

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 2, 2024
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 - NO ACTION

3.1. 2023 Child Protection and Fatality Team Report Pg. 5

3.2. County Manager - Afton Library Update Pg. 18

4. DISCUSSION ITEMS FOR ACTION

4.1. Active Living and Parks - Ordinance Update Pg. 20

4.2. BOC - Appointments to Boards and Committees Pg. 25

4.3. Cooperative Extension - Budget Amendment for Plant Sale & Agribusiness Days Pg. 27

4.4. County Manager - Forestry Sale at Stonewall Jackson Property Pg. 30

4.5. County Manager - Purchase of a Temporary Easement for Forestry at Stonewall Jackson Property Pg. 33

4.6. County Manager - Lomax Property Purchase Pg. 36

4.7. County Manager - Restructure Department of Social Services Legal Services Pg. 37

4.8. Emergency Management - NC Tier II Competitive Grant Award and Budget Amendment Pg. 50

4.9. EMS - Medical Supply Budget Amendment Pg. 53

4.10. EMS - Renewal of Non-Emergency Transport Franchise Agreement with American Transmed Pg. 56

4.11. Human Resources - Health Insurance Plan Renewal FY25 Pg. 65

4.12. Sheriff's Office - Budget Amendment for Purchased Services Pg. 76

5. APPROVAL OF REGULAR MEETING AGENDA

5.1. BOC - Approval of Regular Meeting Agenda Pg. 79

6. CLOSED SESSION

7. 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 2, 2024
4:00 PM**

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:

ATTACHMENTS:

- Changes to the Agenda



**CABARRUS COUNTY BOARD OF COMMISSIONERS
CHANGES TO THE AGENDA
April 2, 2024**

UPDATED:

Discussion Items - No Action

3.1 2023 Child Protection and Fatality Team Report

ADDITIONS:

Discussion Items for Action

4.6 County Manager – Lomax Property Purchase

Closed Session

6.1 Closed Session – Pending Litigation and Acquisition of Real Property

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 2, 2024
4:00 PM**

AGENDA CATEGORY:

Discussion Items - No Action

SUBJECT:

2023 Child Protection and Fatality Team Report

BRIEF SUMMARY:

A representative from the Cabarrus County Child Protection and Fatality Team will present the annual review of our child fatalities and current issues impacting our children's welfare.

REQUESTED ACTION:

Receive input.

EXPECTED LENGTH OF PRESENTATION:

30 Minutes

SUBMITTED BY:

Paula Yost, JD, LPCA Chair, Cabarrus County Child Protection and Fatality Team

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- Presentation

The State of our Children: A 2023 Report

Paula J. Yost, JD, LCMHC, Chair
Cabarrus County, Child Protection & Fatality Team

What is CPFT?

- CPFT = Child Protection & Fatality Team
- In Cabarrus County, it has made sense to combine both teams. Thus, we combined with the goal of becoming one of the top CPFTs in the state.
- A focus is on examining the deaths of children in the county during the previous calendar year.
- We discuss each case and ponder ways that the deaths could have been prevented and look at issues county wide that lead to better protection of our children.
- We are mandated by G.S. 7B 1407
- An interdisciplinary group of community representatives who meet regularly to promote a community-wide approach to the problem of child abuse and neglect.

The Cabarrus County Child Protection/Child Fatality Review team pursuant to NCGS 7B-1407 is comprised of the following members:

The director of the county department of social services and a member of the director's staff: _____ **We have multiple DHS workers who attend, but the Director can officially assign whoever she wants to attend from DHS. She has the authority to do this.**

A local law enforcement officer, appointed by the board of County Commissioners: One law enforcement agency does not speak for other law enforcement agencies thus the representatives from each agency are:

- i. **Cabarrus County Sheriff's Office: Andrew Kelly**
- ii. **Kannapolis Police Department: Glenn Tingen**
- iii. **Concord Police Department: Benjamin Little**

An attorney from the District Attorney's office, appointed by the District Attorney; **Ashlie Shanley with Kisha Scott as backup.**

The executive director of the local community action agency, as defined by the Department of Health and Human Services: **Ann Benfield serves from the Cabarrus Partnership for Children as does Starla Hatley**

The superintendent of each local school administrative unit located in the county, or the superintendent's designee; **Amy Jewell and Doug Carr from CCS serve and McKenzie Wolford and Jennifer Baucom serve from KCS. Keshia Sandidge also serves from the Board of Education.**

A member of the county board of social services, appointed by the chair of that board; _____ **We need to appoint this person. This is the only unfilled seat.**

A local mental health professional, appointed by the director of the area authority; **Sonja Bohannon Thacker LCSW and Paula Yost LCMHC.**

The local guardian ad litem coordinator, or the coordinator's designee; **Rachel Grossman-Zack's replacement**

The director of the local department of public health; and **Erin Shoe has designated Amanda Prevetie from CMARC;**

A local health care provider, appointed by the local board of health. **Dr. Easterday, CHA's medical director, Dr. Robert Silver (NICU Director), and Dr. Nicole Barrett from the Children's Advocacy Center. All of are critical. We often review fetal death that occurred in the NICU only and Dr. Barrett is our abuse expert.**

(c) In addition, a Local Team that reviews the records of additional child fatalities shall include the following five additional members:

1. An emergency medical services provider or firefighter, appointed by the board of county commissioners; **Kara Clarke of EMS**
2. A district court judge, appointed by the chief district court judge in that district; **Judge Nate Knust and Judge Beth Street**
3. A county medical examiner, appointed by the Chief Medical Examiner; **Kevin Gullett**
4. A representative of a local child care facility or Head Start program, appointed by the director of the county department of social services; and **Ann Benfield and Starla Hatley; Rachel Grossman-Zack of Lockhardt Childcare Center**
5. A parent of a child who died before reaching the child's eighteenth birthday, to be appointed by the board of county commissioners. **Sonja Bohannon Thacker**

2023 DHS Numbers

- Investigations worked with 4,970 children an increase from 4,717 in 2022, and 4,470 children from 2021.
- For Cabarrus County, we accepted 1694 cases down from 1721 cases in 2022. Of those accepted cases, 459 were investigative cases and 1,235 were family assessments. Investigative cases involve human trafficking, physical, sexual and emotional abuse.
- Out of the total amount of cases accepted 147 of them had substance abuse allegations and out of those 15 cases alleged opiate use.
- Cabarrus County has completed 463 assist requests from other counties down from 554 in 2022.
- We also had 14 substance abuse impacted infants, 148 domestic violence cases, and 13 human trafficking cases.

Child Abuse – DHS Numbers

- 45 families per month in in home services as opposed to last year's 44
- 182 (2023) children in foster care as opposed to last year's 158 (2022)

2022 Cabarrus County Child Fatalities

•**Illness-11:** 1-Myotonic disorder, 1-Brochopulmonary dysplasia, 1-Congenital malformation of the heart, 1-Epilepsy/meningitis/renal failure, 2-Edward's Syndrome/Trisomy 18, 1-Hypoplastic left heart, 1-Hydrops Fetalis, 1-Hydrocephalus, 1-Sanfilippo Syndrome, 1-Epilepsy

•**Prematurity-8**

•**Accidental-5:** 1-Unsafe sleep/underlying medical conditions, 2-Child hit by car, 1- Unsafe sleep/another child rolled over on child, 1-Unsafe sleep

•**Accidental and Substance affected-2:** 1-Unsafe Sleep-father tested positive at incident for meth and mother for meth and marijuana, 1-Unsafe sleep-fentanyl toxicity

•**Abuse- 1**

•**Suicide-1-**Intentional self harm by handgun discharge

•**Overdose-1-**16 year old, accidental poisoning and exposure to narcotics and psychodysleptics

TOTAL = **29** (2016-22; 2017-21, 2018-24, 2019-23, 2020-18, 2021-20)

Homeless Children

- As of January 31, 2024, Cabarrus County Schools has identified 642 students as McKinney-Vento this school year. Of those identified, 428 are doubled up, 161 are in hotels/motels, 37 are in shelters/transitional housing, and 16 are unsheltered.
- As of February 14, 2024, Kannapolis City Schools has identified 120 students as McKinney-Vento this school year. Of those identified, 61 are doubled up, 47 are in hotels/motels/shelters/transitional housing, and 12 are unsheltered.

KCS Disciplinary Rules for Substance Use

- Total Vaping 83 (some tobacco, some THC)
- Other Substance use 25
- Overall Substance Use 108

CCS Disciplinary Rates for Substance Use

- Vaping Tobacco 95
- Vaping with some form of marijuana 289
- Some other form of substance (alcohol, controlled substance) 27

Action Items for the Year

1-Request for Lab to test for THC (vapes)

2-Increase need for SW; DHS and Schools as the homeless numbers continue to increase and increased risk for mental health needs in Spring

3-Evidence base treatment for substance use involving juveniles

4-Support for Recovery HS

Questions?

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 2, 2024
4:00 PM**

AGENDA CATEGORY:

Discussion Items - No Action

SUBJECT:

County Manager - Afton Library Update

BRIEF SUMMARY:

The Afton Library and Active Living Center is currently under construction. When the project was initially designed, a decision was made to divide the project into different packages in order to expedite the review of the project in the City of Kannapolis' review process. The outside amenities package arrived recently, and the costs were higher than expected. In an effort to reduce costs, the outdoor amenities package was rebid into individual packages which was successful in a significant cost reduction. There were unanticipated costs in a required Traffic Impact Analysis (TIA) by the City of Kannapolis and the associated turn lane into the site. Finally, there were some mechanical changes that have driven some cost increases. The costs are currently projected at \$1.2 for the outdoor amenities, \$350,000 for the TIA and turn lane, and \$50,000 in projected mechanical changes. Staff will be using some of the county's construction contingency and rock allowances to cover some of the increases as well as move some funds around within the project. Staff will continue with some more value engineering efforts to try to find additional cost reductions in the project.

REQUESTED ACTION:

No action necessary at this time.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Kelly Sifford, AICP Assistant County Manager
Michael Miller, Design and Construction Director

BUDGET AMENDMENT REQUIRED:

Yes

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 2, 2024
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

Active Living and Parks - Ordinance Update

BRIEF SUMMARY:

To expand on and further define the use of Tents on Active Living and Parks (ALP) properties. The following are proposed after a meeting with the Fire Marshal's Office, County Managers Office, IAM Department and the ALP Department:

Add the below to Chapter 50 of the County Ordinance, Page CD50:4, Sec. 50-3, Property and Facility Preservation:

#6 Personal Pop-up tents will be allowed and must be secured with sandbags or canopy leg weights. NO stakes of any kind will be permitted. Tents cannot be tethered together or to another structure and nothing can be attached from tent to tent. No tent can be set up in a walkway or roadway. Management reserves the right to ask for a tent to be moved to a different location or removed for lack of proper weights. Park/facility managers will provide locations for each specific facility. There will be designated areas at athletic facilities.

#7 Tents over 800 sq. ft. must be permitted and inspected through the Fire Marshal's Office. Park/facility Managers will designate specific areas for placement.

#8 Tents under 800 sq. ft. must be inspected, but not permitted through the Fire Marshal's Office. Park/facility Managers will designate specific areas for placement.

REQUESTED ACTION:

Motion to approve the updates to Chapter 50 of the County Ordinance to allow and define use of tents at Active Living and Parks facilities.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Londa Strong, Active Living and Parks Director

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ Ordinance



WHEREAS, Section G.S. 153A-444 the General Statutes of North Carolina authorizes counties establish parks and provide recreational programs.

WHEREAS, Cabarrus County has enacted an ordinance governing its Active Living and Parks facilities in the County found in Chapter 50 of Code of Ordinances, Cabarrus County, North Carolina.

WHEREAS, Cabarrus County wishes to amend certain provisions of Chapter 50 to allow certain temporary tents or canopies at park facilities and athletic fields.

NOW, THEREFORE BE IT ORDAINED, that Chapter 50 of the code of Ordinances, Cabarrus County, North Carolina, is hereby amended to read as follows:

Sec. 50-3. Property and facility preservation.

- (a) It shall be unlawful for any person to:
- (1) Mark, deface, disfigure, injure, tamper with, displace or remove any real or personal park property, including without limitation, buildings, bridges, tables, benches, fences, fireplaces, grills, railings, pavings or paving materials, water lines or any other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts, or other boundary markers, or other structures or equipment, facilities or park property or any appurtenances whatsoever to any of the above. This includes parks and senior centers and all its appurtenances.
 - (2) Fail to cooperate in maintaining all common areas, including without limitation, restrooms, activity rooms, fitness rooms, and washrooms, in a neat and sanitary condition.
 - (3) Dig, pick or remove any soil, rock, sand, stones, trees, shrubs, plants, wood or other materials, or make any excavation by tool, equipment, blasting or any other means whatsoever.
 - (4) Damage, cut, carve, mark or transplant any plant, or injure the bark of any plant or tree, or pick flowers or seed of any tree or plant, dig in or otherwise disturb grass areas; or in any other way whatsoever injure the natural beauty or usefulness of any park area.
 - (5) Construct or erect any building or structure of whatever kind or material, whether permanent or temporary, or run or string any public service utility into, upon, or across

such park land, except with a special written permit issued hereunder. However, the following shall be permitted:

- (a) Personal pop-up tents or canopies will be allowed but must be secured with sandbags or a canopy leg weights. No stakes of any kind will be permitted. Tents shall not be tethered together or tethered to another structure, nor shall anything be attached or affixed from tent to tent. Tents or canopies shall not be set up in any walkway or roadway. Department and other county officials authorized to enforce this chapter reserve the right to ask for a tent to be moved to a different location or removed for lack of proper security/fastening. Tents shall only be placed in designated locations at each specific facility or athletic field.
 - (b) Tents over 800 sq. ft. must be permitted and inspected through the Fire Marshal's Office and shall only be placed in designated locations at each specific facility or athletic field.
 - (c) Tents under 800 sq. ft. must be inspected, but not permitted through the Fire Marshal's Office and shall only be placed in designated locations at each specific facility or athletic field.
- (6) Throw, discharge, or otherwise place or cause to be placed in any body of water, including without limitation, any fountain, pond, lake, stream or swimming pool within or adjacent to any park, or any tributary, stream, storm sewer, or drain flowing into such body of water; any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.
 - (7) Take into or carry through park/recreation facility any rubbish, refuse, garbage or other material, except as specifically authorized herein. Any rubbish generated in the park/recreation facility shall be placed in receptacles provided for rubbish disposal by the party responsible for its presence. Where receptacles are not available, all such rubbish or waste shall be carried away from the park/recreation facility by the person responsible for its presence and properly disposed of elsewhere.
 - (8) Attach or place any sign, banner, wire, rope or cable, or any other contrivance of any kind or nature to any building, sign, tree or other facility properties by use of nails or staples. These items may be attached with tape or thumbtacks and must be removed before leaving the area. Language or symbols on any such sign or banner must not be deemed offensive to the general public, in the sole opinion of department and other county officials authorized to enforce this chapter. In no event will profanity be permitted.
 - (9) Cause or permit any animal, whether or not under a person's custody or control, to enter the department facilities, with the exception of a dog restrained by a leash not exceeding six feet in length for any outdoor facility. Animals that are part of an authorized program are exempted from this policy. Any person having custody of any animal, as authorized herein shall be responsible for the removal of any animal solid waste.

