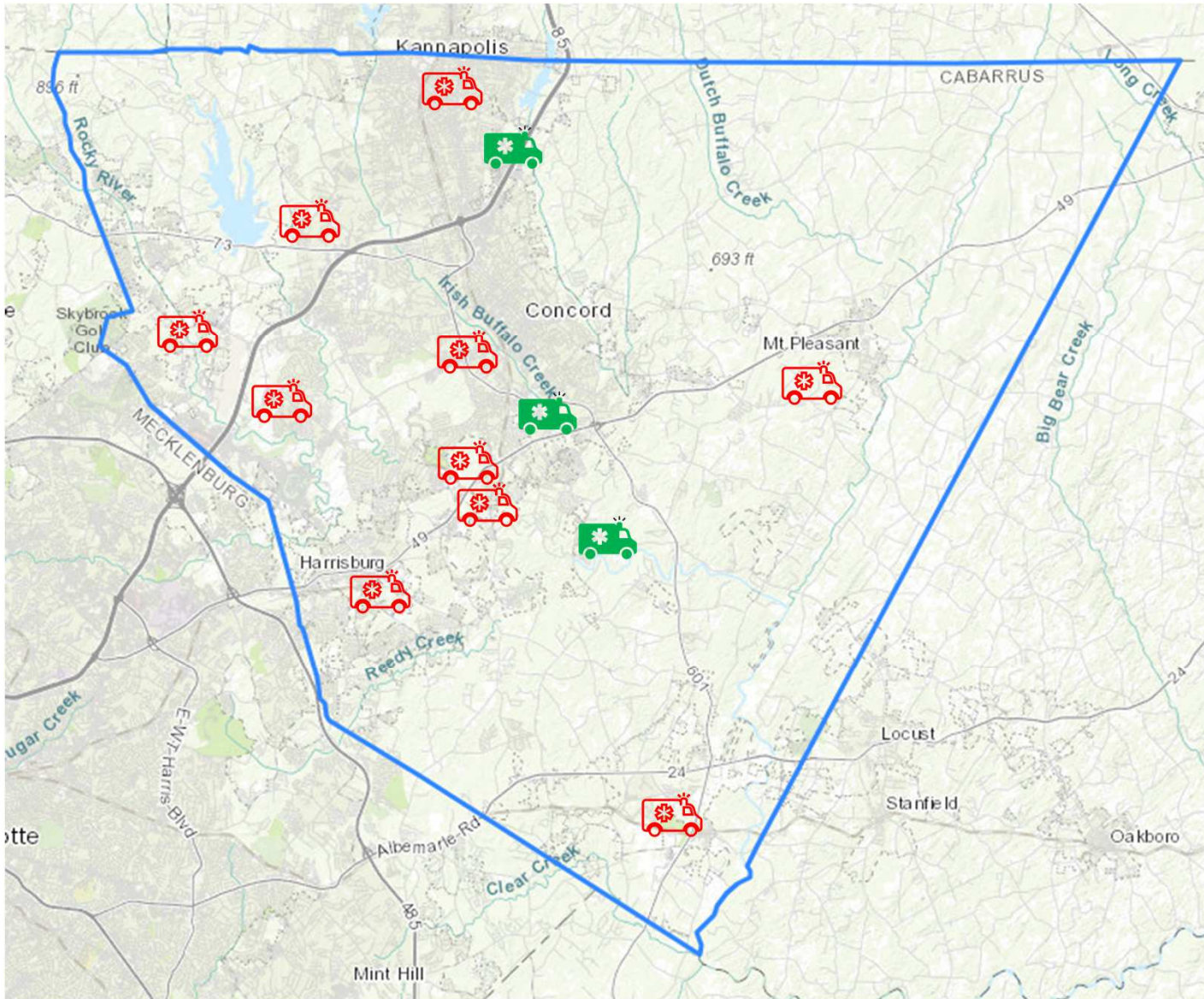
All station 1 and 4 units out.





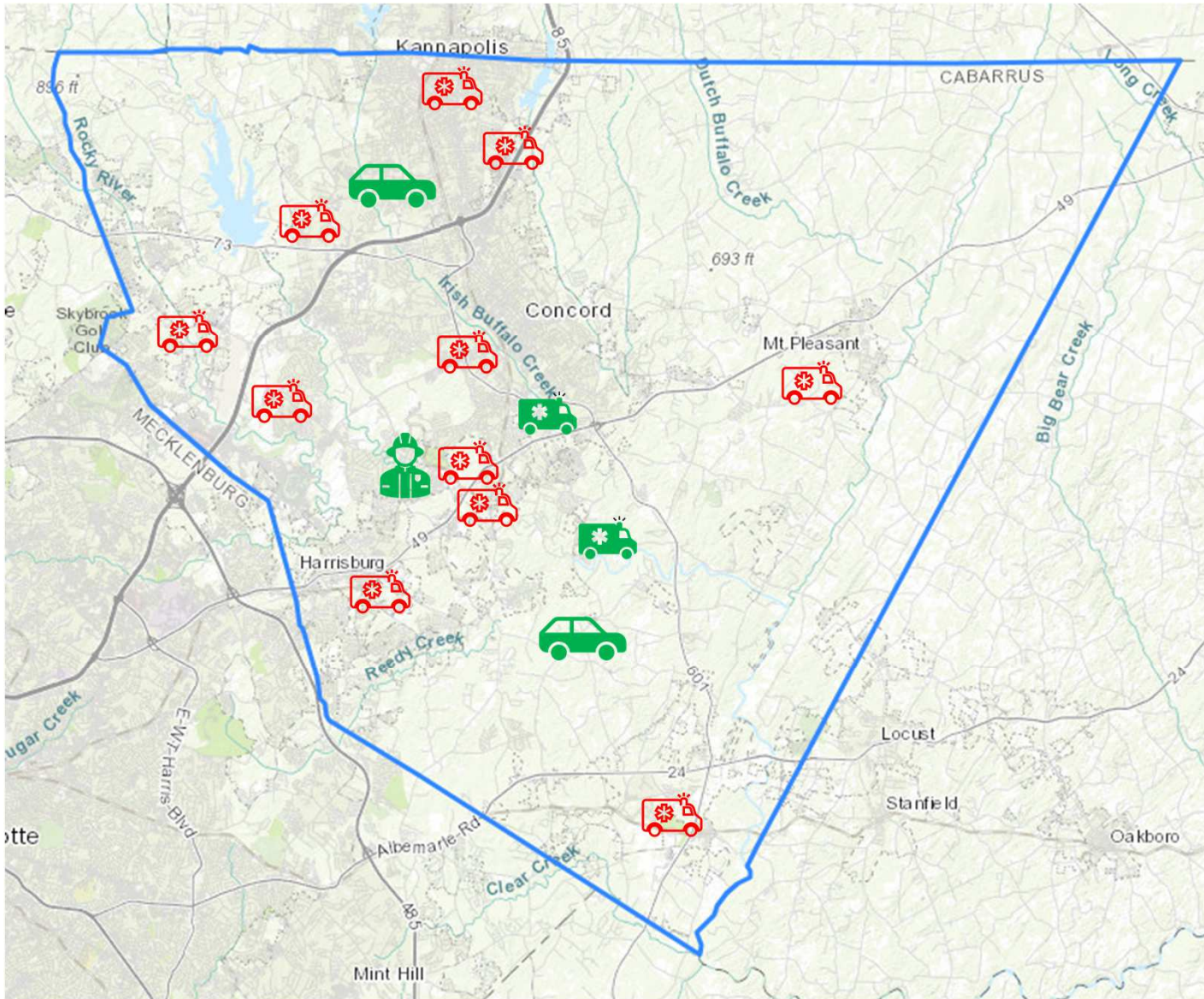
All station 1, 4 and 5 units out.





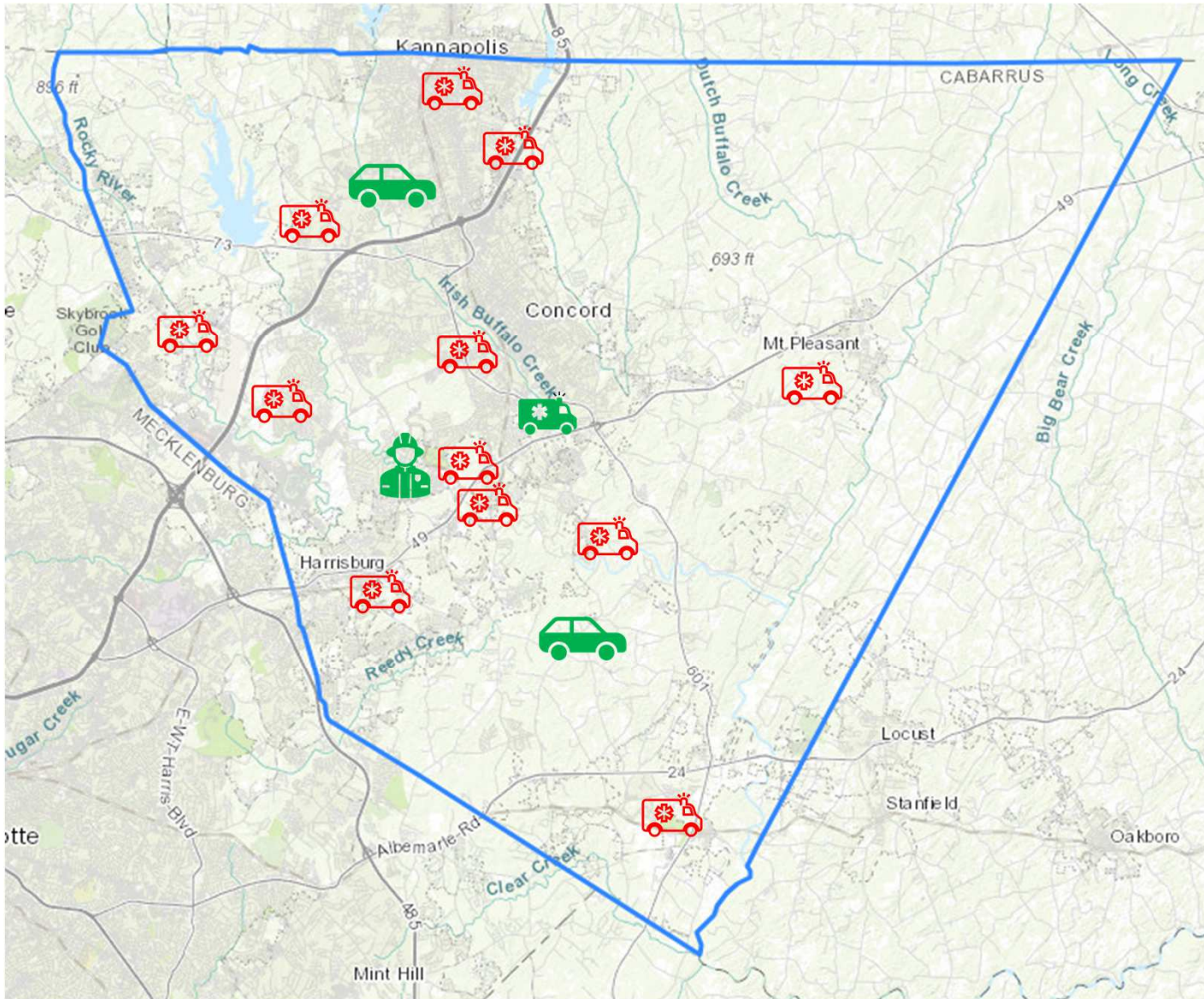
3 units left in the county





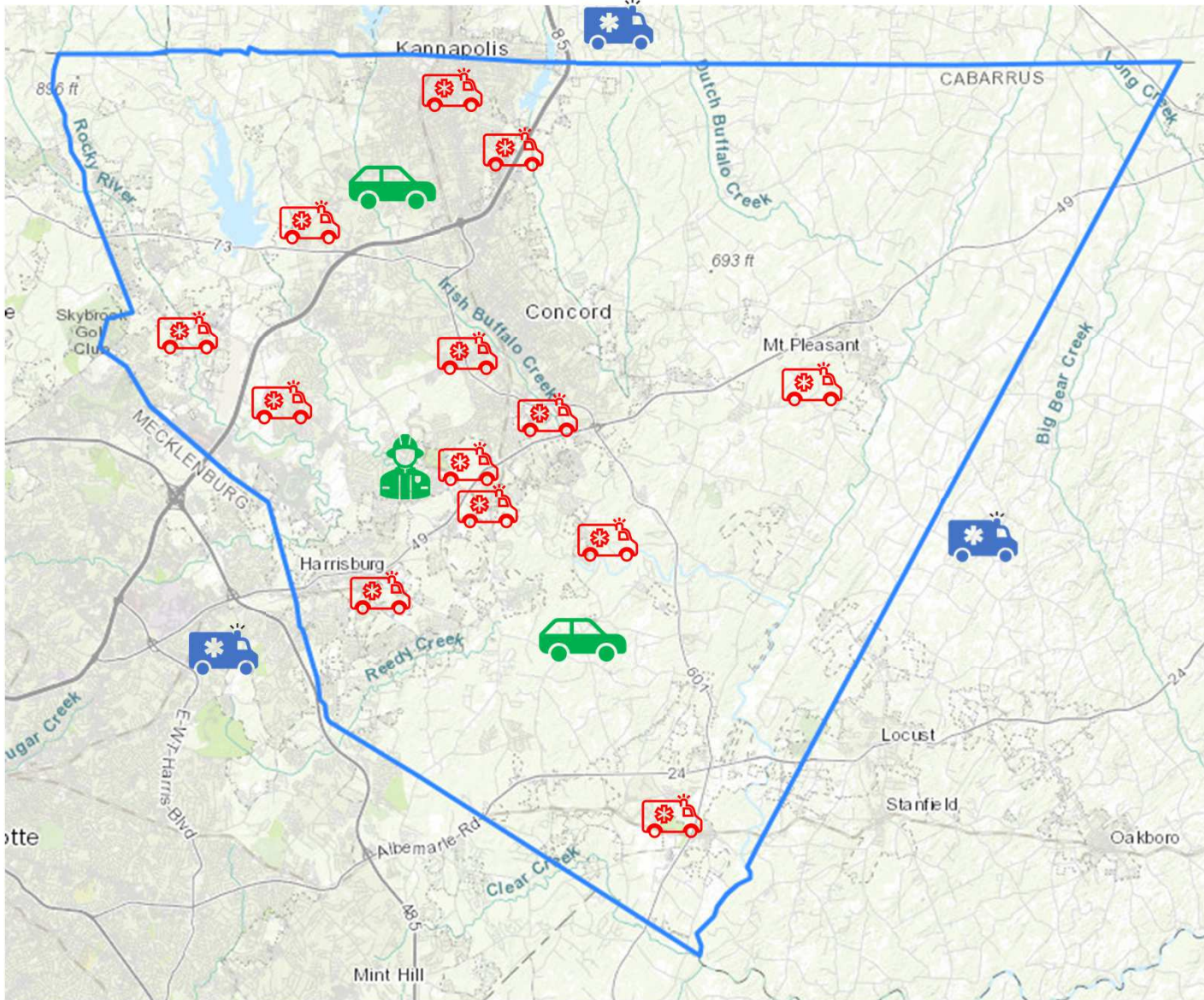
2 units left in the county





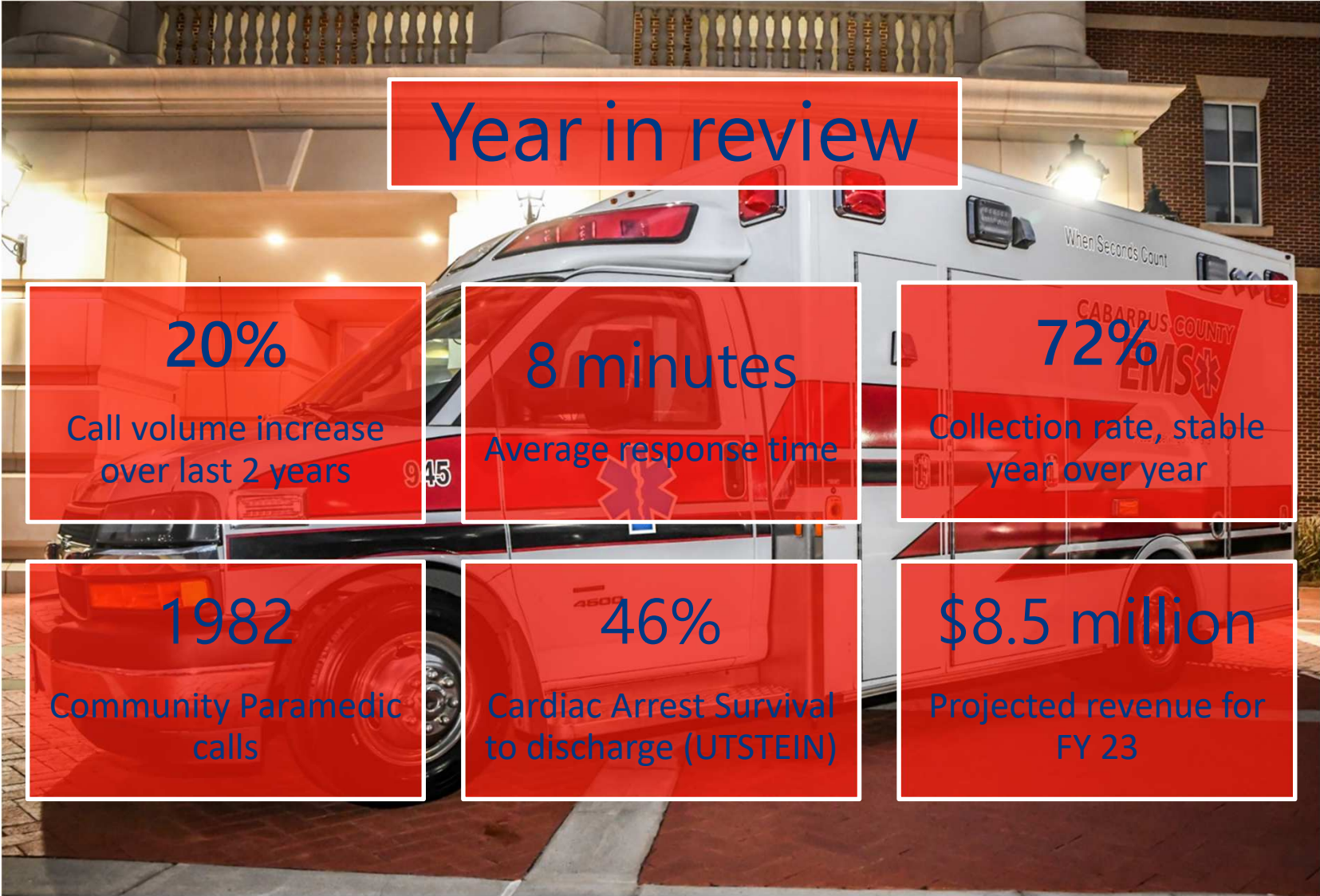
1 unit left in the county





No units remaining





# Year in review

**20%**  
Call volume increase  
over last 2 years

**8 minutes**  
Average response time

**72%**  
Collection rate, stable  
year over year

**1982**  
Community Paramedic  
calls

**46%**  
Cardiac Arrest Survival  
to discharge (UTSTEIN)

**\$8.5 million**  
Projected revenue for  
FY 23







# Staffing Trends

7%  
Full time vacancies  
(7 FTE's)

2%  
Part time vacancies  
(1 positions)

3  
Employees in RCCC  
paramedic academy



# CABARRUS COUNTY



## BOARD OF COMMISSIONERS WORK SESSION

**April 3, 2023  
4:00 PM**

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### **AGENDA CATEGORY:**

Discussion Items for Action

### **SUBJECT:**

Finance - Budget Amendment to Increase Dental Insurance Expenditures

### **BRIEF SUMMARY:**

This budget amendment is to increase the budget for expenditures in the Health - Dental Insurance Fund based on anticipated higher than average dental claims for the remainder of fiscal year 2023. This budget amendment appropriates fund balance. Total fund balance as of June 30, 2022 for this department (Dental) in the Internal Service Fund was \$202,759.