-
- (10) Bring, use, ride, or drive a horse, pony, mule, cow or any other animal whatsoever in any part of the department facilities, except for commercially licensed horse drawn carriages pursuant to a county written permit, unless the animal is part of a department sponsored program or except as provided for directly above in subsection (9). Any mode of transportation propelled by an animal shall be treated as limousines for the purpose of this chapter.
 - (11) Damage or alter any wildlife habitat or area within the facility unless undertaken by authorized department personnel or their agents as a bona fide wildlife management practice.
 - (12) Damage or alter any wildlife habitat or area within the park unless undertaken by authorized park personnel or their agents as a bona fide wildlife management practice.

(b) A violation of this section is punishable as a misdemeanor.

(Ord. of 6-17-91(2), § 3; Ord. of 6-19-95; Ord. No. 2003-02, § 3, 1-27-03; Ord. No. 2003-03, § 3, 2-17-03; Ord. No. 2017-29, 5-15-17; Ord. No. 2021-32 , § 10, 12-20-21)

Cross reference(s)—Animals, ch. 10; carrying concealed weapons, § 46-4.

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 2, 2024
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:

Blended Community Child Protection Team (CCPT)/Child Fatality Prevention Team (CFPT):

-
Appoint Deputy Chief Kara Clarke as the representative of an emergency medical services provider or firefighter.

Appoint Sonja J. Bohannon-Thacker as the representative of a parent of a child who died before reaching the child's eighteenth birthday.

Appoint Detective Andrew Kelley as the representative of a local law enforcement officer.

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:

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 2, 2024
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

Cooperative Extension - Budget Amendment for Plant Sale & Agribusiness Days

BRIEF SUMMARY:

The budget amendment is to increase 00195410-9356-CEPL and 00165410-6606-CEPL-Special Program Supplies due to a higher response to the plant sale than anticipated. Also included is an increase to 00195410-9356-ABD and 001654106606ABD to accommodate more students and higher costs associated with the 2024 Agribusiness Days event.

REQUESTED ACTION:

Motion to adopt the budget amendment.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Tracy LeCompte, Cooperative Extension Director

BUDGET AMENDMENT REQUIRED:

Yes

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

▣ Budget Amendment

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 2, 2024
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

County Manager - Forestry Sale at Stonewall Jackson Property

BRIEF SUMMARY:

The State transferred two parcels to Cabarrus County in June 2023 as part of the disposition of the larger Jackson Training School Property. Those parcels are north and south of the State's communications tower and total 268 acres. Both parcels are currently vacant and were included in an area for which the State had an adopted forestry plan. The County solicited proposals from timbering consultants and the Board of Commissioners approved an agreement with GFR for that purpose. GFR has completed their inventory and will be soliciting bids for a combination of complete harvest and selective thinning. The complete harvest section is south of the communications tower and is the proposed location for the public safety training center. The harvest is necessary for the PSTC to be developed. The area north of the tower only requires selective harvest and clearing at this time. Bids for that northern section are dependent on market conditions. A recommendation on that section will be made after bids are received and assessed. A budget amendment will be presented at the regular meeting when staff has the numbers.

REQUESTED ACTION:

Motion to suspend the rule.

Motion to sale timber and approve the necessary associated budget amendment.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Kelly Sifford, AICP Assistant County Manager

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ Map



EXHIBIT A TIMBER SALE MAP

Cabarrus County Stough Road Tract Cabarrus County, NC

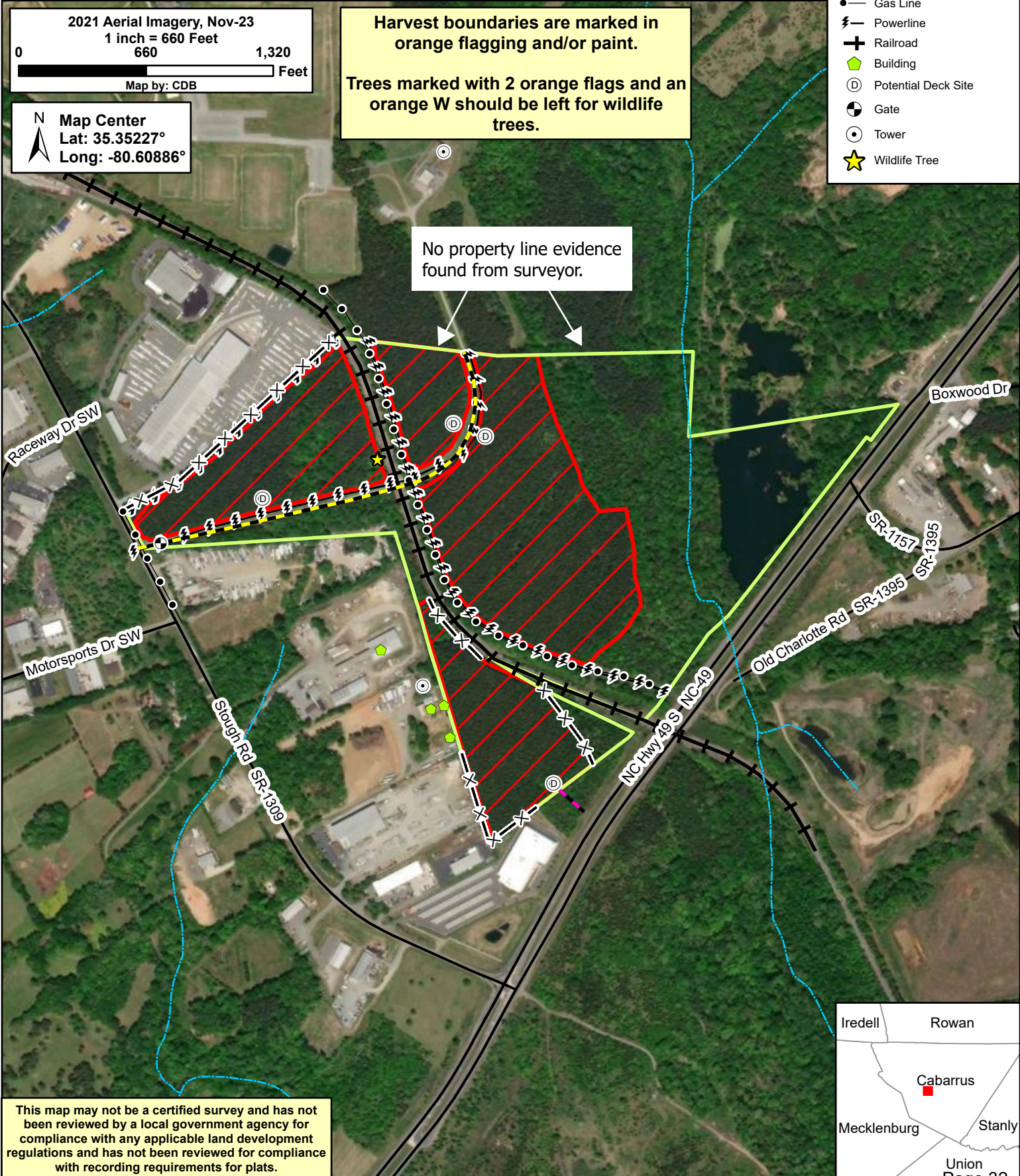
- Legend**
- Final Harvest: 53.1 +/- ac
 - Property Boundary
 - Access Road
 - Proposed Access Road
 - Stream
 - Fence
 - Gas Line
 - Powerline
 - Railroad
 - Building
 - Potential Deck Site
 - Gate
 - Tower
 - Wildlife Tree

2021 Aerial Imagery, Nov-23
1 inch = 660 Feet
0 660 1,320 Feet
Map by: CDB

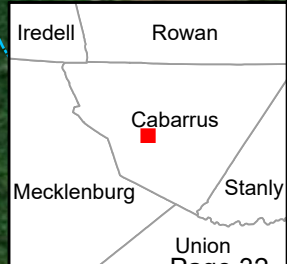
N
Map Center
Lat: 35.35227°
Long: -80.60886°

Harvest boundaries are marked in orange flagging and/or paint.
Trees marked with 2 orange flags and an orange W should be left for wildlife trees.

No property line evidence found from surveyor.



This map may not be a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development regulations and has not been reviewed for compliance with recording requirements for plats.



CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 2, 2024
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

County Manager - Purchase of a Temporary Easement for Forestry at Stonewall Jackson Property

BRIEF SUMMARY:

Staff is working on obtaining a temporary easement to access a portion of the Stonewall Jackson property that is inaccessible from other areas of the property due to a railroad dividing the property. Staff has contacted several property owners in regard to this request. Staff will bring a proposal to the regular March BOC meeting for approval. A budget amendment will be presented at the regular meeting to allocate the costs of purchasing the temporary easement to the revenues from the sale of the timber.

REQUESTED ACTION:

Motion to suspend the rules.

Motion to approve the purchase of a temporary easement for forestry at Stonewall Jackson property and the necessary associated budget amendment.

EXPECTED LENGTH OF PRESENTATION:

SUBMITTED BY:

Kelly Sifford, AICP Assistant County Manager

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- Map



CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 2, 2024
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

County Manager - Lomax Property Purchase

BRIEF SUMMARY:

Lomax farm property is surrounded by county owned property and this purchase will complete the full ownership of that parcel.

REQUESTED ACTION:

Motion to suspend the rules.

Motion to authorize the County Manager to sign purchasing agreement after review and revision by the County Attorney and approve necessary budget amendment and project ordinance.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Kelly Sifford, Assistant County Manager

BUDGET AMENDMENT REQUIRED:

Yes

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 2, 2024
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

County Manager - Restructure Department of Social Services Legal Services

BRIEF SUMMARY:

The Department of Social Services requires legal representation, which has been provided for several years through a contract with Hartsell & Williams. However, due to various considerations, County staff proposes a return to in-house legal support for the department. This shift aims to enhance accessibility, reduce costs, and afford greater control over this critical function.

To facilitate this change, staff proposes the creation of Human Services Attorney.

If approved, staff commits to collaboratively work with Hartsell & Williams to develop an effective transition plan. The position will be promptly posted and filled to ensure a seamless transition.

In the current fiscal year, where Hartsell & Williams will continue rendering services, costs associated with the in-house position will be covered from lapsed salary. Following the conclusion of the contract on June 30, 2024, funds will be included in the FY25 budget.

REQUESTED ACTION:

Motion to approve one full-time position as described.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Rodney Harris, Deputy County Manager
Dr. Aalece Pugh, Assistance County Manager/Human Services Director

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ Presentation

Health & Human Services: Social Services Legal Support

BOC Work Session

April 2, 2024



CABARRUS COUNTY
America Thrives Here

History

- Previously, Cabarrus County DSS employed internal legal support for DSS
- Began contracting with Hartsell & Williams approximately 10 years ago



Affected Programs/Services

- Child protective services (abuse, neglect & dependency)
- Permanency planning
- Adoption services
- Adult protective services (abuse and neglect)
- Adult guardianship services
- Child Support Enforcement



Ever-changing Landscape of Cabarrus County DSS

- 2012: 71 children in custody
- Dec 2023: 182 children in custody
 - **156%** increase
- 2012: 30 adults in guardianship
- 2023: 63 adults in guardianship
 - **110%** increase
- Child Support referrals have been relatively stable since 2017



FY23 Hours Billed*

	#	Total Billable	Total Reimbursed	County Portion
Child Support	590.6	\$ 118,120.00	\$ 77,959.20	\$40,160.80 (34%)
Child Protective Services	1,390.9	\$ 278,180.00	\$ 139,090.00	\$139,090 (50%)
Adult Protective Services	64.2	\$ 12,840.00	\$ 6,420.00	\$6420 (50%)
Training	11.7	\$ 2340.00	\$0	\$2340.00 (100%)
	2,057.4	\$ 411,480.00	\$ 223,469.20	

*Does **not** include court fees or ancillary expenses

Operational Considerations

Current State	Possible Future State
Legal team located offsite	Legal team embedded with staff, fostering easier access
Part-time support	Full-time support
Less efficient	Increased efficiencies
More difficult to monitor accountability	Improved accountability

What's the Norm in NC?