### **REQUESTED ACTION:**

Motion to approve the budget amendment.

### **EXPECTED LENGTH OF PRESENTATION:**

5 Minutes

### **SUBMITTED BY:**

Jim Howden, Finance Director

### **BUDGET AMENDMENT REQUIRED:**

Yes

### **COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:**

---

### **ATTACHMENTS:**

- ▣ Budget Amendment
- ▣ BA Dental - Back up

Date: April 17, 2023

Amount: 100,000.00

Dept. Head: James Howden (Prepared by Suzanne Burgess)

Department: Fund 610 - Dental Insurance - ISF

Internal Transfer Within Department

Transfer Between Departments/Funds

Supplemental Request

This budget amendment is to increase the budget for expenditures in the Health - Dental Insurance Fund based on anticipated higher than average dental claims for the remainder of fiscal year 2023. This budget amendment appropriates fund balance. Total fund balance as of June 30, 2022 for this department (Dental) in the Internal Service Fund was \$202,759.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
610	9	1918-9645	DENTAL CLAIMS	435,000.00	100,000.00	-	535,000.00
610	6	1918-6901	FUND BALANCE APPROPRIATED	47,000.00	100,000.00	-	147,000.00

Total 0.00

Budget Officer

County Manager

Board of Commissioners

Approved

Approved

Approved

Denied

Denied

Denied

Signature

Signature

Signature

Date

Date

Date

CABARRUS COUNTY  
 SELF INSURANCE  
 FUND 610  
 As of 02.28.2023  
 FY 2023

ORG	OBJ	ACCOUNT DESCRIPTION	ORIGINAL BUDGET	YTD ACTUAL	ESTIMATED			(OVER) / UNDER BUDGET	BA
					PREMIUMS	CLAIMS AND OR OTHER REV   EXP	TOTAL		
61061918	6901	Fund Balance	(47,000)	-	-	-	-	-	100,000
61061918	6661	Insurance Premiums - Dental	(455,000)	(314,417)	(157,136)	-	(471,553)	(16,553)	-
			(502,000)	(314,417)	(157,136)	-	(471,553)	(16,553)	100,000
61091918	9485	Admin Fees - Dental	67,000	30,116	-	35,300	65,416	1,584	-
61091918	9645	Self-Insured Dental Claims	435,000	331,018	-	204,000	535,018	(100,018)	100,000
			502,000	361,134	-	239,300	600,434	(98,434)	100,000
			-	46,717	(157,136)	239,300	128,881	81,881	-

FB as of June 30, 2022      \$ 202,759

# CABARRUS COUNTY



## BOARD OF COMMISSIONERS WORK SESSION

**April 3, 2023  
4:00 PM**

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### **AGENDA CATEGORY:**

Discussion Items for Action

### **SUBJECT:**

Finance - Budget Amendment for Additional Tax Turnover to the Fire Districts

### **BRIEF SUMMARY:**

This Budget Amendment is to increase the Fire Districts' current year property tax collections as well as increase related districts' turnovers. Per the Fire Tax Districts budget ordinance, Section V. (7), upon notification of funding increases of revenues, the Manager may adjust budgets to match.

### **REQUESTED ACTION:**

Motion to approve the budget amendment.

### **EXPECTED LENGTH OF PRESENTATION:**

5 Minutes

### **SUBMITTED BY:**

Jim Howden, Finance Director

### **BUDGET AMENDMENT REQUIRED:**

Yes

### **COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:**

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### **ATTACHMENTS:**

- ▣ Budget Amendment
- ▣ Fire District Reimbursement

**Budget Revision/Amendment Request**

Date: 4/17/2023

Amount: 426,500.00

Dept. Head: Jim Howden (Prepared by Katrina Myers-Arnold)

Department: Finance

Internal Transfer Within Department

Transfer Between Departments/Funds

Supplemental Request

To increase Fire Districts' current year property tax collections as well as increase related districts' turnovers. Per the Fire Tax Districts budget ordinance, Section V. (7), upon notification of funding increases of revenues, the Manager may adjust budgets to match.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
430	6	2710-6011	Property Tax Current Year Coll	6,497,950.00	426,500.00		6,924,450.00
430	9	2710-975601	Con Rural	52,056.00	2,000.00		54,056.00
430	9	2710-9773	Rimer Fire	224,911.00	25,000.00		249,911.00
430	9	2710-9774	Mt Mitchel	106,824.00	4,500.00		111,324.00
430	9	2710-9775	Gold H VFD	48,856.00	10,000.00		58,856.00
430	9	2710-9776	Mt Pleasant	594,278.00	65,000.00		659,278.00
430	9	2710-9777	Kann Rural	226,884.00	20,000.00		246,884.00
430	9	2710-9778	Georgevill	285,328.00	30,000.00		315,328.00
430	9	2710-9779	Flowes St	278,497.00	50,000.00		328,497.00
430	9	2710-9780	Odell	866,080.00	35,000.00		901,080.00
430	9	2710-9781	Richf VFD	11,230.00	5,000.00		16,230.00
430	9	2710-9783	Jackson Pk	239,683.00	20,000.00		259,683.00
430	9	2710-9784	Cold Water	325,676.00	20,000.00		345,676.00
430	9	2710-9785	Allen	553,419.00	35,000.00		588,419.00
430	9	2710-9786	Midland	1,169,259.00	50,000.00		1,219,259.00
430	9	2710-9788	Northeast	199,952.00	20,000.00		219,952.00
430	9	2710-9798	Harris VFD	1,315,017.00	35,000.00		1,350,017.00