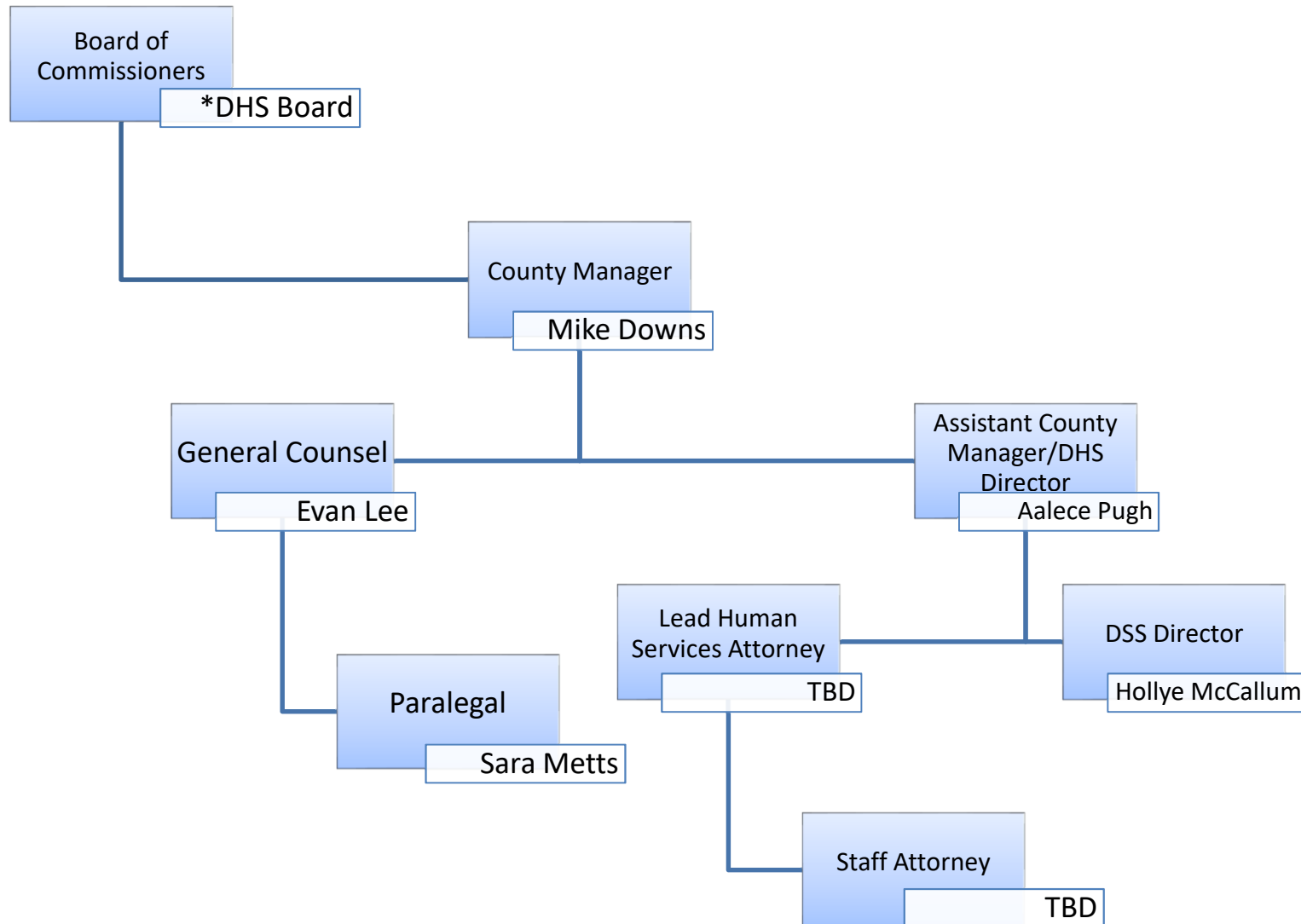
County Employs All Legal Support	Employ DSS Legal Support Only	Combo of Internal and Contracted Legal Support	All Legal Support Contracted	Contracted Attorneys; Employ Paralegals
15	7	11	19	3



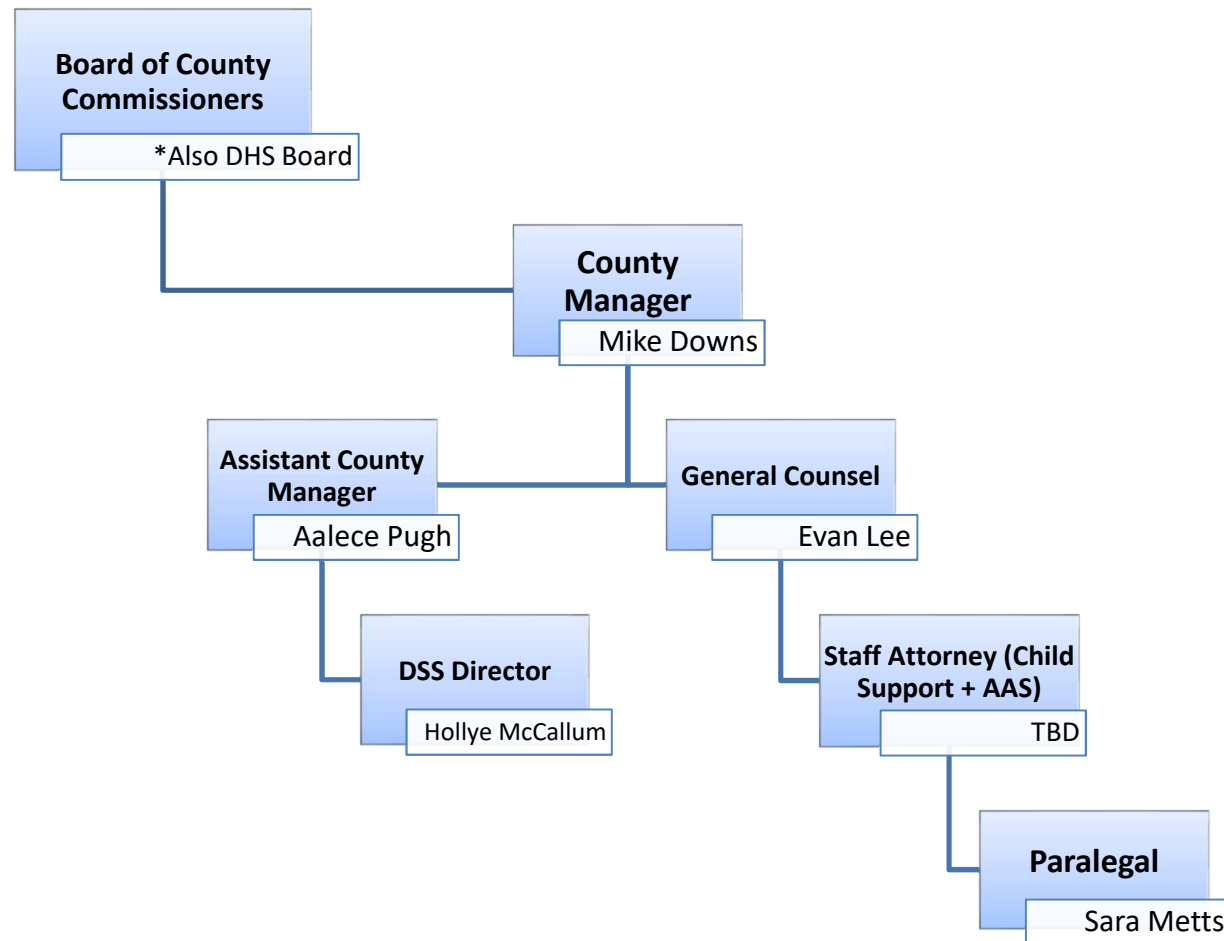
Options

	Option 1	Option 2
County-employed DSS attorneys	Hire two attorneys (lead attorney & staff attorney); Goal to onboard by July 1, 2024	Graduated plan: Hire one staff attorney as soon as feasible (Child Support & AAS); hire second attorney thereafter following assessment of the model
Contracted legal services for DSS	<u>Gradually</u> phase out use of contracted legal services for DSS	Continue contracted services on a more limited scale (i.e., mainly child protective services)

Proposed Reporting Structure (Option 1)



Proposed Reporting Structure (Option 2)



Questions ?



CABARRUS COUNTY
America Thrives Here

cabarruscounty.us

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 2, 2024
4:00 PM**

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. Tier II is an annual federal report that is mandatory for facilities to file that store hazardous materials/chemicals. The grant award is in the amount of \$2,000.00 and does not require a match. Funding will provide lunch and learn training opportunities for our LEPC, which meets quarterly.

REQUESTED ACTION:

Motion to accept grant award and adopt 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:

ATTACHMENTS:

- Budget Amendment

Budget Revision/Amendment Request

Date:

Amount:

Dept. Head:

Department:

- Internal Transfer Within Department
 Transfer Between Departments/Funds
 Supplemental Request

Budget Amendment to record the Tier II Grant Program

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	2710-9636-TIER2	Tier II Grant Expense	-	2,000.00	-	2,000.00
001	3	2710-6339-TIER2	Tier II Grant Revenue	-	2,000.00	-	2,000.00
							0.00
							0.00
							0.00
							0.00
							0.00
							0.00
Total							0.00

Budget Officer

- Approved
 Denied

County Manager

- Approved
 Denied

Board of Commissioners

- Approved
 Denied

Signature

Signature

Signature

Date

Date

Date

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 2, 2024
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

EMS - Medical Supply Budget Amendment

BRIEF SUMMARY:

Request to move funds of \$168,000 from the Ambulance Revenue (00162730-6613) to Medical Supplies (00192730-9360) for FY24.

We have just been made aware of a significant change in the way we acquire our medications. Historically, we have acquired medications from Atrium at the completion of individual calls. Last week we were made aware this process will end on June 30, 2024. This is a result of some changes within pharmaceutical policies, not a result of anything happening locally. The problem comes with predicting the funding needs. While purchasing from Atrium, we were able to benefit from the bulk purchasing power of Atrium. We have the capabilities at HQ to accommodate this need.

The Bound Tree monthly average is \$22,800.00. We still have 5 months left due to being behind in invoices, which equates to needing \$114,000.00.

Atrium PO may have a surplus of about \$25,000.00 based on usage so far.

Everything else has averaged \$13,342.00 per month.

Four months remain, equating to \$53,368.00 needed.

The Total needed is \$167,368.00 + keep the Atrium as is, in case needed.

REQUESTED ACTION:

Motion to adopt necessary budget amendment.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Jimmy Lentz, EMS Chief

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ Budget Amendment

Budget Revision/Amendment Request

Date: 4/15/2024

Amount: 168,000.00

Dept. Head: James Lentz

Department: EMS

Internal Transfer Within Department
 Transfer Between Departments/Funds
 Supplemental Request

Budget Amendment to capture increased funds from Ambulance Revenue to cover increase in Medical Supply costs for FY 24

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	2730-6613	Ambulance Revenue	7,000,000.00	168,000.00	-	7,168,000.00
001	9	2730-9360	Medical Supplies	336,743.00	168,000.00	-	504,743.00
							0.00
							0.00
							0.00
							0.00
							0.00
							0.00
Total							0.00

Budget Officer

Approved
 Denied

County Manager

Approved
 Denied

Board of Commissioners

Approved
 Denied

Signature

Signature

Signature

Date

Date

Date

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 2, 2024
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

EMS - Renewal of Non-Emergency Transport Franchise Agreement with American Transmed

BRIEF SUMMARY:

American Transmed is the non-emergency EMS transport provider for Cabarrus County. Cabarrus County has maintained a franchise agreement for the last six years with American Transmed. This has been a great working relationship that we are interested in continuing with this renewal request. Staff recommends that a renewal period of three years. Franchise agreements require two readings and approvals. Franchise agreements require two readings and a public hearing so this item will also need to be scheduled at the May meeting for the second reading, but will not require a public hearing at that meeting.

REQUESTED ACTION:

Motion to schedule Public Hearing for April 15, 2024 regular meeting.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Jimmy Lentz, EMS Chief

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ Agreement
- ▣ Certificate of Insurance
- ▣ Resolution granting Non-Emergency Transport

STATE OF NORTH CAROLINA COUNTY OF CABARRUS FRANCHISE AGREEMENT FOR	NON-EMERGENCY AMBULANCE SERVICES
--	-------------------------------------

THIS FRANCHISE AGREEMENT FOR NON-EMERGENCY AMBULANCE SERVICES ("Agreement") is entered into effective the 1st day of July, 2024 by and between CABARRUS COUNTY ("County") and AMERICAN TRANSMED, INC. a South Carolina corporation ("Provider").

RECITALS

1. Pursuant to N.C. Gen. Stat. 5153A-250, the County is authorized to enact an ordinance and to award franchises for operation of a non-emergency ambulance service.
2. Pursuant to that authority, the County has enacted Article 82 of its Code of Ordinances, permitting it to award such a franchise and regulate the operator of the same.
3. By ordinance duly enacted at its regular meetings on April 15, 2024 and May 20, 2024 the County's Board of Commissioners approved the awarding of a franchise for non-emergency ambulance services to Provider, subject to the provisions of the franchise ordinance, Article 82 of the Code of Ordinances and this Agreement.

In consideration of the above Recitals and the Terms below, which the parties agree constitute sufficient consideration to make this Agreement legally binding and enforceable, the parties agree as follows.

TERMS

1. Services and Scope to be performed. The Provider shall provide "Services" as set forth in the attached Exhibit A. In this Agreement, Services is defined as the goods, vehicles, materials, labor, services and/or supplies Provider is required to provide pursuant to this Agreement and all of the Provider's duties to the County and to Provider's customers and clients that arise from this Agreement, the franchise ordinance and Article 82 of the Code of Ordinances. Any amendments, corrections or change orders by either party must be in writing and signed by both parties.
2. Term. This Agreement shall commence on the date provided above and end on 06/30/2027. This Agreement shall not be automatically extended unless agreed to in writing by the County.
3. Insurance. Provider shall maintain insurance policies at all times with minimum limits as follows:

Minimum Limits

\$100,000 bodily injury per each accident \$100,000 bodily injury by disease per employee, \$500,000 bodily injury per disease policy limit	\$100,000 bodily injury per each
occurrence/\$2,000,000 aggregate	\$1,000,000 per
	\$1,000,000 per occurrence
occurrence/\$2,000,000 aggregate	\$1,000,000 per

occurrence/\$2,000,000 aggregate

The County reserves the right to require other coverages and higher limits if warranted by the nature of this Agreement and the type of Services to be provided. Provider shall provide the County with a Certificate of Insurance for review prior to the execution of this Agreement. Provider shall provide to the County immediate written notice of cancellation, reduction, or other modification of coverage of insurance. Upon failure of the Provider to provide such notice, Provider assumes sole responsibility for all losses incurred by the County for which insurance would have provided coverage. The insurance certificate shall be for the initial Agreement period and shall be renewed by the Provider for each subsequent extension period of the Agreement.

The County shall be named as an additional insured and it is required that coverage be placed with an "A" rated insurance company acceptable to the County. In the event that Provider fails at any time to maintain and keep in force the required insurance, the County has the right to cancel and terminate the Agreement without notice. Provider's insurance shall be considered primary and noncontributory.

4. Default. If the Provider fails to perform the Services in accordance with the provisions of this Agreement, including Exhibit A, or violate any of the provisions of the franchise ordinance or Article 82 of the Code of Ordinances, the County may, in its discretion, terminate this Agreement or perform or cause to be performed some or all of the Services, and doing so shall not waive any of the County's rights and remedies. The County will comply with the provisions of Section 82-57 of its Code of Ordinances prior to any termination. The Provider shall reimburse the County for all costs incurred by the County in exercising its right to terminate or to perform or cause to be performed some or all of the Services pursuant to this Agreement.

5. Notice. All notices and other communications required or permitted by this Agreement shall be in writing and shall be given either by personal delivery,

approved carrier, fax, or certified United States mail, return receipt requested, addressed as follows: if to the County, to its Contract Administrator; if to Provider to its billing address or main office address.

6. Indemnification. To the maximum extent allowed by law, the Provider shall defend, indemnify, and save harmless the County and its agents, officers, and employees, from and against all claims of any kind that arise in any manner from, in connection with, or out of this Agreement as a result of the acts or omissions of the Provider or its subcontractors or anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, except for damage or injury caused solely by the negligence of the County or its agents, officers or employees. In performing its duties under this section, the Provider shall at its sole expense defend the County and its agents, officers and employees with legal counsel reasonably acceptable to County. This provision shall remain in force despite termination of this Agreement (whether by expiration of the term or otherwise) or termination of the Services of the Agreement.

7. Miscellaneous.

(a) Choice of Law or Forum. This Agreement shall be deemed made in Cabarrus County, North Carolina. This Agreement shall be governed by and construed in accordance with the laws of North Carolina. The exclusive forum and venue for all actions arising out of this Agreement shall be the appropriate division of the North Carolina General Court of Justice in Cabarrus County. Such actions shall neither be commenced in nor removed to federal court.

(b) Waiver. No action or failure to act by the County shall constitute a waiver of any of its rights or remedies that arise out of this Agreement, nor shall such action or failure to act constitute approval of or acquiescence in a breach of this Agreement, except as may be specifically agreed in writing.

deemed or construed so as to in any way estop, limit, or impair the County from exercising or performing any regulatory, policing, legislative, governmental, or other powers of functions. The Provider shall comply with all applicable laws, rules and regulations.

(d) Severability. If any provision of this Agreement shall be unenforceable, the remainder of this Agreement shall be enforceable to the extent permitted by law.

(e) Assignment. Without the County's written consent, the Provider shall not assign (which includes to delegate) any of its rights (including the right to payment) or duties that arise out of this Agreement. Unless the County otherwise agrees in writing, the Provider and all assigns shall be subject to all of the County's defenses and shall be liable for all of the Provider's duties that arise from this Agreement and all of the County's claims that arise from this Agreement.

□

(f) Principle of Interpretation. Although this Agreement is in part the County's standard form, the Provider acknowledges and agrees that this Agreement is deemed to be the product of negotiation and any ambiguity shall not be construed automatically against either party.

(g) Entire Agreement. This Agreement contains the entire agreement between the parties pertaining to the subject matter of this Agreement. With respect to that subject matter, there are no promises, agreements, conditions, inducements, warranties, or understandings, written or oral, expressed or implied, between the parties, other than as set forth or referenced in this Agreement.

IN WITNESS, the parties have executed this Agreement through their respective duly authorized agents or officers.


□

CABARRUS COUNTY

PROVIDER

COUNTY MANAGER

AMERICAN TRANSMED, INC.



ATTEST BY:

ATTEST BY:

Date: _____

Date: 03-26-2024

Clerk to the Board

Title

This page has been left blank intentionally.



**FRANCHISE ORDINANCE OF THE CABARRUS
COUNTY BOARD OF COMMISSIONERS
GRANTING A FRANCHISE TO OPERATE
NON-EMERGENCY AMBULANCE SERVICE
TO AMERICAN TRANSMED**

WHEREAS, Cabarrus County regulates the provision of Vehicles For Hire in Article 82 of the Cabarrus County Code of Ordinances and N.C. Gen. Stat. §153A-250, including franchises for non-emergency ambulance services; and

WHEREAS, those services have been provided by American TransMed according to the standards defined in Section 82-52 of the Ordinance; and

WHEREAS, the Board of Commissioners have held a hearing as required by Section 82-53 of the Ordinance; and

WHEREAS, based on information submitted by American TransMed and information submitted at the hearing, the Board of Commissioners made the following findings:

- a. The public necessity and convenience requires the proposed ambulance service.
- b. Each such ambulance and its required equipment have been certified by the State as acceptable for the type of franchise requested.
- c. American TransMed and its officers or partners are responsible persons to conduct or work in the proposed business.
- d. Only duly certified emergency medical technicians are employed as operators and attendants by American TransMed for the non-emergency service franchise.
- e. All other requirements of Article 82 and all other applicable laws and ordinances have been met.

NOW THEREFORE, THE CABARRUS COUNTY BOARD OF COMMISSIONERS RESOLVES THAT:

1. The Board of Commissioners grants a franchise to American TransMed for the operation of non-emergency ambulance services for the period of July 1, 2024, to June 30, 2027.
2. The terms of this franchise shall include the following:
 - a. The geographic boundary for this franchise shall be the entirety of the County.
 - b. Any change in ownership or management of American TransMed shall terminate the franchise and shall require a new application and new franchise award.
 - c. The franchise may not be sold, assigned, mortgaged, or otherwise transferred without the approval of the County and a finding of conformance with all requirements of Article 82.

- d. The terms of Section 82-57 of the Ordinance shall be included in the franchise agreement as they relate to termination, suspension, or revocation.
- e. The Board of Commissioners authorize the County Manager to negotiate and execute the franchise agreement with American TransMed, not inconsistent with this Ordinance, after drafting and review by the County Attorney.

Approved after readings in two consecutive regular meetings of the Board of Commissioners on April 15, 2024 and May 20, 2024, pursuant to N.C. Gen. Stat. §153A-46.

BOARD OF COMMISSIONERS OF CABARRUS COUNTY

Stephen M. Morris, Chairman

ATTEST:

Lauren Linker, Clerk to the Board

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 2, 2024
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

Human Resources - Health Insurance Plan Renewal FY25

BRIEF SUMMARY:

The County will continue to offer two health plan options for Cabarrus County employees in FY 25. The two options include an Open Access Plan (OAP) paired with a health reimbursement account and a High Deductible Health Plan paired with a health savings account.

The proposal includes increasing the actuarial value of the OAP to be more aligned with the High Deductible Health Plan. This will result in plan improvement to the OAP design. For OAP plan design changes, the estimated additional cost increase will be \$347K.

REQUESTED ACTION:

Motion to approve the FY 25 Health Insurance Plan renewal for OAP plan improvements.

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Lundee Covington, Human Resources Director
Johanna Ray, Health and Wellness Manager

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- Presentation

FY25 Medical/RX and Dental Renewal

Presented by:

Lynda Clyne, USI Senior Vice President

Larry Reece, USI Senior Account Executive

Lundee Covington, Human Resource Director

Johanna Ray, Health and Wellness Manager



CABARRUS COUNTY
America Thrives Here

Agenda

- **FY25 benefit renewal**
 - **Health Insurance**
 - Options
 - Cost
 - **Dental**



Health Insurance FY25

Recent Comparison to Benchmark found:

- The High Deductible Health Plan has an Actuarial Value of 86% with health savings account.
- The Current OAP plan design has an Actuarial Value of 71%, compared to benchmark groups between 77%-85% for traditional OAP/PPO plan type.
- Proposed at the retreat to improve the OAP to bring up the value of the plan to 83%, close to the High Deductible Plan.

Plan Modeling

	Current Plan Designs		Option with OAP Changes	
Plan Type	HDHP	OAP	HDHP - IRS Min Ded	OAP Alternate
HSA Seed				
Single	\$1,000		\$1,000	
Family	\$1,000		\$1,000	
Deductibles, OOPM, & Coinsurance				
Deductible (Individual / Family)	\$1,500 / \$3,000	\$2,000 / \$4,000	\$1,600 / \$3,200	\$750 / \$1,500
Deductible Embedded / Non-embedded	Non-Embedded	Embedded	Non-Embedded	Embedded
OOP Max (Individual / Family)	\$3,500 / \$5,000	\$6,150 / \$12,300	\$3,500 / \$5,000	\$4,000 / \$8,000
Coinsurance (Network / Non-Network)	80%	80%	80%	80%
Wellness / Preventive Care	100%	100%	100%	100%
Office Visits				
Primary	80% (ad)	\$30	80% (ad)	\$25
Specialist	80% (ad)	80% (ad)	80% (ad)	\$38
Hospital / Facility Services				
Emergency Room	80% (ad)	80% (ad)	80% (ad)	\$200
Inpatient Hospital Facility	80% (ad)	80% (ad)	80% (ad)	80% (ad)
Outpatient	80% (ad)	80% (ad)	80% (ad)	80% (ad)
Prescription Drugs				
Retail Pharmacy				
Generic	80% (ad)	\$10	80% (ad)	\$10
Preferred Brand	80% (ad)	\$55	80% (ad)	\$30
Non-Preferred Brand	80% (ad)	\$70	80% (ad)	\$50
Specialty Medication	80% (ad)	25% up to \$100	80% (ad)	25% up to \$100
Mail Order Pharmacy	80% (ad)	2x Retail	80% (ad)	2x Retail

Health Insurance FY25

- If both plan designs remain the same
 - Medical, RX, stop loss, ACA and administrative fees cost increase to County: \$1,365,117 (9.5%)
 - \$890 per employee per month (PEPM)
- Improvements to the OAP plan
 - Additional estimated cost to County: \$347,000
 - Includes cost savings of HDHP deductible increasing
 - Total increase: \$1,712,117 (12.3%)
 - \$890 per employee per month (PEPM)

Dental Plan (Delta Dental)



CABARRUS COUNTY
America Thrives Here

Dental Premium Changes

- **100% employee funded**
- **Continue one plan option**
- **Employee portion premium increase 16%**
 - **EE monthly increase in rates for FY 25**
 - **EE only: \$4.21, total monthly amount \$30.59**
 - **EE spouse: \$8.63, total monthly amount \$62.73**
 - **EE children: \$10.32, total monthly amount \$75.02**
 - **EE family: \$14.75, total monthly amount \$107.17**



Requested Action

Benefits Approval for FY25

Cabarrus County needs to prepare for Open Enrollment beginning May 6th

Approval for either:

1. Continue current plan options for FY25 (including HDHP deductible increase)

Or

2. Improve the alternative OAP Plan as presented with an estimated Additional Costs of: \$347K

Either option, the PEPM cost will remain \$890 for health insurance funding.

To approve the proposed dental rate premium increase paid by employees

Thank you.



CABARRUS COUNTY
America Thrives Here

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 2, 2024
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

Sheriff's Office - Budget Amendment for Purchased Services

BRIEF SUMMARY:

The Sheriff's Office has a budget deficit for purchased services for the detention center, specifically due to the increasing costs of invoices from DPS to house juveniles that the county is required to fund. However, the Cabarrus County Detention Center continues to create revenue by housing inmates from other counties that have overcrowding or maintenance issues. The Sheriff's Office currently has \$177,660 in revenues specifically from housing these inmates and will be earning an additional \$56,700.00 at the least. The request is to approve a budget amendment to budget these inmate housing revenues in the amount of \$234,360.00 (00162130-6438) and reappropriate them to detention center purchased services (0192130-9445).

REQUESTED ACTION:

Motion to adopt the budget amendment to appropriate inmate housing revenues (00162130-6438) of \$234,360.00 to purchased services (00192130-9445).

EXPECTED LENGTH OF PRESENTATION:

1 Minute

SUBMITTED BY:

Chief Tessa Burchett

BUDGET AMENDMENT REQUIRED:

Yes

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- Budget Amendment

Budget Revision/Amendment Request

Date:

Amount:

Dept. Head:

Department:

Internal Transfer Within Department

Transfer Between Departments/Funds

Supplemental Request

Utilize Inmate Housing Fees revenues to cover the cost of Juvenile Justice Invoices from NC Department of Juvenile Justice. Required to house Juveniles who by State Statute cannot be housed in our Jail.

Fund	Indicator	Department/ Object/ Project	Account Name	Increase Amount	Decrease Amount
001	6	2130-6438	Inmate Housing Fees	234,360.00	
001	9	2130-9445	Purchased Services	234,360.00	

Total

Budget Officer

- Approved
- Denied

County Manager

- Approved
- Denied

Board of Commissioners

- Approved
- Denied

Signature

Signature

Signature

Date

Date

Date

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 2, 2024
4:00 PM**

AGENDA CATEGORY:

Approval of Regular Meeting Agenda

SUBJECT:

BOC - Approval of Regular Meeting Agenda

BRIEF SUMMARY:

The proposed agenda for the April 15, 2024 regular meeting is attached.

REQUESTED ACTION:

Motion to approve the agenda for the April 15, 2024 regular meeting as presented and schedule the public hearing for 6:30 or as soon thereafter as persons may be heard.