**Budget Officer**

**County Manager**

**Board of Commissioners**

Approved

Approved

Approved

Denied

Denied

Denied

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



ORG	OBJ	ACCOUNT DESCRIPTION	APPROVED BUDGET	YTD EXPENDED	FEBRUARY REAL Amount	FEBRUARY NCVTS Amount	FEBRUARY NCVTS Int Amount	4 Month Expense Projection	Total Projected YTD Expended thru June	Over/Under Budget	FY 23 BUDGET AMENDMENT	REVISED BUDGET
43092710	9773	Rimer Fire	224,911.00	213,971.37	4,276.42	2,361.71	4.21	26,569.36	240,540.73	(15,629.73)	25,000.00	249,911.00
43092710	9774	Mt Mitchel	106,824.00	96,711.85	1,180.52	1,118.93	1.87	9,205.28	105,917.13	906.87	4,500.00	111,324.00
43092710	9775	Gold H VFD	48,856.00	46,772.24	1,093.60	356.01	0.47	5,800.32	52,572.56	(3,716.56)	10,000.00	58,856.00
43092710	9776	Mt Plesant	594,278.00	572,670.83	12,733.26	6,025.10	10.28	75,074.56	647,745.39	(53,467.39)	65,000.00	659,278.00
43092710	9777	Kann Rural	226,884.00	212,267.71	3,366.83	2,115.18	3.74	21,943.00	234,210.71	(7,326.71)	20,000.00	246,884.00
43092710	9778	Georgevill	285,328.00	277,140.81	3,773.22	2,274.42	4.21	24,207.40	301,348.21	(16,020.21)	30,000.00	315,328.00
43092710	9779	Flowes St	278,497.00	288,593.23	4,286.73	2,679.63	4.67	27,884.12	316,477.35	(37,980.35)	50,000.00	328,497.00
43092710	9780	Odell	866,080.00	817,972.29	9,710.96	7,106.90	12.15	67,320.04	885,292.33	(19,212.33)	35,000.00	901,080.00
43092710	9781	Richf VFD	11,230.00	11,120.19	230.18	77.53	-	1,230.84	12,351.03	(1,121.03)	5,000.00	16,230.00
43092710	9782	Poplar Ten	-	-	-	-	-	-	-	-	-	-
43092710	9783	Jackson Pk	239,683.00	232,681.42	1,601.81	2,492.10	4.21	16,392.48	249,073.90	(9,390.90)	20,000.00	259,683.00
43092710	9784	Cold Water	325,676.00	307,854.19	4,438.72	3,217.13	5.61	30,645.84	338,500.03	(12,824.03)	20,000.00	345,676.00
43092710	9785	Allen	553,419.00	520,709.92	7,200.76	5,860.92	10.28	52,287.84	572,997.76	(19,578.76)	35,000.00	588,419.00
43092710	9786	Midland	1,169,259.00	1,146,691.44	8,650.51	5,487.61	9.35	56,589.88	1,203,281.32	(34,022.32)	50,000.00	1,219,259.00
43092710	9788	Northeast	199,952.00	191,260.35	1,562.28	2,403.71	4.21	15,880.80	207,141.15	(7,189.15)	20,000.00	219,952.00
43092710	9798	Harris VFD	1,315,017.00	1,245,713.57	13,479.11	10,046.59	17.76	94,173.84	1,339,887.41	(24,870.41)	35,000.00	1,350,017.00
43092710	9799	Enochv VFD	-	-	-	-	-	-	-	-	-	-
43092710	975601	Con Rural	52,056.00	44,362.61	335.70	708.78	1.40	4,183.52	48,546.13	3,509.87	2,000.00	54,056.00
			<b>6,497,950.00</b>	<b>6,226,494.02</b>	<b>77,920.61</b>	<b>54,332.25</b>	<b>94.42</b>	<b>529,389.12</b>	<b>6,755,883.14</b>	<b>(257,933.14)</b>	<b>426,500.00</b>	<b>6,924,450.00</b>

# CABARRUS COUNTY



## BOARD OF COMMISSIONERS WORK SESSION

**April 3, 2023  
4:00 PM**

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### **AGENDA CATEGORY:**

Discussion Items for Action

### **SUBJECT:**

Sheriff's Office - Acceptance of NHTSA (National Highway Traffic Safety Administration) Grant

### **BRIEF SUMMARY:**

Currently, the state crime lab requires a one year + lead time to produce results for alcohol/drug blood testing. This grant would allow for the Cabarrus County Sheriff's Office, working in conjunction with the Cabarrus County District Attorney's Office, to utilize NMS (National Medical Services) labs to expedite laboratory analysis of blood down to a two-week lead time. The State has worked with NMS labs previously and approves of their scientific standards and professionalism.

Use of NMS labs would help to reduce the backlog of blood analysis cases in the most critical of DWI cases.

There is no County match required of this grant.

### **REQUESTED ACTION:**

Motion to accept the grant award and adopt the associated budget amendment.

### **EXPECTED LENGTH OF PRESENTATION:**

5 Minutes

### **SUBMITTED BY:**

Chief Deputy James N. Bailey

### **BUDGET AMENDMENT REQUIRED:**

Yes

**COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:**

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**ATTACHMENTS:**

- ▣ District Attorney Reference
- ▣ Sheriff Acceptance Letter
- ▣ NHTSA Grant Details
- ▣ NHTSA BA



*State of North Carolina  
General Court of Justice  
25<sup>th</sup> Prosecutorial District*

Ashlie P. Shanley  
District Attorney  
Telephone: (704) 262-5510  
Fax: (704) 262-5511

77 Union Street  
P.O. Box 70  
Cabarrus County Courthouse  
Concord, NC 28026

March 6, 2023

To Whom it May Concern,

The Cabarrus County District Attorney's Office would like to acknowledge support of the Cabarrus County Sheriff's Office and the pursuit of a NHTSA grant providing private lab testing of blood kits in Driving While Impaired Cases. Currently, the state lab requires a year lead time to produce lab results. This significantly delays the State's ability to prosecute DWI cases in court. In contrast, the private NMS lab predicts that the lead time would only be two weeks. The State has worked with NMS labs in the past and has appreciated its professionalism and commitment to upholding scientific standards. Our office is confident that this grant would benefit all parties and would reduce the DWI case backlog that is occurring throughout North Carolina.

If you require further information, please feel free to contact me.