EXPECTED LENGTH OF PRESENTATION:

1 Minute

SUBMITTED BY:

Lauren Linker, Clerk to the Board

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- Proposed April 15, 2024 Regular Meeting Agenda

CABARRUS COUNTY



BOARD OF COMMISSIONERS REGULAR MEETING

**April 15, 2024
6:30 PM**

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

B. APPROVAL OF THE AGENDA

C. RECOGNITIONS AND PRESENTATIONS

1. BOC - Fred Y. McConnell American Legion Post 51 Presentation of 2023 Edition of the Oakwood Cemetery Military Burial Roster
2. Active Living and Parks - Older Americans Month Proclamation
3. BOC - Proclamation for Clerks to Board of County Commissioners Week
4. Cooperative Extension - National Volunteer Week Proclamation
5. EMS - Cabarrus County Emergency Services Week
6. Human Resources - Recognition of Bob Bushey

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 - Ordinance Update

2. Appointments - Blended Community Child Protection Team (CCPT)/Child Fatality Prevention Team (CFPT)
3. Cooperative Extension - Budget Amendment for Plant Sale & Agribusiness Days
4. County Manager - Forestry Sale at Stonewall Jackson Property
5. County Manager - Restructure Department of Social Services Legal Services
6. Emergency Management - NC Tier II Competitive Grant Award and Budget Amendment
7. EMS - Medical Supply Budget Amendment
8. Human Resources - Health Insurance Plan Renewal FY25
9. Sheriff's Office - Budget Amendment for Purchased Services
10. Tax Administration - Refund and Release Reports – March 2024

G. NEW BUSINESS

1. EMS - Renewal of Non-Emergency Transport Franchise Agreement with American Transmed

H. GENERAL COMMENTS BY BOARD MEMBERS

I. WATER AND SEWER DISTRICT OF CABARRUS COUNTY

J. CLOSED SESSION

K. ADJOURN

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 REGULAR MEETING

**April 15, 2024
6:30 PM**

AGENDA CATEGORY:

Recognitions and Presentations

SUBJECT:

BOC - Fred Y. McConnell American Legion Post 51 Presentation of 2023 Edition of the Oakwood Cemetery Military Burial Roster

BRIEF SUMMARY:

The Fred Y. McConnell American Legion Post 51 in Concord would like to present to Cabarrus County and the Cabarrus County Sheriff's Department copies of the 2023 Edition of the Oakwood Cemetery Military Burial Roster which contains the names and documentations of 1,619 war casualties and veterans buried in Oakwood Cemetery.

Post 51 would also like to present a copy of the 2023 roster to the Cabarrus County Library Lore History Room.

The 2023 Edition contains the history of and names of the Cabarrus County Veterans who were responsible for the building of, running of, conducting court, and the Sheriff of our 1876 historic courthouse. The vast majority of these veterans are buried in Oakwood Cemetery and this roster contains their names with documentation of military service and their responsibilities associated with our 1876 historic courthouse. This edition is dedicated to a veteran and fallen Police Officer, Ralph C. Kennerly. Ralph C. Kennerly served in Co L, the Concord National Guard Company, in the 1916 - 1917 Mexican Punitive Expedition to the border and as a Pfc. Military Policeman in France during WWI with the 30th "Old Hickory" Division. Upon returning home to Concord after the war he joined the Concord Police Department and soon died of gunshot wounds on 19 October 1920. Ralph Kennerly is buried in Oakwood Cemetery. His grave is maintained by Post 51 with a bronze American Legion grave maker topped with a United States of America Flag and a blue ribbon. Officer Kennerly also has a memorial at the Concord Police Department

REQUESTED ACTION:

Presentation. No action is required.

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Lauren Linker, Clerk to the Board

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

CABARRUS COUNTY



BOARD OF COMMISSIONERS REGULAR MEETING

**April 15, 2024
6:30 PM**

AGENDA CATEGORY:

Recognitions and Presentations

SUBJECT:

Active Living and Parks - Older Americans Month Proclamation

BRIEF SUMMARY:

Every May, the Administration for Community Living leads the nation's observance of Older Americans Month (OAM). The 2024 theme is **Powered by Connection**, which recognizes the profound impact that meaningful relationships and social connections have on our health and well-being. We will explore the vital role that connectedness plays in supporting independence and aging in place by combatting isolation, loneliness, and other issues.

Join us in promoting the benefits of connecting with others. Here are some ways you can participate.

- Share facts about the mental, physical, and emotional health benefits of social connection and how it contributes to overall well-being.
- Promote resources that help older adults engage, like community events, social clubs, and volunteer opportunities.
- Connect older adults with local services, such as transportation, that can help them overcome obstacles to achieving or maintaining meaningful relationships.
- Encourage partners to host a connection-centric event or program focused on older adult mentors to youth, peer-to-peer support, or similar efforts.
- Challenge professional and personal networks to prioritize meaningful social connections and share the benefits.
- Inspire older adults to share what connection means to them on social media using the hashtag #PoweredByConnection.

REQUESTED ACTION:

Motion to adopt proclamation.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Londa Strong, Active Living and Parks Director

Myra Baumgardner, Advisory Council Chair

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ Proclamation



Older Americans Month 2024

A PROCLAMATION

Whereas, May is Older Americans Month, a time for us to recognize and honor Cabarrus County older adults and their immense influence on every facet of American society; and

Whereas, through their wealth of life experience and wisdom, older adults guide our younger generations and carry forward abundant cultural and historical knowledge; and

Whereas, older Americans improve our communities through intergenerational relationships; community service, civic engagement, and many other activities; and

Whereas, communities benefit when people of all ages, abilities, and backgrounds have the opportunity to participate and live independently; and

Whereas, Cabarrus County must ensure that older Americans have the resources and support needed to stay involved in their communities - reflecting our commitment to inclusivity and connectedness; and

Now, therefore, the Cabarrus County Board of Commissioners do hereby proclaim May 2024 to be Older Americans Month. This year's theme, "Powered by Connection," emphasizes the profound impact of meaningful interactions and social connection on the well-being and health of older adults in our community.

We call upon all residents to join us in recognizing the contributions of our older citizens and promoting programs and activities that foster connection, inclusion, and support for older adults.

Adopted this 15th day of April 2024

Stephen M. Morris, Chairman
Board of Commissioners

CABARRUS COUNTY



BOARD OF COMMISSIONERS REGULAR MEETING

**April 15, 2024
6:30 PM**

AGENDA CATEGORY:

Recognitions and Presentations

SUBJECT:

BOC - Proclamation for Clerks to Board of County Commissioners Week

BRIEF SUMMARY:

The following proclamation recognizes county clerks for the vital services they perform and their exemplary dedication to the county they represent.

REQUESTED ACTION:

Motion to adopt the proclamation.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Lauren Linker, Clerk to the Board

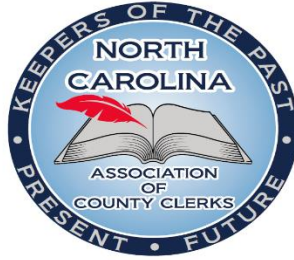
BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▢ Proclamation



P R O C L A M A T I O N
CLERKS TO THE BOARDS OF COUNTY COMMISSIONERS' WEEK
May 5 through May 11 2024

WHEREAS: It is imperative to the democratic process that a well-informed citizenry participates in the operation of their local government; and

WHEREAS: The office of the Clerk to the Board provides the communication link between the citizens, the local governing body and administrative departments, and local government partners; and

WHEREAS: The position of clerk is one of the oldest in local government, dating at least to biblical times, and whose term has long been associated with the written word; so, it is that modern-day clerks are official recordkeepers for their counties; and

WHEREAS: North Carolina law requires every board of county commissioners to appoint a clerk and the clerk continues in that position “at the pleasure of the board”; and

WHEREAS: The clerk’s most significant statutory duties concern the preparation, filing and safeguarding of local government records, but the statutory duties constitute only a portion of what the clerk actually does; and

WHEREAS: The clerk plays a vital role in county government and provides the written record needed to ensure that the board is accountable to the county’s citizens and to other public and private officials; and

WHEREAS: The clerk is sometimes described as “the hub of the wheel” in local government because of the central work that the clerk plays in the government’s communication network; and

WHEREAS: As local government becomes larger and more complicated, the clerk’s role as a professional, dispassionate provider of information to citizens, government officials, and the media becomes more and more important; and

WHEREAS: Clerks have the opportunity to participate in the North Carolina Association of County Clerks, a very active professional association of public officials dedicated to improving the professional competency of clerks through regular regional and statewide educational opportunities; and

WHEREAS: In cooperation with the University of North Carolina at Chapel Hill School of Government and International Institute of Municipal Clerks (IIMC), the North Carolina Association of County Clerks helps to sponsor a nationally recognized, examination-based certification program that culminates in receipt of the designation of Certified Municipal Clerk; and

WHEREAS: In addition, the North Carolina Association of County Clerks and the School of Government sponsor state certification programs leading to the designation of North Carolina Certified County Clerk, as well as opportunities for experienced clerks to obtain the continuing professional education needed to remain state-certified or to earn an advanced Master Clerk designation; and

WHEREAS: In addition to conducting education programs, the North Carolina Association of County Clerks also directly assists clerks on the job with mentoring programs to provide guidance to assist clerks in their day-to-day work; and

WHEREAS: Clerks, upon their own initiative, participate in these certification and education programs, including annual meetings of the North Carolina Association of County Clerks and the International Institute of Municipal Clerks, which not only improve the operation of their office, but through their achievements and awards bring favorable publicity to the counties in which they serve; and

WHEREAS: Clerks are involved at the state level, as well as in potential legislative and other matters of interest; and

WHEREAS: Although clerks work for the boards of county commissioners, they truly provide public service;

NOW, THEREFORE, the Cabarrus County Board of Commissioners does hereby recognize the week of May 5 through May 11, 2024, as Clerks to the Boards of County Commissioners' Week, and extends our appreciation to our Clerk to the Board Lauren Linker and to all County Clerks for the vital services they perform and their exemplary dedication to the county they represent.

Adopted this 15th day of April, 2024.

Stephen M. Morris, Chairman
Cabarrus County Board of Commissioners

ATTEST:

Lauren Linker, Clerk to the Board

CABARRUS COUNTY



BOARD OF COMMISSIONERS REGULAR MEETING

**April 15, 2024
6:30 PM**

AGENDA CATEGORY:

Recognitions and Presentations

SUBJECT:

Cooperative Extension - National Volunteer Week Proclamation

BRIEF SUMMARY:

To showcase the importance of volunteers in Cabarrus Cooperative Extension programs as well as around the county, we would like to proclaim April 21-27, 2024, as National Volunteer Week.

REQUESTED ACTION:

Motion to adopt the proclamation.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Tracy LeCompte, Cooperative Extension Director

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- National Volunteer Week Proclamation



NATIONAL VOLUNTEER WEEK PROCLAMATION

WHEREAS, Cabarrus County has a strong history of improving lives, strengthening communities, and making our state a better place through volunteerism; and

WHEREAS, during National Volunteer Week, we celebrate the impact of volunteer service and come together to tackle community needs and foster a culture of civic engagement; and

WHEREAS, Cooperative Extension volunteers have dedicated countless hours as Master Gardener Volunteers, Extension Community Association Volunteers, or 4-H volunteers to bring life enhancing opportunities to the individuals of Cabarrus County helping them to thrive in their local communities; and

WHEREAS, National Volunteer Week was enacted in 1974 by President Richard Nixon to celebrate the spirit of volunteerism, urging all Americans to seek opportunities to provide service to their community; and

WHEREAS, Cabarrus County residents are encouraged to learn about local volunteer opportunities, by reaching out to your County Extension Office or other county or local organizations; and

WHEREAS, National Volunteer Week should serve as a catalyst for residents to serve our county today; to commit to volunteer by signing up now through Cooperative Extension, in a local school, government department, non-profit or other option in your community, to promote volunteerism in our families and communities through an invitation to serve together; and to be "all in" for Cabarrus County when it is needed most;

NOW, THEREFORE, the Cabarrus County Board of Commissioners, do hereby proclaim April 21-27, 2024, as "**NATIONAL VOLUNTEER WEEK**", in Cabarrus County, and commend its observance to all citizens.

ADOPTED this 15th day of April, 2024.

Stephen M. Morris, Chairman
Cabarrus County Board of Commissioners

CABARRUS COUNTY



BOARD OF COMMISSIONERS REGULAR MEETING

**April 15, 2024
6:30 PM**

AGENDA CATEGORY:

Recognitions and Presentations

SUBJECT:

EMS - Cabarrus County Emergency Services Week

BRIEF SUMMARY:

The following proclamation proclaims the week of May 19 - 25, 2024 as "Cabarrus County Emergency Medical Services Week" in recognition of emergency medical services teams that provide lifesaving care to those in need 24 hours a day, seven days a week.

REQUESTED ACTION:

Motion to adopt the proclamation.

EXPECTED LENGTH OF PRESENTATION:

1 Minute

SUBMITTED BY:

Jimmy Lentz - EMS Chief

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- Proclamation



**CABARRUS COUNTY
North Carolina
PROCLAMATION**

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, emergency medical services teams consist of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, and others; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education enhance their lifesaving skills; and

WHEREAS, Americans benefit daily from the knowledge and skills of these highly trained individuals; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical service providers by designating Emergency Medical Services Week; and

NOW, THEREFORE, BE IT RESOLVED that we, the Cabarrus County Board of Commissioners, in recognition of this event do hereby proclaim the week of May 19 – 25, 2024, as

CABARRUS COUNTY EMERGENCY MEDICAL SERVICES WEEK

Adopted this 15th day of April 2024.

Steve Morris, Chairman
Board of Commissioners

ATTEST:

Lauren Linker, Clerk to the Board

CABARRUS COUNTY



BOARD OF COMMISSIONERS REGULAR MEETING

**April 15, 2024
6:30 PM**

AGENDA CATEGORY:

Recognitions and Presentations

SUBJECT:

Human Resources - Recognition of Bob Bushey

BRIEF SUMMARY:

Recognition of Bob Bushey on his Retirement from Cabarrus County Transportation Department after 20 years of service to Cabarrus County and its citizens. Mr. Bushey will retire May 1, 2024.

REQUESTED ACTION:

Recognize Bob Bushey for his many years of dedicated service to Cabarrus County and its citizens.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Lundee Covington, Director of Human Resources
DSS Leadership Team
Charles Ratliff, Operations & Training Supervisor
Jamie Smith, Driver Supervisor
Tisha Christy, Driver Supervisor

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:



CABARRUS COUNTY



BOARD OF COMMISSIONERS REGULAR MEETING

**April 15, 2024
6:30 PM**

AGENDA CATEGORY:

Consent Agenda

SUBJECT:

Active Living and Parks - Ordinance Update

BRIEF SUMMARY:

To expand on and further define the use of Tents on Active Living and Parks (ALP) properties. The following are proposed after a meeting with the Fire Marshal's Office, County Managers Office, IAM Department and the ALP Department:

Add the below to Chapter 50 of the County Ordinance, Page CD50:4, Sec. 50-3, Property and Facility Preservation:

#6 Personal Pop-up tents will be allowed and must be secured with sandbags or canopy leg weights. NO stakes of any kind will be permitted. Tents cannot be tethered together or to another structure and nothing can be attached from tent to tent. No tent can be set up in a walkway or roadway. Management reserves the right to ask for a tent to be moved to a different location or removed for lack of proper weights. Park/facility managers will provide locations for each specific facility. There will be designated areas at athletic facilities.