Sincerely,

Ashlie P. Shanley  
District Attorney 25



# CABARRUS COUNTY SHERIFF'S OFFICE

Van W. Shaw, Sheriff

*Public Safety through Professionalism and Integrity*

January 11, 2023

Jennifer Symoun  
toXcel  
DUID Tool Support Coordinator (under contract to NHTSA)  
7140 Heritage Village Plaza  
Gainesville, VA 20155

Dear Jennifer:

The Cabarrus County Sheriff's Office agrees to follow the requirements for receiving \$26,500.00 for reimbursable expenses to strengthen our DUID prevention and enforcement efforts. We will provide monthly reports using the required template by the 10<sup>th</sup> of each month following the reporting period and will participate in periodic phone calls to discuss efforts made using the funding from this program. Invoices for reimbursement of expenditures will be submitted to you on a monthly basis when expenses are incurred. We understand that information and lessons learned captured from our efforts may be included in the project final report and we will have the opportunity to review the report prior to its publishing by NHTSA.

We are committed to this effort and able to allocate the time and resources required to receive funding assistance.

Our primary point of contact for this effort is:

Deputy Eric M. Callicutt  
Cabarrus County Sheriff's Office  
30 Corban Avenue  
Concord, NC 28025  
[emcallicutt@cabarruscounty.us](mailto:emcallicutt@cabarruscounty.us)  
704-920-3000

Sincerely,

X 

Chief Deputy James Bailey  
January 11, 2023



7140 Heritage Village Plaza  
Gainesville, VA 20155

Phone: (703) 754-0248

Fax: (703) 310-6950

January 6, 2023

Eric Callicutt, Senior Deputy Sheriff  
Cabarrus County Sheriff's Office  
30 Corban Ave SE  
Concord, NC 28025

**RE: DUID Tool Support Project Funding Recipient Selection/Memorandum of Understanding under NHTSA Contract DTNH2217D00040/693JJ921F000183**

Dear Deputy Callicutt:

Thank you for applying for the National Highway Traffic Safety Administration (NHTSA) DUID Tool Support funding opportunity. Upon review of your application, the Cabarrus County Sheriff's Office has been selected to receive \$26,500 to be used for activities related to the use of NMS Labs to expedite the analysis of drug-impaired driving cases and assist in the expert testimony of cases analyzed at their facility to remove backlog and maintain necessary turnaround time of results for judiciary purposes.

Toxcel LLC is managing this effort under contract to NHTSA (Contract DTNH2217D00040/693JJ921F000183). Jennifer Davidson is serving as the NHTSA Task Order Manager and Jennifer Symoun is the Toxcel Project Manager. All communication for this project will go through Toxcel and Toxcel will handle all cost reimbursements.

Please review the attached information and return a signed letter of commitment (template attached) to me ([jennifer.symoun@toxcel.com](mailto:jennifer.symoun@toxcel.com)) at your earliest convenience. Once signed we can begin reimbursing expenses related to this effort. The attached information outlines directions for submitting invoices for reimbursement and monthly and quarterly reporting requirements.

I am excited to work with you to help enhance Cabarrus County's DUID prevention and enforcement efforts! Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Symoun". The signature is written in a cursive, flowing style.

Jennifer Symoun  
Vice President, Engineering and Behavioral Sciences  
Toxcel LLC  
703-754-0248 x8208  
[jennifer.symoun@toxcel.com](mailto:jennifer.symoun@toxcel.com)

## Background

Due to the growing problem of drug-impaired driving and States legalizing marijuana to varying degrees, NHTSA developed the Drug-Impaired Driving Criminal Justice Evaluation Tool (DUID tool) to assist State, local, territorial, and tribal governments with assessing and strengthening their drug-impaired driving programs. As drug-impaired driving prevalence has increased, so too have the responsibilities placed on State and local agencies tasked with reducing impaired-driving-related injuries and fatalities. Through a systematic review of activities, policies, and procedures being implemented, the DUID tool allows users to assess their existing programs to reduce drug-impaired driving. The tool can help jurisdictions identify gaps in their drug-impaired driving programs, inform strategies to strengthen the programs, and help track progress over time against baseline results. The tool also includes links to best practices and resources for strengthening drug-impaired driving programs.

## Objective

To encourage use of the DUID Tool, NHTSA is making funding available to a limited number of agencies and organizations to assist with overcoming the challenges identified in the results generated by the tool. Through the collection of progress reports and discussions with agency contacts, NHTSA will be able to gather additional successful practices, challenges, and mitigation strategies related to DUID prevention and enforcement. This information can be used to ultimately assist in increasing drug-impaired driving convictions and reducing the prevalence of drug-impaired driving.

## Implementation Support Processes and Procedures

### Eligible Expenses

The following are eligible [DUID Tool](#) support activities:

- Development of new or updated agency policies and procedures related to the various elements of the Tool.
- Implementation or support of DWI Task Forces.
- Training (to include related travel to attend training).
- Purchasing off the shelf or development of data collection systems.
- Hiring a consultant to assist with identifying business process needs and/or IT programming support.
- Purchasing iPads or other tablets, cell phones, computers, scanners for obtaining/approving e-warrants
- Software used for e-warrant creation/approval (such as a PDF-creator program).
- Development of a web-based system for e-warrants.
- Phlebotomy equipment (e.g., phlebotomy chair, venipuncture equipment).
- Laboratory fees (for testing of blood samples).
- iPads or other tables, cell phones for facilitating DRE call-outs Software and applications for facilitating DRE call-outs.
- Public outreach.

Agencies may suggest other types of activities related to the questions asked in the Tool in their application and Toxcel will determine if these activities are eligible. Funding cannot be used to pay for officer salaries, overtime, equipment that will not fully depreciate over the course of the project, or construction.

All travel must meet Federal Travel Regulation requirements (<https://www.gsa.gov/policy-regulations/regulations/federal-travel-regulation-fttr>). Highlights of these requirements include: If not

travelling by vehicle, travel must occur using coach-class service of a common carrier (i.e., air or rail). All air travel must use a "U.S. flag" air carrier service. Travel costs for hotels, meals, and incidentals must be within Federal Government per diem rates (see <https://www.gsa.gov/travel/plan-book/per-diem-rates>). Mileage can be reimbursed if travel related to this effort occurs using a personal vehicle (see <https://www.gsa.gov/travel/plan-book/transportation-airfare-pov-etc/privately-owned-vehicle-pov-mileage-reimbursement-rates> for mileage reimbursement rates).

## Reporting

A monthly report template is attached with fields for describing activities completed the previous month and planned for the upcoming month, any challenges faced and mitigation strategies, lessons learned, and successes. Monthly reports will be due the 10<sup>th</sup> of each month (or the closest date prior if the 10<sup>th</sup> falls on a weekend) beginning after receipt of the signed letter of commitment. Monthly reports should cover the previous month and are required even when you do not have any expenditures for a month. You will receive an email reminder about the upcoming monthly report due date on the 5<sup>th</sup> of each month (or the closest date prior if the 5<sup>th</sup> falls on a weekend).

We will also hold periodic calls to discuss how the funding is being used, challenges, successes, and lessons learned. You will be contacted by a member of the Toxcel Team several weeks prior to schedule a time for a one hour call. If you have specific needs or concerns that you'd like to discuss during the call it will be helpful to know in advance so that we can ensure that a subject matter expert is available to attend the call.

The information gathered from the monthly reports and periodic calls will be used in the development of a project report summarizing how agencies used the funding to strengthen their DUID programs. You will have the opportunity to review and provide input to the report before it is published by NHTSA.

## Invoicing

Funding will be distributed in the form of reimbursement upon receipt of invoices. Invoices should be submitted monthly (if expenses are incurred in that month) with the monthly report and must be accompanied by receipts or other proof of how the funding was spent. Invoices will be paid within 30 days of receipt of the invoice and monthly report and can be paid by check or electronic funds transfer. Invoices must include the following information:

- Business name and address
- Contract number (DTNH2217D00040/693JJ921F000183)
- Invoice number
- Award value
- Line detail of expenses to be reimbursed, including quantity, cost per unit, and total amount
- Receipts for purchased items/travel
- Total cost for the current invoice
- Total invoiced to date
- Amount remaining
- Electronic Funds Transfer (EFT) information (if applicable, not required if payment by check is preferred)

## Budget Development and Updates

In addition to the signed commitment letter, please submit to Toxcel a line item budget that outlines planned expenditures for this effort. Changes may be made after the initial submission, although the total budget amount must remain within \$26,500.00 unless additional funding is requested and



approved. Any changes to the line item budget after the initial submission must be sent to Toxcel.

## Timeframe

Implementation support will begin immediately upon receipt of the signed attached letter of commitment. The project will conclude in September 2023 and all invoices must be received by September 10, 2023.

**Budget Revision/Amendment Request**

Date:

Amount:

Dept. Head:

Department:

Internal Transfer Within Department     
  Transfer Between Departments/Funds     
  Supplemental Request

Purpose: The National Highway Traffic Safety Administration (NHTSA) has granted \$26,500 to the Cabarrus County Sheriff's Office to be used for activities related to the use of NMS Labs to expedite the analysis of drug-impaired driving cases and assist in the expert testimony of cases analyzed at their facility to remove backlog and maintain necessary turnaround time of results for judiciary purposes. Budget Amendment to establish budget for the Revenue & Expenditures.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
1	6	2110-622301-NHTSA	US Dept of Transportation - NHTSA		26,500.00		26,500.00
1	9	2110-9445-NHTSA	Purchased Services - NHTSA		26,500.00		26,500.00
				-	53,000.00	-	53,000.00

**Budget Officer**

Approved  
 Denied

**County Manager**

Approved  
 Denied

**Board of Commissioners**

Approved  
 Denied

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

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*Date*

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*Date*

# CABARRUS COUNTY



## BOARD OF COMMISSIONERS WORK SESSION

**April 3, 2023  
4:00 PM**

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### **AGENDA CATEGORY:**

Discussion Items for Action

### **SUBJECT:**

Sheriff's Office - Dedication of Bridge in Memory of Lt. Robert J. Eury

### **BRIEF SUMMARY:**

On May 5th 1972 Lt. Robert J. Eury was killed while responding to a domestic disturbance in Midland, NC. He left behind his wife, Myra Eury, daughter, Anne Eury Griggs and son, Robert Eury Jr. It is requested that the Cabarrus County Board of Commissioners approve this proclamation requesting the naming of NC Hwy 24/27 bridge over the Rocky River both east and west (Bridge #'s 341 & 22) in honor and memory of Lieutenant Robert J. Eury and appropriated signage be placed at the site.

### **REQUESTED ACTION:**

Motion to adopt resolution.

### **EXPECTED LENGTH OF PRESENTATION:**

5 Minutes

### **SUBMITTED BY:**

Cabarrus County Chief Deputy Tessa Burchett

### **BUDGET AMENDMENT REQUIRED:**

No

### **COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:**

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## **ATTACHMENTS:**

- Resolution



**RESOLUTION REQUESTING NAMING OF BRIDGE FOR LIEUTENANT ROBERT J. EURY**

**WHEREAS**, Lieutenant Robert J. Eury Sr. served the Cabarrus County Sheriff's Office for 17 years with diligence and honor; and,

**WHEREAS**, Lieutenant Robert J. Eury Sr. was killed in the line of duty on May 5<sup>th</sup>, 1972, in an ambush while responding to a domestic situation in what is now the Town of Midland within Cabarrus County.

**WHEREAS**, Lieutenant Robert J. Eury Sr. was 49 years old at the time of his death and that this was the 3<sup>RD</sup> line of duty death for the Cabarrus County Sheriff's Office.

**WHEREAS**, Lieutenant Robert J. Eury Sr. was survived by his wife Myra Eury, daughter Anne Eury Griggs and Son Robert Eury Jr all of whom remained in the Town of Midland.

**WHEREAS**, the actions and career of Lieutenant Robert J. Eury Sr. serve as a worthy example for all citizens of Cabarrus County, and a fitting memorial to his memory has been requested and is well-deserved and long overdue.

**NOW THEREFORE BE IT RESOLVED**, by the Cabarrus County Board of Commissioners that it hereby requests that the North Carolina Board of Transportation name the HWY 24/27 Bridge over the Rocky River in Midland, (Bridge #s 341 & 22), in the honor and memory of Lieutenant Robert J. Eury Sr. and that appropriate signage be placed at the site.

**ADOPTED** this 17th day of April 2023.

---

Stephen M. Morris, Chairman

Attest:

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Lauren Linker, Clerk to the Board

# CABARRUS COUNTY



## BOARD OF COMMISSIONERS WORK SESSION

**April 3, 2023  
4:00 PM**

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**AGENDA CATEGORY:**

Approval of Regular Meeting Agenda

**SUBJECT:**

BOC - Approval of Regular Meeting Agenda

**BRIEF SUMMARY:**

The proposed agenda for the April 17, 2023 regular meeting is attached.

**REQUESTED ACTION:**

Motion to approve the agenda for the April 17, 2023 regular meeting as presented.

**EXPECTED LENGTH OF PRESENTATION:**

1 Minute

**SUBMITTED BY:**

Lauren Linker, Clerk to the Board

**BUDGET AMENDMENT REQUIRED:**

No

**COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:**

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**ATTACHMENTS:**

- Approval of Regular Meeting Agenda

# CABARRUS COUNTY



## BOARD OF COMMISSIONERS REGULAR MEETING

**April 17, 2023  
6:30 PM**

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### MISSION STATEMENT

THROUGH VISIONARY LEADERSHIP AND GOOD STEWARDSHIP, WE WILL ADMINISTER STATE REQUIREMENTS, ENSURE PUBLIC SAFETY, DETERMINE COUNTY NEEDS, AND PROVIDE SERVICES THAT CONTINUALLY ENHANCE QUALITY OF LIFE

### CALL TO ORDER BY THE CHAIRMAN

### PRESENTATION OF COLORS

### INVOCATION

#### A. APPROVAL OR CORRECTIONS OF MINUTES

1. Approval or Correction of Meeting Minutes

#### B. APPROVAL OF THE AGENDA

#### C. RECOGNITIONS AND PRESENTATIONS

1. Active Living and Parks - Older Americans Month 2023 Proclamation
2. Cooperative Extension - National Volunteer Week Proclamation
3. EMS - Cabarrus County Emergency Services Week
4. Human Resources - Recognition of Chief Deputy James Bailey on His Retirement from Cabarrus County Sheriff's Office
5. Proclamation - National Library Week

#### D. INFORMAL PUBLIC COMMENTS

#### E. OLD BUSINESS

#### F. CONSENT AGENDA

*(Items listed under consent are generally of a routine nature. The Board may take action to approve/disapprove all items in a single vote. Any item may be withheld from a general action, to be discussed and voted upon separately at the discretion of the Board.)*

1. Active Living and Parks - Matching Incentive Grant Application Requested Changes
2. Appointments - Human Services Advisory Board
3. Appointments and Removals - Active Living and Parks Commission
4. Appointments and Removals - Cabarrus-Rowan Metropolitan Planning Organization Technical Coordinating (TAC) Committee
5. BOC - Resolution in Support of House Bill 98
6. BOC - Rules of Procedure
7. County Manager - Accept Transfer of R. Brown McAllister Elementary School
8. County Manager - Authorization for One-Time Purchases
9. County Manager - Vacant and Dilapidated Housing
10. DHS - Budget Revision for Adult Protective Services Essential Fund
11. DHS - Transportation 5310 Elderly and Handicapped Grant
12. DHS - Transportation MPO Agreement
13. Early Childhood Education - Grant
14. Emergency Management - NC Tier II Competitive Grant Award and Budget Amendment
15. Finance - Budget Amendment to Increase Dental Insurance Expenditures
16. Finance - Budget Amendment for Additional Tax Turnover to the Fire Districts
17. Human Resources - Compensation Study
18. Sheriff's Office - Acceptance of NHTSA (National Highway Traffic Safety Administration) Grant
19. Sheriff's Office - Award of Service Weapon to Chief Deputy James Bailey Upon His Retirement
20. Sheriff's Office - Dedication of Bridge in Memory of Lt. Robert J. Eury
21. Tax Administration - Refund and Release Reports - March 2023

**G. NEW BUSINESS**

**H. REPORTS**

1. BOC - Receive Updates from Commission Members who Serve as Liaisons to Municipalities or on Various Boards/Committees
2. BOC - Request for Applications for County Boards/Committees
3. Budget - Monthly Budget Amendment Report
4. Budget - Monthly Financial Update
5. County Manager - Monthly Building Activity Reports
6. County Manager - Monthly New Development Report
7. EDC - March 2023 Monthly Summary Report

**I. GENERAL COMMENTS BY BOARD MEMBERS**

**J. WATER AND SEWER DISTRICT OF CABARRUS COUNTY**

**K. CLOSED SESSION**



**L. ADJOURN**

**Scheduled Meetings**

<b>April 19</b>	<b>Cabarrus Summit</b>	<b>6:00 p.m.</b>	<b>Cabarrus Arena</b>
<b>April 27</b>	<b>Budget Meeting</b>	<b>4:00 p.m.</b>	<b>Multipurpose Room</b>
<b>May 1</b>	<b>Work Session</b>	<b>4:00 p.m.</b>	<b>Multipurpose Room</b>
<b>May 15</b>	<b>Regular Meeting</b>	<b>6:30 p.m.</b>	<b>BOC Meeting Room</b>
<b>June 5</b>	<b>Work Session</b>	<b>4:00 p.m.</b>	<b>Multipurpose Room</b>
<b>June 8</b>	<b>Budget Meeting</b>	<b>4:00 p.m.</b>	<b>Multipurpose Room</b>
<b>June 19</b>	<b>Regular Meeting</b>	<b>6:30 p.m.</b>	<b>BOC Meeting Room</b>

**Mission:** Through visionary leadership and good stewardship, we will administer state requirements, ensure public safety, determine county needs, and provide services that continually enhance quality of life.

**Vision:** Our vision for Cabarrus is a county where our children learn, our citizens participate, our dreams matter, our families and neighbors thrive, and our community prospers.

**Cabarrus County Television Broadcast Schedule  
Cabarrus County Board of Commissioners' Meetings**

The most recent Commissioners' meeting is broadcast at the following days and times. Agenda work sessions begin airing after the 1st Monday of the month and are broadcast for two weeks up until the regular meeting. Then the regular meeting begins airing live the 3rd Monday of each month and is broadcast up until the next agenda work session.

<b>Sunday - Saturday</b>	<b>1:00 P.M.</b>
<b>Sunday - Tuesday</b>	<b>6:30 P.M.</b>
<b>Thursday &amp; Friday</b>	<b>6:30 P.M.</b>

In accordance with ADA regulations, anyone who needs an accommodation to participate in the meeting should notify the ADA Coordinator at 704-920-2100 at least forty-eight (48) hours prior to the meeting.

# CABARRUS COUNTY



## BOARD OF COMMISSIONERS WORK SESSION

**April 3, 2023  
4:00 PM**

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**AGENDA CATEGORY:**

Closed Session

**SUBJECT:**

Closed Session - Pending Litigation and Economic Development

**BRIEF SUMMARY:**

A closed session is needed to discuss matters related to pending litigation and economic development as authorized by NCGS 143-318.11(a)(3) and (4).

**REQUESTED ACTION:**

Motion to go into closed session to discuss matters related to pending litigation and economic development as authorized by NCGS 143-318.11(a)(3) and (4).

**EXPECTED LENGTH OF PRESENTATION:**

30 Minutes

**SUBMITTED BY:**

Mike Downs, County Manager

**BUDGET AMENDMENT REQUIRED:**

No

**COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:**

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