#7 Tents over 800 sq. ft. must be permitted and inspected through the Fire Marshal's Office. Park/facility Managers will designate specific areas for placement.

#8 Tents under 800 sq. ft. must be inspected, but not permitted through the Fire Marshal's Office. Park/facility Managers will designate specific areas for placement.

REQUESTED ACTION:

Motion to approve the updates to Chapter 50 of the County Ordinance to allow and define use of tents at Active Living and Parks facilities.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Londa Strong, Active Living and Parks Director

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ Ordinance



WHEREAS, Section G.S. 153A-444 the General Statutes of North Carolina authorizes counties establish parks and provide recreational programs.

WHEREAS, Cabarrus County has enacted an ordinance governing its Active Living and Parks facilities in the County found in Chapter 50 of Code of Ordinances, Cabarrus County, North Carolina.

WHEREAS, Cabarrus County wishes to amend certain provisions of Chapter 50 to allow certain temporary tents or canopies at park facilities and athletic fields.

NOW, THEREFORE BE IT ORDAINED, that Chapter 50 of the code of Ordinances, Cabarrus County, North Carolina, is hereby amended to read as follows:

Sec. 50-3. Property and facility preservation.

- (a) It shall be unlawful for any person to:
- (1) Mark, deface, disfigure, injure, tamper with, displace or remove any real or personal park property, including without limitation, buildings, bridges, tables, benches, fences, fireplaces, grills, railings, pavings or paving materials, water lines or any other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts, or other boundary markers, or other structures or equipment, facilities or park property or any appurtenances whatsoever to any of the above. This includes parks and senior centers and all its appurtenances.
 - (2) Fail to cooperate in maintaining all common areas, including without limitation, restrooms, activity rooms, fitness rooms, and washrooms, in a neat and sanitary condition.
 - (3) Dig, pick or remove any soil, rock, sand, stones, trees, shrubs, plants, wood or other materials, or make any excavation by tool, equipment, blasting or any other means whatsoever.
 - (4) Damage, cut, carve, mark or transplant any plant, or injure the bark of any plant or tree, or pick flowers or seed of any tree or plant, dig in or otherwise disturb grass areas; or in any other way whatsoever injure the natural beauty or usefulness of any park area.
 - (5) Construct or erect any building or structure of whatever kind or material, whether permanent or temporary, or run or string any public service utility into, upon, or across

such park land, except with a special written permit issued hereunder. However, the following shall be permitted:

- (a) Personal pop-up tents or canopies will be allowed but must be secured with sandbags or a canopy leg weights. No stakes of any kind will be permitted. Tents shall not be tethered together or tethered to another structure, nor shall anything be attached or affixed from tent to tent. Tents or canopies shall not be set up in any walkway or roadway. Department and other county officials authorized to enforce this chapter reserve the right to ask for a tent to be moved to a different location or removed for lack of proper security/fastening. Tents shall only be placed in designated locations at each specific facility or athletic field.
 - (b) Tents over 800 sq. ft. must be permitted and inspected through the Fire Marshal's Office and shall only be placed in designated locations at each specific facility or athletic field.
 - (c) Tents under 800 sq. ft. must be inspected, but not permitted through the Fire Marshal's Office and shall only be placed in designated locations at each specific facility or athletic field.
- (6) Throw, discharge, or otherwise place or cause to be placed in any body of water, including without limitation, any fountain, pond, lake, stream or swimming pool within or adjacent to any park, or any tributary, stream, storm sewer, or drain flowing into such body of water; any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.
 - (7) Take into or carry through park/recreation facility any rubbish, refuse, garbage or other material, except as specifically authorized herein. Any rubbish generated in the park/recreation facility shall be placed in receptacles provided for rubbish disposal by the party responsible for its presence. Where receptacles are not available, all such rubbish or waste shall be carried away from the park/recreation facility by the person responsible for its presence and properly disposed of elsewhere.
 - (8) Attach or place any sign, banner, wire, rope or cable, or any other contrivance of any kind or nature to any building, sign, tree or other facility properties by use of nails or staples. These items may be attached with tape or thumbtacks and must be removed before leaving the area. Language or symbols on any such sign or banner must not be deemed offensive to the general public, in the sole opinion of department and other county officials authorized to enforce this chapter. In no event will profanity be permitted.
 - (9) Cause or permit any animal, whether or not under a person's custody or control, to enter the department facilities, with the exception of a dog restrained by a leash not exceeding six feet in length for any outdoor facility. Animals that are part of an authorized program are exempted from this policy. Any person having custody of any animal, as authorized herein shall be responsible for the removal of any animal solid waste.

-
- (10) Bring, use, ride, or drive a horse, pony, mule, cow or any other animal whatsoever in any part of the department facilities, except for commercially licensed horse drawn carriages pursuant to a county written permit, unless the animal is part of a department sponsored program or except as provided for directly above in subsection (9). Any mode of transportation propelled by an animal shall be treated as limousines for the purpose of this chapter.
 - (11) Damage or alter any wildlife habitat or area within the facility unless undertaken by authorized department personnel or their agents as a bona fide wildlife management practice.
 - (12) Damage or alter any wildlife habitat or area within the park unless undertaken by authorized park personnel or their agents as a bona fide wildlife management practice.

(b) A violation of this section is punishable as a misdemeanor.

(Ord. of 6-17-91(2), § 3; Ord. of 6-19-95; Ord. No. 2003-02, § 3, 1-27-03; Ord. No. 2003-03, § 3, 2-17-03; Ord. No. 2017-29, 5-15-17; Ord. No. 2021-32 , § 10, 12-20-21)

Cross reference(s)—Animals, ch. 10; carrying concealed weapons, § 46-4.

CABARRUS COUNTY



BOARD OF COMMISSIONERS REGULAR MEETING

**April 15, 2024
6:30 PM**

AGENDA CATEGORY:

Consent Agenda

SUBJECT:

Appointments - Blended Community Child Protection Team (CCPT)/Child Fatality Prevention Team (CFPT)

BRIEF SUMMARY:

Community Child Protection Teams (hereafter, CCPT) were established as one means for the state and local communities to form a partnership to strengthen child protection. The duties and responsibilities of the CCPT are contained in 10A NCAC 70A .0201 and are driven by federal statute, namely The Federal Child Abuse Prevention and Treatment Act (CAPTA). One of those requirements established by the federal law was the establishment of Citizen Review Panels. The purpose of these panels is to provide new opportunities for citizens to play an integral role in ensuring that states are meeting their goals of protecting children from abuse and neglect. In 1997, North Carolina designated the CCPT as its Citizen Review Panel. In North Carolina, each CCPT reviews active child welfare cases, fatalities, and other cases brought to the team for review. The purpose of the case reviews is to identify systemic deficiencies in child welfare services or resources. Once identified, teams develop strategies to address the gaps in the child welfare system within the county and report to the state areas of concern that warrant action by the state. Teams promote child well-being through collaboration. CCPT also promote child well-being through public awareness.

The CCPT is an interdisciplinary group of community representatives, who meet regularly to promote a community-wide approach to the problem of child abuse and neglect. The CCPT is not a Department of Social Services (DSS) team and is county specific. The CCPT shall

consist of representatives of public and nonpublic agencies in the community that provide services to children and their families and other individuals who represent the diversity of the community.

A Child Fatality Review Team is convened by the State to conduct a fatality review whenever there is a suspicion abuse or neglect has contributed to a child's death and a county Department of Social Services (hereafter, DSS) has had contact through its child welfare programs with the child or family within the 12 months preceding the child's death. The purpose of the review is to enable the Division, the county DSS, state and local agencies, and the local community to identify important issues related to child protection and to take appropriate action to improve our collective efforts to prevent child fatalities. The review process is a collaborative, multi-disciplinary effort that involves representatives of the Review Team as outlined in statute. The Review Team issues a formal, public report designed to stimulate system improvements. Whenever a person is criminally charged in the fatality, the report is reviewed by the local District Attorney to ensure that its content does not interfere with any criminal investigation or prosecution.

Cabarrus County has consistently operated a blended CCPT/CFPT, which is permissible (and beginning 2025 will become a requirement). The purpose of this action is to present individuals for consideration to the BOC for the seats on the blended team that are required by statute to be appointed by the BOC.

REQUESTED ACTION:

Motion to appoint Deputy Chief Kara Clarke as the representative of an emergency medical services provider or firefighter.

Motion to appoint Sonja J. Bohannon-Thacker as the representative of a parent of a child who died before reaching the child's eighteenth birthday.

Motion to appoint Detective Andrew Kelley as the representative of a local law enforcement officer.

EXPECTED LENGTH OF PRESENTATION:

SUBMITTED BY:

Aalece Pugh, PhD
Human Services Director/Assistant County Manager

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

This item was approved by the Board for inclusion on the Agenda as a Consent item.

ATTACHMENTS:

- ▣ Reappointment recommendation
- ▣ Roster
- ▣ Applications on File



Department of Human Services

To: Cabarrus County Board of Commissioners
From: Karen Calhoun, DHS Director
Date: March 9, 2023
Subject: Letter of Recommendation

On behalf of the DHS Advisory Board, Dr. Natalie Atwell has accepted the request for reappointment to continue to serve as a member of the DHS Advisory Board. Her current term expires May 31, 2023. Dr. Atwell's first term began with filling an unexpired term on December 20, 2021, and she is eligible for reappointment to serve another term.

Sincerely,

A handwritten signature in blue ink that reads "Karen B. Calhoun".

Karen B. Calhoun, Director
Cabarrus County DHS

Human Services Advisory Board
5-Member Board

Dr. Heather Anderson
9608 Oliver Court
Harrisburg, NC 280275

APPOINTMENT: 02/20/23
TERM EXPIRING: 02/28/26

Natalie Atwell
1225 Windsor Drive
Kannapolis, NC 28081

APPOINTMENT: 12/20/21
(*unexpired term*)
TERM EXPIRING: 05/31/23

Marie Dockery
3612 Curtland Place NW
Concord, NC 28027

APPOINTMENT: 05/15/17
(*unexpired term*)
REAPPOINTMENT: 12/16/19
REAPPOINTMENT: 12/19/22
TERM EXPIRING: 12/31/25

Patricia West
2242 Jensen Lane
Concord, NC 28025

APPOINTMENT: 02/20/23
(*unexpired term*)
TERM EXPIRING: 12/31/23

Angel Lugo
4615 Dovefield Lane
Kannapolis, NC 28081

APPOINTMENT: 06/21/21
TERM EXPIRING: 06/30/24

The Human Services Advisory Board was created and replaced the Social Services Advisory Board abolished by a resolution adopted by the Board of Commissioners at its June 17, 2013 meeting. Members are appointed by the Cabarrus County Board of Commissioners. Initial terms were staggered at two and three years.

All meetings are held in the Board Room of the Cabarrus County Department of Human Services and start at 1:30 p.m. 2016 meetings will be held the 4th Wednesday of the month.

Human Services Advisory Board

Applications on File
March 9, 2023

Dr. Natalie Atwell	Current Member	1225 Windsor Drive	Kannapolis, NC 28081
Shalini Byker		7779 Windsor Forest Place	Harrisburg, NC 28075
Crystal Green		5643 Hammermill Drive	Harrisburg, NC 28075
Katherine Jett		4284 Maybrook Court SW	Concord, NC 28027
Heather Jones*		7455 Mt. Olive Road	Concord, NC 28025
Ildiko Rabinowitz		9933 Nicole Lane	Charlotte, NC 28269
Erin Shoe*		1255 Giverny Court	Concord, NC 28027
Amanda Smith*		5352 Apple Glen Drive	Harrisburg, NC 28075
Lakesha Steele		1450 Fairington Drive NW	Concord, NC 28027
Dale Wright, Sr.		10101 S Gemini Springs Drive	Kannapolis, NC 28081

*An exception to the service on multiple boards provision of the Appointment Policy would be needed.

CABARRUS COUNTY



BOARD OF COMMISSIONERS REGULAR MEETING

**April 15, 2024
6:30 PM**

AGENDA CATEGORY:

Consent Agenda

SUBJECT:

Cooperative Extension - Budget Amendment for Plant Sale & Agribusiness Days

BRIEF SUMMARY:

The budget amendment is to increase 00195410-9356-CEPL and 00165410-6606-CEPL- Special Program Supplies due to a higher response to the plant sale than anticipated. Also included is an increase to 00195410-9356-ABD and 001654106606ABD to accommodate more students and higher costs associated with the 2024 Agribusiness Days event.

REQUESTED ACTION:

Motion to adopt the budget amendment.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Tracy LeCompte, Cooperative Extension Director

BUDGET AMENDMENT REQUIRED:

Yes

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

▣ Budget Amendment

CABARRUS COUNTY



BOARD OF COMMISSIONERS REGULAR MEETING

**April 15, 2024
6:30 PM**

AGENDA CATEGORY:

Consent Agenda

SUBJECT:

County Manager - Forestry Sale at Stonewall Jackson Property

BRIEF SUMMARY:

The State transferred two parcels to Cabarrus County in June 2023 as part of the disposition of the larger Jackson Training School Property. Those parcels are north and south of the State's communications tower and total 268 acres. Both parcels are currently vacant and were included in an area for which the State had an adopted forestry plan. The County solicited proposals from timbering consultants and the Board of Commissioners approved an agreement with GFR for that purpose. GFR has completed their inventory and will be soliciting bids for a combination of complete harvest and selective thinning. The complete harvest section is south of the communications tower and is the proposed location for the public safety training center. The harvest is necessary for the PSTC to be developed. The area north of the tower only requires selective harvest and clearing at this time. Bids for that northern section are dependent on market conditions. A recommendation on that section will be made after bids are received and assessed. A budget amendment will be presented at the regular meeting when staff has the numbers.

REQUESTED ACTION:

Motion to sale timber and approve the necessary associated budget amendment.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Kelly Sifford, AICP Assistant County Manager

BUDGET AMENDMENT REQUIRED:

No














COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ Map

EXHIBIT A TIMBER SALE MAP

Cabarrus County Stough Road Tract Cabarrus County, NC

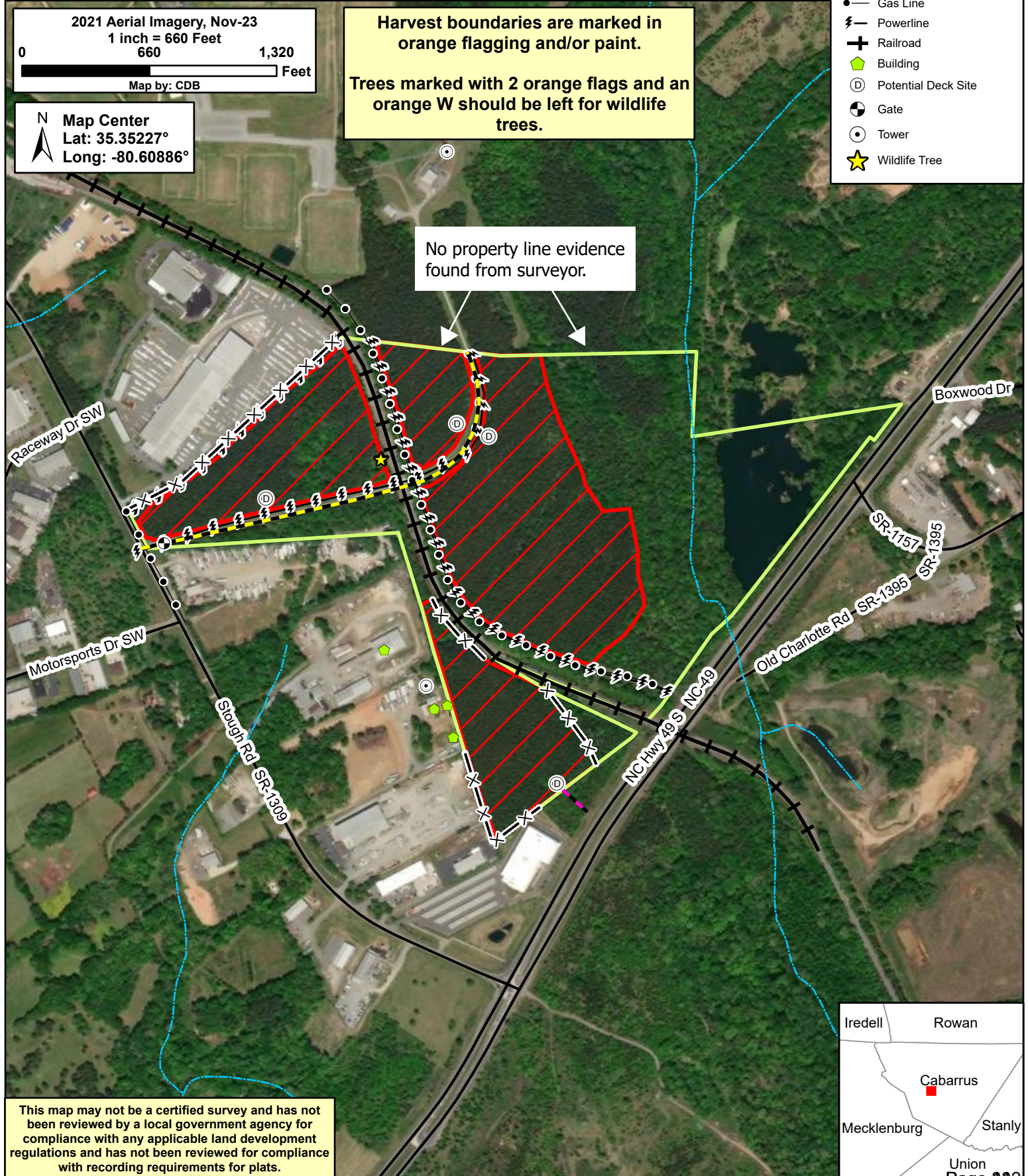
- Legend**
-  Final Harvest: 53.1 +/- ac
 -  Property Boundary
 -  Access Road
 -  Proposed Access Road
 -  Stream
 -  Fence
 -  Gas Line
 -  Powerline
 -  Railroad
 -  Building
 -  Potential Deck Site
 -  Gate
 -  Tower
 -  Wildlife Tree

2021 Aerial Imagery, Nov-23
1 inch = 660 Feet
0 660 1,320 Feet
Map by: CDB

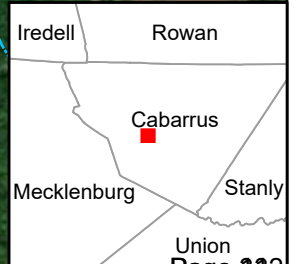
N
Map Center
Lat: 35.35227°
Long: -80.60886°

Harvest boundaries are marked in orange flagging and/or paint.
Trees marked with 2 orange flags and an orange W should be left for wildlife trees.

No property line evidence found from surveyor.



This map may not be a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development regulations and has not been reviewed for compliance with recording requirements for plats.



CABARRUS COUNTY



BOARD OF COMMISSIONERS REGULAR MEETING

**April 15, 2024
6:30 PM**

AGENDA CATEGORY:

Consent Agenda

SUBJECT:

County Manager - Restructure Department of Social Services Legal Services

BRIEF SUMMARY:

The Department of Social Services requires legal representation, which has been provided for several years through a contract with Hartsell & Williams. However, due to various considerations, County staff proposes a return to in-house legal support for the department. This shift aims to enhance accessibility, reduce costs, and afford greater control over this critical function.

To facilitate this change, staff proposes the creation of Human Services Attorney.

If approved, staff commits to collaboratively work with Hartsell & Williams to develop an effective transition plan. The position will be promptly posted and filled to ensure a seamless transition.

In the current fiscal year, where Hartsell & Williams will continue rendering services, costs associated with the in-house position will be covered from lapsed salary. Following the conclusion of the contract on June 30, 2024, funds will be included in the FY25 budget.

REQUESTED ACTION:

Motion to approve one full-time position as described.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Rodney Harris, Deputy County Manager
Dr. Aalece Pugh, Assistance County Manager/Human Services Director

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

CABARRUS COUNTY



BOARD OF COMMISSIONERS REGULAR MEETING

**April 15, 2024
6:30 PM**

AGENDA CATEGORY:

Consent Agenda

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. Tier II is an annual federal report that is mandatory for facilities to file that store hazardous materials/chemicals. The grant award is in the amount of \$2,000.00 and does not require a match. Funding will provide lunch and learn training opportunities for our LEPC, which meets quarterly.

REQUESTED ACTION:

Motion to accept grant award and adopt 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:

ATTACHMENTS:

- Budget Amendment

Budget Revision/Amendment Request

Date: 4/15/2024

Amount: 2,000.00

Dept. Head: Jason Burnett

Department: Emergency Management

- Internal Transfer Within Department
 Transfer Between Departments/Funds
 Supplemental Request

Budget Amendment to record the Tier II Grant Program

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	2710-9636-TIER2	Tier II Grant Expense	-	2,000.00	-	2,000.00
001	3	2710-6339-TIER2	Tier II Grant Revenue	-	2,000.00	-	2,000.00
							0.00
							0.00
							0.00
							0.00
							0.00
							0.00
Total							0.00

Budget Officer

- Approved
 Denied

County Manager

- Approved
 Denied

Board of Commissioners

- Approved
 Denied

Signature

Signature

Signature

Date

Date

Date

CABARRUS COUNTY



BOARD OF COMMISSIONERS REGULAR MEETING

**April 15, 2024
6:30 PM**

AGENDA CATEGORY:

Consent Agenda

SUBJECT:

EMS - Medical Supply Budget Amendment

BRIEF SUMMARY:

Request to move funds of \$168,000 from the Ambulance Revenue (00162730-6613) to Medical Supplies (00192730-9360) for FY24.

We have just been made aware of a significant change in the way we acquire our medications. Historically, we have acquired medications from Atrium at the completion of individual calls. Last week we were made aware this process will end on June 30, 2024. This is a result of some changes within pharmaceutical policies, not a result of anything happening locally. The problem comes with predicting the funding needs. While purchasing from Atrium, we were able to benefit from the bulk purchasing power of Atrium. We have the capabilities at HQ to accommodate this need.

The Bound Tree monthly average is \$22,800.00. We still have 5 months left due to being behind in invoices, which equates to needing \$114,000.00.

Atrium PO may have a surplus of about \$25,000.00 based on usage so far.

Everything else has averaged \$13,342.00 per month.

Four months remain, equating to \$53,368.00 needed.

The Total needed is \$167,368.00 + keep the Atrium as is, in case needed.

REQUESTED ACTION:

Motion to adopt necessary budget amendment.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Jimmy Lentz, EMS Chief

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- Budget Amendment

Budget Revision/Amendment Request

Date: 4/15/2024

Amount: 168,000.00

Dept. Head: James Lentz

Department: EMS

Internal Transfer Within Department
 Transfer Between Departments/Funds
 Supplemental Request

Budget Amendment to capture increased funds from Ambulance Revenue to cover increase in Medical Supply costs for FY 24

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget	
001	6	2730-6613	Ambulance Revenue	7,000,000.00	168,000.00	-	7,168,000.00	
001	9	2730-9360	Medical Supplies	336,743.00	168,000.00	-	504,743.00	
							0.00	
							0.00	
							0.00	
							0.00	
							0.00	
							0.00	
Total								0.00

Budget Officer

Approved
 Denied

County Manager

Approved
 Denied

Board of Commissioners

Approved
 Denied

Signature

Signature

Signature

Date

Date

Date

CABARRUS COUNTY



BOARD OF COMMISSIONERS REGULAR MEETING

**April 15, 2024
6:30 PM**

AGENDA CATEGORY:

Consent Agenda

SUBJECT:

Human Resources - Health Insurance Plan Renewal FY25

BRIEF SUMMARY:

The County will continue to offer two health plan options for Cabarrus County employees in FY 25. The two options include an Open Access Plan (OAP) paired with a health reimbursement account and a High Deductible Health Plan paired with a health savings account.

The proposal includes increasing the actuarial value of the OAP to be more aligned with the High Deductible Health Plan. This will result in plan improvement to the OAP design. For OAP plan design changes, the estimated additional cost increase will be \$347K.

REQUESTED ACTION:

Motion to approve the FY 25 Health Insurance Plan renewal for OAP plan improvements.

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Lundee Covington, Human Resources Director
Johanna Ray, Health and Wellness Manager

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- Presentation

FY25 Medical/RX and Dental Renewal

Presented by:

Lynda Clyne, USI Senior Vice President

Larry Reece, USI Senior Account Executive

Lundee Covington, Human Resource Director

Johanna Ray, Health and Wellness Manager



CABARRUS COUNTY
America Thrives Here

Agenda

- **FY25 benefit renewal**
 - **Health Insurance**
 - Options
 - Cost
 - **Dental**



Health Insurance FY25

Recent Comparison to Benchmark found:

- The High Deductible Health Plan has an Actuarial Value of 86% with health savings account.
- The Current OAP plan design has an Actuarial Value of 71%, compared to benchmark groups between 77%-85% for traditional OAP/PPO plan type.
- Proposed at the retreat to improve the OAP to bring up the value of the plan to 83%, close to the High Deductible Plan.

Plan Modeling

	Current Plan Designs		Option with OAP Changes	
Plan Type	HDHP	OAP	HDHP - IRS Min Ded	OAP Alternate
HSA Seed				
Single	\$1,000		\$1,000	
Family	\$1,000		\$1,000	
Deductibles, OOPM, & Coinsurance				
Deductible (Individual / Family)	\$1,500 / \$3,000	\$2,000 / \$4,000	\$1,600 / \$3,200	\$750 / \$1,500
Deductible Embedded / Non-embedded	Non-Embedded	Embedded	Non-Embedded	Embedded
OOP Max (Individual / Family)	\$3,500 / \$5,000	\$6,150 / \$12,300	\$3,500 / \$5,000	\$4,000 / \$8,000
Coinsurance (Network / Non-Network)	80%	80%	80%	80%
Wellness / Preventive Care	100%	100%	100%	100%
Office Visits				
Primary	80% (ad)	\$30	80% (ad)	\$25
Specialist	80% (ad)	80% (ad)	80% (ad)	\$38
Hospital / Facility Services				
Emergency Room	80% (ad)	80% (ad)	80% (ad)	\$200
Inpatient Hospital Facility	80% (ad)	80% (ad)	80% (ad)	80% (ad)
Outpatient	80% (ad)	80% (ad)	80% (ad)	80% (ad)
Prescription Drugs				
Retail Pharmacy				
Generic	80% (ad)	\$10	80% (ad)	\$10
Preferred Brand	80% (ad)	\$55	80% (ad)	\$30
Non-Preferred Brand	80% (ad)	\$70	80% (ad)	\$50
Specialty Medication	80% (ad)	25% up to \$100	80% (ad)	25% up to \$100
Mail Order Pharmacy	80% (ad)	2x Retail	80% (ad)	2x Retail

Health Insurance FY25

- If both plan designs remain the same
 - Medical, RX, stop loss, ACA and administrative fees cost increase to County: \$1,365,117 (9.5%)
 - \$890 per employee per month (PEPM)
- Improvements to the OAP plan
 - Additional estimated cost to County: \$347,000
 - Includes cost savings of HDHP deductible increasing
 - Total increase: \$1,712,117 (12.3%)
 - \$890 per employee per month (PEPM)

Dental Plan (Delta Dental)



CABARRUS COUNTY
America Thrives Here

Dental Premium Changes

- **100% employee funded**
- **Continue one plan option**
- **Employee portion premium increase 16%**
 - **EE monthly increase in rates for FY 25**
 - **EE only: \$4.21, total monthly amount \$30.59**
 - **EE spouse: \$8.63, total monthly amount \$62.73**
 - **EE children: \$10.32, total monthly amount \$75.02**
 - **EE family: \$14.75, total monthly amount \$107.17**

Requested Action

Benefits Approval for FY25

Cabarrus County needs to prepare for Open Enrollment beginning May 6th

Approval for either:

1. Continue current plan options for FY25 (including HDHP deductible increase)

Or

2. Improve the alternative OAP Plan as presented with an estimated Additional Costs of: \$347K

Either option, the PEPM cost will remain \$890 for health insurance funding.

To approve the proposed dental rate premium increase paid by employees

Thank you.



CABARRUS COUNTY
America Thrives Here

CABARRUS COUNTY



BOARD OF COMMISSIONERS REGULAR MEETING

**April 15, 2024
6:30 PM**

AGENDA CATEGORY:

Consent Agenda

SUBJECT:

Sheriff's Office - Budget Amendment for Purchased Services

BRIEF SUMMARY:

The Sheriff's Office has a budget deficit for purchased services for the detention center, specifically due to the increasing costs of invoices from DPS to house juveniles that the county is required to fund. However, the Cabarrus County Detention Center continues to create revenue by housing inmates from other counties that have overcrowding or maintenance issues. The Sheriff's Office currently has \$177,660 in revenues specifically from housing these inmates and will be earning an additional \$56,700.00 at the least. The request is to approve a budget amendment to budget these inmate housing revenues in the amount of \$234,360.00 (00162130-6438) and reappropriate them to detention center purchased services (0192130-9445).

REQUESTED ACTION:

Motion to adopt the budget amendment to appropriate inmate housing revenues (00162130-6438) of \$234,360.00 to purchased services (00192130-9445).

EXPECTED LENGTH OF PRESENTATION:

1 Minute

SUBMITTED BY:

Chief Tessa Burchett

BUDGET AMENDMENT REQUIRED:

Yes

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- Budget Amendment

Budget Revision/Amendment Request

Date:

Amount:

Dept. Head:

Department:

Internal Transfer Within Department

Transfer Between Departments/Funds

Supplemental Request

Utilize Inmate Housing Fees revenues to cover the cost of Juvenile Justice Invoices from NC Department of Juvenile Justice. Required to house Juveniles who by State Statute cannot be housed in our Jail.

Fund	Indicator	Department/ Object/ Project	Account Name	Increase Amount	Decrease Amount
001	6	2130-6438	Inmate Housing Fees	234,360.00	
001	9	2130-9445	Purchased Services	234,360.00	

Total

Budget Officer

- Approved
- Denied

County Manager

- Approved
- Denied

Board of Commissioners

- Approved
- Denied

Signature

Signature

Signature

Date

Date

Date

CABARRUS COUNTY



BOARD OF COMMISSIONERS REGULAR MEETING

**April 15, 2024
6:30 PM**

AGENDA CATEGORY:

Consent Agenda

SUBJECT:

Tax Administration - Refund and Release Reports – March 2024

BRIEF SUMMARY:

The Release Report contains taxpayers' names, bill numbers, valuations, tax amounts, along with the justifications for releasing the valuation/tax amounts for outstanding levies in accordance with N.C.G.S. 105-381. The Refund Report is a summary sheet which lists data from each refund request form, along with the justification for the refunds to the taxpayers in accordance with N.C.G.S. 105-381.

Note: Due to the transition of motor vehicles onto the new North Carolina Vehicle Tax System (NCVTS), motor vehicle-related refunds and releases will begin to be displayed on the new report generated by NCVTS.

REQUESTED ACTION:

Motion to approve the March 2024 Refund and Release Reports as submitted, including the NCVTS Refund Report, and grant authority to the Tax Collector to process the refunds and releases.

EXPECTED LENGTH OF PRESENTATION:

SUBMITTED BY:

M. David Thrift, Tax Administrator

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

CABARRUS COUNTY



BOARD OF COMMISSIONERS REGULAR MEETING

**April 15, 2024
6:30 PM**

AGENDA CATEGORY:

New Business

SUBJECT:

EMS - Renewal of Non-Emergency Transport Franchise Agreement with American Transmed

BRIEF SUMMARY:

American Transmed is the non-emergency EMS transport provider for Cabarrus County. Cabarrus County has maintained a franchise agreement for the last six years with American Transmed. This has been a great working relationship that we are interested in continuing with this renewal request. Staff recommends that a renewal period of three years. Franchise agreements require two readings and approvals. Franchise agreements require two readings and a public hearing so this item will also need to be scheduled at the May meeting for the second reading, but will not require a public hearing at that meeting.

REQUESTED ACTION:

Receive first reading of the resolution.

Hold Public Hearing.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Jimmy Lentz, EMS Chief

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ Agreement
- ▣ Certificate of Insurance
- ▣ Resolution granting Non-Emergency Transport

STATE OF NORTH CAROLINA COUNTY OF CABARRUS FRANCHISE AGREEMENT FOR	NON-EMERGENCY AMBULANCE SERVICES
--	-------------------------------------

THIS FRANCHISE AGREEMENT FOR NON-EMERGENCY AMBULANCE SERVICES ("Agreement") is entered into effective the 1st day of July, 2024 by and between CABARRUS COUNTY ("County") and AMERICAN TRANSMED, INC. a South Carolina corporation ("Provider").

RECITALS

1. Pursuant to N.C. Gen. Stat. 5153A-250, the County is authorized to enact an ordinance and to award franchises for operation of a non-emergency ambulance service.
2. Pursuant to that authority, the County has enacted Article 82 of its Code of Ordinances, permitting it to award such a franchise and regulate the operator of the same.
3. By ordinance duly enacted at its regular meetings on April 15, 2024 and May 20, 2024 the County's Board of Commissioners approved the awarding of a franchise for non-emergency ambulance services to Provider, subject to the provisions of the franchise ordinance, Article 82 of the Code of Ordinances and this Agreement.

In consideration of the above Recitals and the Terms below, which the parties agree constitute sufficient consideration to make this Agreement legally binding and enforceable, the parties agree as follows.

TERMS

1. Services and Scope to be performed. The Provider shall provide "Services" as set forth in the attached Exhibit A. In this Agreement, Services is defined as the goods, vehicles, materials, labor, services and/or supplies Provider is required to provide pursuant to this Agreement and all of the Provider's duties to the County and to Provider's customers and clients that arise from this Agreement, the franchise ordinance and Article 82 of the Code of Ordinances. Any amendments, corrections or change orders by either party must be in writing and signed by both parties.
2. Term. This Agreement shall commence on the date provided above and end on 06/30/2027. This Agreement shall not be automatically extended unless agreed to in writing by the County.
3. Insurance. Provider shall maintain insurance policies at all times with minimum limits as follows:

□	<u>Minimum Limits</u>
accident \$100,000 bodily injury by disease per employee, \$500,000 bodily injury per disease policy limit	\$100,000 bodily injury per each
occurrence/\$2,000,000 aggregate	\$1,000,000 per
	\$1,000,000 per occurrence
occurrence/\$2,000,000 aggregate	\$1,000,000 per

occurrence/\$2,000,000 aggregate

The County reserves the right to require other coverages and higher limits if warranted by the nature of this Agreement and the type of Services to be provided. Provider shall provide the County with a Certificate of Insurance for review prior to the execution of this Agreement. Provider shall provide to the County immediate written notice of cancellation, reduction, or other modification of coverage of insurance. Upon failure of the Provider to provide such notice, Provider assumes sole responsibility for all losses incurred by the County for which insurance would have provided coverage. The insurance certificate shall be for the initial Agreement period and shall be renewed by the Provider for each subsequent extension period of the Agreement.

The County shall be named as an additional insured and it is required that coverage be placed with an "A" rated insurance company acceptable to the County. In the event that Provider fails at any time to maintain and keep in force the required insurance, the County has the right to cancel and terminate the Agreement without notice. Provider's insurance shall be considered primary and noncontributory.

4. Default. If the Provider fails to perform the Services in accordance with the provisions of this Agreement, including Exhibit A, or violate any of the provisions of the franchise ordinance or Article 82 of the Code of Ordinances, the County may, in its discretion, terminate this Agreement or perform or cause to be performed some or all of the Services, and doing so shall not waive any of the County's rights and remedies. The County will comply with the provisions of Section 82-57 of its Code of Ordinances prior to any termination. The Provider shall reimburse the County for all costs incurred by the County in exercising its right to terminate or to perform or cause to be performed some or all of the Services pursuant to this Agreement.

5. Notice. All notices and other communications required or permitted by this Agreement shall be in writing and shall be given either by personal delivery,

approved carrier, fax, or certified United States mail, return receipt requested, addressed as follows: if to the County, to its Contract Administrator; if to Provider to its billing address or main office address.

6. Indemnification. To the maximum extent allowed by law, the Provider shall defend, indemnify, and save harmless the County and its agents, officers, and employees, from and against all claims of any kind that arise in any manner from, in connection with, or out of this Agreement as a result of the acts or omissions of the Provider or its subcontractors or anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, except for damage or injury caused solely by the negligence of the County or its agents, officers or employees. In performing its duties under this section, the Provider shall at its sole expense defend the County and its agents, officers and employees with legal counsel reasonably acceptable to County. This provision shall remain in force despite termination of this Agreement (whether by expiration of the term or otherwise) or termination of the Services of the Agreement.

7. Miscellaneous.

(a) Choice of Law or Forum. This Agreement shall be deemed made in Cabarrus County, North Carolina. This Agreement shall be governed by and construed in accordance with the laws of North Carolina. The exclusive forum and venue for all actions arising out of this Agreement shall be the appropriate division of the North Carolina General Court of Justice in Cabarrus County. Such actions shall neither be commenced in nor removed to federal court.

(b) Waiver. No action or failure to act by the County shall constitute a waiver of any of its rights or remedies that arise out of this Agreement, nor shall such action or failure to act constitute approval of or acquiescence in a breach of this Agreement, except as may be specifically agreed in writing.

deemed or construed so as to in any way estop, limit, or impair the County from exercising or performing any regulatory, policing, legislative, governmental, or other powers of functions. The Provider shall comply with all applicable laws, rules and regulations.

(d) Severability. If any provision of this Agreement shall be unenforceable, the remainder of this Agreement shall be enforceable to the extent permitted by law.

(e) Assignment. Without the County's written consent, the Provider shall not assign (which includes to delegate) any of its rights (including the right to payment) or duties that arise out of this Agreement. Unless the County otherwise agrees in writing, the Provider and all assigns shall be subject to all of the County's defenses and shall be liable for all of the Provider's duties that arise from this Agreement and all of the County's claims that arise from this Agreement.

□

(f) Principle of Interpretation. Although this Agreement is in part the County's standard form, the Provider acknowledges and agrees that this Agreement is deemed to be the product of negotiation and any ambiguity shall not be construed automatically against either party.

(g) Entire Agreement. This Agreement contains the entire agreement between the parties pertaining to the subject matter of this Agreement. With respect to that subject matter, there are no promises, agreements, conditions, inducements, warranties, or understandings, written or oral, expressed or implied, between the parties, other than as set forth or referenced in this Agreement.

IN WITNESS, the parties have executed this Agreement through their respective duly authorized agents or officers.


□

CABARRUS COUNTY

PROVIDER

COUNTY MANAGER

AMERICAN TRANSMED, INC.



ATTEST BY:

ATTEST BY:

Date: _____

Date: 03-26-2024

Clerk to the Board

Title

This page has been left blank intentionally.



**FRANCHISE ORDINANCE OF THE CABARRUS
COUNTY BOARD OF COMMISSIONERS
GRANTING A FRANCHISE TO OPERATE
NON-EMERGENCY AMBULANCE SERVICE
TO AMERICAN TRANSMED**

WHEREAS, Cabarrus County regulates the provision of Vehicles For Hire in Article 82 of the Cabarrus County Code of Ordinances and N.C. Gen. Stat. §153A-250, including franchises for non-emergency ambulance services; and

WHEREAS, those services have been provided by American TransMed according to the standards defined in Section 82-52 of the Ordinance; and

WHEREAS, the Board of Commissioners have held a hearing as required by Section 82-53 of the Ordinance; and

WHEREAS, based on information submitted by American TransMed and information submitted at the hearing, the Board of Commissioners made the following findings:

- a. The public necessity and convenience requires the proposed ambulance service.
- b. Each such ambulance and its required equipment have been certified by the State as acceptable for the type of franchise requested.
- c. American TransMed and its officers or partners are responsible persons to conduct or work in the proposed business.
- d. Only duly certified emergency medical technicians are employed as operators and attendants by American TransMed for the non-emergency service franchise.
- e. All other requirements of Article 82 and all other applicable laws and ordinances have been met.

NOW THEREFORE, THE CABARRUS COUNTY BOARD OF COMMISSIONERS RESOLVES THAT:

1. The Board of Commissioners grants a franchise to American TransMed for the operation of non-emergency ambulance services for the period of July 1, 2024, to June 30, 2027.
2. The terms of this franchise shall include the following:
 - a. The geographic boundary for this franchise shall be the entirety of the County.
 - b. Any change in ownership or management of American TransMed shall terminate the franchise and shall require a new application and new franchise award.
 - c. The franchise may not be sold, assigned, mortgaged, or otherwise transferred without the approval of the County and a finding of conformance with all requirements of Article 82.

- d. The terms of Section 82-57 of the Ordinance shall be included in the franchise agreement as they relate to termination, suspension, or revocation.
- e. The Board of Commissioners authorize the County Manager to negotiate and execute the franchise agreement with American TransMed, not inconsistent with this Ordinance, after drafting and review by the County Attorney.

Approved after readings in two consecutive regular meetings of the Board of Commissioners on April 15, 2024 and May 20, 2024, pursuant to N.C. Gen. Stat. §153A-46.

BOARD OF COMMISSIONERS OF CABARRUS COUNTY

Stephen M. Morris, Chairman

ATTEST:

Lauren Linker, Clerk to the Board

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 2, 2024
4:00 PM**

AGENDA CATEGORY:

Closed Session

SUBJECT:

Closed Session - Pending Litigation and Acquisition of Real Property

BRIEF SUMMARY:

A closed session is needed to discuss matters related to pending litigation and acquisition of real property as authorized by NCGS 143-318.11(a)(3) and (5).

REQUESTED ACTION:

Motion to go into closed session to discuss matters related to pending litigation and acquisition of real property as authorized by NCGS 143-318.11(a)(3) and (5).

EXPECTED LENGTH OF PRESENTATION:

1 Hour or More

SUBMITTED BY:

Mike Downs, County Manager

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:
