

The Board of Commissioners for the County of Cabarrus met for an Agenda Work Session in the Multipurpose Room at the Cabarrus County Governmental Center in Concord, North Carolina on Tuesday, January 3, 2012 at 4:00 p.m.

Present - Chairman: Elizabeth F. Poole
 Vice Chairman: Larry M. Burrage
 Commissioners: Robert W. Carruth
 Christopher A. Measmer
 H. Jay White, Sr.

Also present were Mike Downs, County Manager; Richard Koch, County Attorney; Jonathan Marshall, Deputy County Manager; Pam Dubois, Deputy County Manager and Kay Honeycutt, Clerk to the Board.

Call to Order

Chairman Poole called the meeting to order at 4:01 p.m.

Approval of Agenda

Chairman Poole advised the work session agenda format has been revised and requested feedback from the Board. She also advised Commissioner Carruth is running late due to car trouble.

UPON MOTION of Commissioner Measmer, seconded by Commissioner White and unanimously carried, the Board approved the work session agenda as presented.

Discussion Items - No Action

Update on CCS & KCS QSCB Projects

Will Crabtree, Kannapolis City Schools (KCS), presented an update on the QSCB projects for KCS. Highlights included the following: the Kannapolis Intermediate School roofing project is estimated to be bid in March; the A. L. Brown High School chiller project is close to being submitted for bids; and, most of the work will occur this summer.

Len Witke, Cabarrus County Schools (CCS), presented the following information as an update on the QSCB projects for CCS:

Report on QSCB Funded Project Status

School	Project Description	Total Original Project Budget	Change in Budget	Adjusted Project Budget	Amount Encumbered	Paid to Date	Balance Remaining	Anticipated Construction Completion
Architectural								
Beverly Hills Elementary	Replace Windows in Four Classrooms	\$ 50,000	\$28,653	\$78,653	\$68,263	\$10,196	\$194	8/18/2011
Coltrane Webb Elementary	Remodel for Magnet School Program	\$ 150,000	-\$28,653	\$121,347	\$8,947	\$68,557	\$43,843	8/18/2011
Central Cabarrus High	Replacement Windows & Doors	\$ 525,000	-\$130,000	\$395,000	\$338,655	\$42,554	\$13,792	8/15/2012
Central Cabarrus High	Office Renovation & New Entry Vest.	\$ 150,000	\$130,000	\$280,000	\$194,069	\$80,868	\$5,064	12/30/2011
Concord High School	Replace Chillers & Controls	\$ 895,451		\$895,451	\$40,220	\$46,920	\$808,312	8/15/2012
Concord High School	Dining Room Addition	\$ 500,000		\$500,000	\$458,182	\$40,794	\$1,024	8/15/2012
Concord High School	Weight Room Addition and Remodel	\$ 100,000		\$100,000	\$9,984	\$356	\$89,660	8/15/2012
Concord High School	Vocational Building Remodeling	\$ 150,000	-\$133,500	\$16,500	\$14,254	\$506	\$1,740	8/15/2012
Concord High School	Auditorium Improvements	\$ 175,000	\$133,500	\$308,500	\$273,314	\$11,057	\$24,129	8/15/2012
Northwest Cabarrus High	Practice Athletic Fields & Buildings	\$ 600,000		\$600,000	\$47,430	\$18,250	\$534,320	8/15/2012
Northwest Cabarrus High	Replace Chillers & Controls	\$ 696,171		\$696,171	\$48,080	\$36,607	\$611,484	8/15/2012
Northwest Cabarrus High	Upgrade Entrance Canopy & Security	\$ 175,000		\$175,000	\$16,860	\$0	\$158,140	8/15/2012
Northwest Cabarrus High	Gym Addition	\$ 1,500,000		\$1,500,000	\$128,125	\$48,855	\$1,323,020	12/30/2012
PLC - J.N. Fries Middle	Remodel One Wing for PLC Program	\$ 200,000		\$200,000	\$0	\$199,520	\$480	9/30/2011
Subtotal		\$ 5,866,622	\$0	\$5,866,622	\$1,646,382	\$605,039	\$3,615,201	
Mechanical, Electrical and Plumbing Engineering								
Beverly Hills Elementary	Replace Chillers & Controls	\$ 332,556		\$332,556	\$19,950	\$0	\$312,606	8/15/2012
Central Cabarrus High	Replace Chillers & Controls	\$ 676,163		\$676,163	\$44,450	\$13,523	\$618,190	8/15/2012
Central Cabarrus High	Electrical Vault Code Upgrades	\$ 225,000		\$225,000	\$0	\$0	\$225,000	8/15/2012
Mt. Pleasant Elementary	A/C System Replacement	\$ 785,957		\$785,957	\$54,069	\$10,500	\$721,388	8/15/2012
Mt. Pleasant High School	New Boilers	\$ 63,000		\$63,000	\$0	\$0	\$63,000	8/15/2012
Mt. Pleasant Middle School	Replace Chillers & Controls	\$ 476,018		\$476,018	\$16,750	\$2,700	\$456,568	8/15/2012
Northwest Cabarrus Middle	Replace Heat Pumps in 6th Grade Wing	\$ 226,695		\$226,695	\$14,000	\$0	\$212,695	8/15/2012

Various Schools - Breaker Panels		Electrical Panel Testing and Corrections plus Safety Equipment	\$	375,846	\$375,846	\$0	\$0	\$375,846		
Subtotal			\$	3,161,235	\$0	\$3,161,235	\$149,219	\$26,723	\$2,985,293	
Roof Replacement										
J.N. Fries Middle School	Partial Roof Replacement		\$	220,000	\$220,000	\$79,140	\$4,273	\$136,587	11/1/2011	
Subtotal			\$	220,000	\$0	\$220,000	\$79,140	\$4,273	\$136,587	
Food Service Improvements										
Beverly Hills Elementary	Kitchen Hood Modifications		\$	50,000	\$14,928	\$64,928	\$2,500	\$62,380	\$48	11/1/2011
Coltrane-Webb Elementary	Kitchen Hood Modifications		\$	50,000	-\$47,166	\$2,834	\$0	\$2,652	\$182	9/30/2011
Mt. Pleasant Middle School	Kitchen Hood Modifications		\$	50,000	\$9,630	\$59,630	\$0	\$59,562	\$48	9/30/2011
R. Brown McAllister Elem.	Kitchen Hood Modifications		\$	50,000	\$22,608	\$72,608	\$0	\$71,905	\$703	9/30/2011
Subtotal			\$	200,000	\$0	\$200,000	\$2,500	\$196,520	\$980	
Information Technology Upgrades and New Systems										
Central Cabarrus High	Servers, Switches, Wireless, Wiring		\$	275,000		\$275,000	\$7,311	\$5,982	\$261,707	12/30/2011
Concord High School	Switches, Wireless, Wiring		\$	90,000		\$90,000	\$1,661	\$3,045	\$85,294	12/30/2011
Concord Middle School	Servers, Switches, Wireless		\$	200,000		\$200,000	\$2,900	\$6,767	\$190,332	12/30/2011
Hickory Ridge High School	Wireless		\$	25,000	-\$25,000	\$0	\$0	\$0	\$0	12/30/2011
Jay M. Robinson High	Servers, Switches, Wireless, Wiring		\$	300,000		\$300,000	\$4,706	\$10,151	\$285,143	12/30/2011
J.N. Fries Middle School	Servers, Switches, Wireless, Wiring		\$	190,000	\$45,000	\$235,000	\$0	\$209,403	\$25,597	8/15/2011
Mt. Pleasant High School	Wireless		\$	20,000	-\$20,000	\$0	\$0	\$0	\$0	12/30/2011
Mt. Pleasant Middle School	Servers, Switches, Wireless, Wiring		\$	190,000		\$190,000	\$136,340	\$27,409	\$26,251	12/30/2011
Northwest Cabarrus High	Switches, Wireless, Wiring		\$	50,000		\$50,000	\$1,094	\$1,692	\$47,215	12/30/2011
Northwest Cabarrus Middle	Servers, Switches, Wireless, Wiring		\$	190,000		\$190,000	\$2,755	\$6,429	\$180,816	12/30/2011
Winecoff Elementary School	Servers, Switches, Wireless, Wiring		\$	125,000		\$125,000	\$4,834	\$1,208	\$118,958	12/30/2011
Subtotal			\$	1,655,000	\$0	\$1,655,000	\$161,601	\$272,087	\$1,221,312	
TOTALS FOR ALL PROJECTS			\$	11,102,857	\$0	\$11,102,857	\$2,038,843	\$1,104,642	\$7,959,373	

QSCB Design and Construction Projects Milestones Report

School	Project	Current Status	Issue Design Review	Bid Issue Date	Pre-Bid Meeting	Bid Opening Date	Construction Start	Completion Date	Notes
Beverly Hills Elementary	Kitchen Hood Replacement	Construction Complete					10/21/11	10/23/11	
Beverly Hills Elementary	Windows	Pre-construction					1/16/12		Pre-construction meeting pending schedule
Beverly Hills Elementary	Chiller & Controls Replacement		1/2/12	1/15/12		2/15/12			
Central Cabarrus High	Electrical Vault Upgrades per Code	Design Start 10/03	TBD	TBD		TBD	1/16/12		Scope Meeting 11/21/11
Central Cabarrus High	Office Modifications for Security	Construction	9/29/11	10/12/11	10/27/2011 3'PM	11/3/2011 2' PM	12/3/11	2/20 + 8/13/2012	2/20 for interiors, 8/13 for glazing/storefront
Central Cabarrus High	Windows and Doors	Construction	9/29/11	10/12/11	10/27/2011 3'PM	11/3/11 2'PM	12/22/11	3/30/12	4-6 week lead time on windows and doors
Central Cabarrus High	Servers, Switches, Wireless, Wiring	Construction Docs	TBD	TBD	TBD	TBD			Kelly/Staff re-walk 1/15/12
Central Cabarrus High	Chiller & Controls Replacement		1/2/12	1/15/12		2/15/12			Scope change review 11/18
Coltrane Webb Elementary	Magnet School Technology	Construction Complete	9/30/11	10/6/11	10/13/11 1:30'pm	10/18/11 3'PM	11/22/11	11/27/11	CCS Technology install 6 wireless Access points
Coltrane Webb Elementary	Kitchen Hood Replacement	Deleted							
Concord High School	Chiller & Controls Replacement	Construction Contract	10/10/11	10/23/11		11/29/11	TBD	3/29/12	Pre-construction meeting 1/10/12 2:00PM
Concord High School	Dining Expansion	Construction	10/3/11	10/16/11	11/1/2011 3PM	11/17/11 3'PM	12/22/11	6/29/12	Asbestos abatement - 12-22 thru 12/23
Concord High School	Auditorium	Construction	10/3/11	10/16/11	11/1/2011 3PM	11/17/11 3'PM	1/12/12	6/1/12	Asbestos Abatement 12/27 thru 01/02
Concord High School	Switches, Wireless, Wiring	Bidding	12/15/12	12/19/11	12/21/11 10'AM	1/4/2012 3'PM			Staff/Design Walkthru 9:00 AM 12/12/11
Concord High School	Weight Room	Design TBD	TBD						Pending
Concord High School	Vocational Building	Design TBD	TBD						Pending
Concord Middle School	Servers, Switches, Wireless	Design	1/5/2012 2'PM	1/16/12	1/19/12	TBD	TBD		Design Staff Walk thru 12/16/11 1'PM
Hickory Ridge High School	Wireless	Deleted							Funds for JN Fries Technology
J.N. Fries Middle School	Servers, Switches, Wireless, Wiring	Construction Completed							

J.N. Fries Middle School	Partial Roof Replacement	Construction	10/2/11	10/15/11	10/20/11 10'AM	10/28/11 2'PM	12/28/11	1/2/12	
J.N. Fries Middle School - PLC	Classrooms and offices	Completed						Completed	Final Punch review 9/30/11
Jay M. Robinson High	Servers, Switches, Wireless, Wiring	Bidding	12/8/11	12/12/11	12/16/2011 3'PM	1/3/2012 3'PM	TBD	TBD	
Mt. Pleasant Elementary	A/C, new VAV boxes, and controls						Summer 2012	Summer 2012	Scope Change/Scheduling Meeting 10/27
Mt. Pleasant High School	Wireless	Deleted							Funds for JN Fries Technology
Mt. Pleasant High School	Boilers Replacement	Design Start 10/03	11/15/11	12/1/11		1/4/12	Spring 2012	Spring 2012	Awaiting signed contract
Mt. Pleasant Middle School	Kitchen Hood Replacement	Construction Completed							
Mt. Pleasant Middle School	Chiller & Controls Replacement (surplus funds from Item 17)	On Hold for Funding Determination	TBD						Scope Change/Scheduling Meeting 10/27
Mt. Pleasant Middle School	Cooling Tower Replacement (only)	Construction Docs	11/1/11	TBD		12/20/11			Scope Change/Scheduling Meeting 10/27
Mt. Pleasant Middle School *	Servers, Switches, Wireless, Wiring	Construction	10/3/11	10/10/11	10/13/11 3:30P	11/20/2011 3'PM	12/5/11		Awaiting equipment delivery shipment 1/19
Northwest Cabarrus High	Entrance Canopy Modifications	Deleted							
Northwest Cabarrus High	Gym Addition	Design on hold	1/13/12	2/5/12		3/15/12	4/10/12	12/17/12	Meeting to review design week of 1/20
Northwest Cabarrus High	Chiller & Controls Replacement	Construction Contract	10/10/11	10/23/11		11/29/11	TBD	3/29/12	Pre-construction meeting 1/10/2012 3' PM
Northwest Cabarrus High	Switches, Wireless, Wiring	Bidding	12/15/11	12/19/11	12/21/11 3'PM	1/4/2012 4'PM	1/30/12		Walk-thru 12/12/11 2:00PM
Northwest Cabarrus High	Practice Athletic Fields	Design TBD	TBD						Pending Fund Determination
Northwest Cabarrus Middle	Heat Pumps	In design	10/14/11	2/14/12		3/14/12	Summer 2012	Summer 2012	Meeting to review design week of 10/23
Northwest Cabarrus Middle	Servers, Switches, Wireless, Wiring		1/5/2012 2' PM	1/16/12	1/19/12	TBD	TBD		Design Staff Walk-Thru 12/15/11 9:00 AM
R. Brown McAllister Elem.	Kitchen Hood Replacement	Construction completed							
Various Schools - Breaker Panels	Upgrade Electrical Panels per Code	Design Start 11/15							
Wincoff Elementary School	Servers, Switches, Wireless, Wiring		1/13/12	1/16/12	2/7/12	2/13/12	2/25/12		

* Project scope revised to only include new cooling tower

Mr. Witke also responded to a variety of questions from the Board. No action was taken.

General Services - Old Board of Elections Demolition Progress Report

Kyle Bilafer, General Services Director, reviewed the following site plan proposed for a 23-space parking lot at the corner of McCachern Boulevard and Corban Avenue, the former location of the Board of Elections' building scheduled for demolition in the summer. Highlights of the presentation were as follows: surveying and design work have been completed; demolition and paving should be completed prior to the implementation of Concord's streetscaping project; the parking lot includes four (4) handicapped parking spaces; fencing and street lamps will be similar to those installed nearby by the City of Concord; the project also includes a new retaining wall and ADA (American with Disabilities Act) approved ramp; due to the existing grade, the parking lot only has one driveway; the demolition bids will be presented for the Board's approval in the future; most of the recyclable materials have been removed from the building; the roofing materials will be removed a few days before demolition; etc. Mr. Bilafer also responded to questions from the Board. No action was taken.

Grant program will provide a variety of support services (educational, budgetary, emergency, transportation, etc.) to approximately 110 low-income families in Cabarrus and Rowan counties. As such, the Agency is required to provide the grant application to both Boards of County Commissioners. Although the application does not require approval by the Commission, each Board is required to review the application and has a thirty-day comment period. She advised that comments may be submitted to the Agency. She identified the grant budget as \$383,809.00 (Cabarrus - \$153,524.00; Rowan - \$230,285.00). She also addressed planning periods, number of public hearings held for the CSBG grant and other programs the Agency provides. In closing, Ms. Torrence stated her availability to respond to questions from the Board.

Questions raised by Board members related to: where is the program located in Cabarrus County; outreach efforts; how are the funding levels determined; amount of State vs. Federal funding; number of paid staff in the CSBG division; amount of funding that goes to the clients vs. paid staff; etc.

No action was taken.

County Manager - Discuss Options for the Old Bethel School Property

Jonathan Marshall, Deputy County Manager, reported the Board of Trustees of Woodson University withdrew its offer to purchase the Old Bethel School Property. Options the Board may wish to consider are: reconsideration of previous offers to purchase; soliciting additional offers for purchase; or abatement and demolition of the buildings on the property.

Kyle Bilafer, General Services Director, responded to a variety of questions from the Board related to abatement and demolition issues. He estimated those costs to be around \$1.5 million.

In response to questions from the Board, Richard M. Koch, County Attorney, addressed "chain of title" issues as they relate to environmental laws.

Board members expressed support for selling the property and to include funding for abatement and demolition in the FY 12-13 budget. Chairman Poole encouraged Board members to reach out to any interested parties.

Planning and Development - Reservation of Capacity for Afton Ridge Apartments

Susie Morris, Planning and Zoning Manager, presented the following information relating to a request for a Reservation of Capacity Certificate for Afton Ridge Apartments:

CK Lakepointe Corporate Center, LLC, (301 S. College St., Suite 2800, Charlotte, NC 28202) is requesting a Reservation of Capacity for the Afton Ridge Apartment project, which consists of 414 multi-family units on +/- 20 acres, located off Kannapolis Parkway on Glen Afton Boulevard in the City of Kannapolis, North Carolina.

School Capacity Review

The Afton Ridge multi-family residential project is expected to produce approximately 62 elementary students, 23 middle school students and 30 high school students for a total of 115 students. The schools impacted by the project are Charles E. Boger Elementary School, Northwest Middle School and Northwest High School.

Note: The calculations below include 20th day enrollment figures from October 20, 2011.

The county's capital improvements plan (CIP) includes the following proposed improvements that would create additional capacity for the schools impacted by the project:

Number of Additional Seats listed in CIP

Year	School	2010	2011	2012	2013	2015	2015
Elementary	C.E. Boger						
Middle	Northwest						
High	Northwest						

Seat Distribution Summary - (Based on July 2011 Capital Improvements Plan)

Elementary - The CIP does not include proposed improvements that would create additional capacity for the school impacted by this project.

Middle - The CIP does not include proposed improvements that would create additional capacity for the school impacted by this project.

High - The CIP does not include proposed improvements that would create additional capacity for the school impacted by this project.

The following table indicates available and planned school capacity, based on the standards for review established in Chapter 15 of the Cabarrus County Zoning Ordinance.

School	Current Available Capacity	Current Available Capacity Including Students Generated by Project	Planned Capacity 2 Yrs	Available Capacity Including Students Generated by Project	Planned Capacity 5 Yrs	Available Capacity Including Students Generated by Project
C. E. Boger Elementary	-258	-320	-258	-320	-258	-320
Northwest Middle School	-225	-248	-225	-248	-225	-248
Northwest High School	198	168	198	168	198	168

Adequacy Determination

As illustrated above, adequate school capacity at the elementary and middle school does not exist currently for this apartment project, nor does it exist at the two year and five year review levels. (Note that according to Section 15-9, Number 4, of the APFO, "...future available capacity must be "...equal to or greater than the projected enrollment that will be produced by the proposed development for all school types," not just one or two.)

Is the project subject to Chapter 15, Adequate Public Facilities?
Yes.

Board of Commissioner Action Options:

Option #1

Consider approval of the Reservation of Capacity with the conditions outlined below:

1. The project is subject to a phasing schedule.
 In calendar year 2011, no more than 2 multi-family apartment unit permits issued;
 In calendar year 2012, no more than 20 multi-family apartment unit permits issued;
 In calendar year 2013, no more than 20 multi-family apartment unit permits issued;
 In calendar year 2014, no more than 20 multi-family apartment unit permits issued;
 In calendar year 2015, no more than 20 multi-family apartment unit permits issued;
 In calendar year 2016, no more than 332 multi-family apartment unit permits issued.
2. Mitigation of the pro-rata share of the cost of the planned capacity, which equals \$3,678.00 per multi-family residential apartment unit, payable prior to building permitting.

Option #2

Consider approval of the Reservation of Capacity with the phasing schedule and mitigation payment timing proposed by the applicant.

1. Applicant proposed phasing schedule.
 In calendar year 2012, no more than 216 multi-family apartment unit permits issued;

In calendar year 2013, no more than 198 multi-family apartment unit permits issued.

2. Mitigation of the pro-rata share of the cost of the planned capacity, which equals \$3,678.00 per multi-family residential apartment unit, payable prior to building permitting.

Option #3

Consider alternative approval determined by the Board of Commissioners.

Chairman Poole expressed support for Option No. 2 and placing "Planning and Development - Reservation of Capacity for Afton Ridge Apartments" on the January 17, 2012 Agenda as a Consent item. All the commissioners indicated their approval.

Planning and Development - Adequate Public Facilities Voluntary Mitigation Payment Adjustment for CY 2012

Susie Morris, Planning and Zoning Manager, presented the following information relating to the Adequate Public Facilities Voluntary Mitigation Payment Adjustment for CY 2012:

Pursuant to the Cabarrus County Zoning Ordinance Chapter 15, Section 15-9.7, "Mitigation measures that involve the payment of money to the County or School District to defray the per-unit impacts of school facilities must be based on calculated capital costs associated with new construction. The capital costs shall be re-assessed every five years. The Board of Commissioners shall adopt the minimum mitigation amount based upon that calculation and the annual rate of inflation. The Marshall and Swift valuation service shall be the index used to calculate the rate of inflation. The minimum amount of the Voluntary Mitigation Payment shall be adjusted and the new amount shall be effective January 1 of each year." Consequently, Staff is providing the Board of Commissioners with the following information based on the requirements of the Zoning Ordinance.

Performing the required calculations for the adjustment, it shows that an increase is called for based on the Comparative Cost Multipliers for Type A construction (fireproofed steel frame) in the Charlotte NC area.

A summary table showing adjustments that have been made to the APF VMP is attached.

Based on the information requested by the Board of Commissioners for the Adequate Public Facilities Voluntary Mitigation Payment adjustment in 2009, Staff is providing the following amounts to the Board of Commissioners for consideration for calendar year 2012.

Type of Unit	Original Amount from TischlerBise Study	Amount for VMP based on Index Adjustment to October of 2011 (Year 5 after original study using October Cost Multiplier)	Amount for VMP based on 65%	Amount for VMP based on 60%	Amount for VMP based on 55%	Amount for VMP based on 50%	Amount for VMP based on 60.572% (CURRENT ADOPTED POLICY)
Single Family Detached	\$12,425.00	\$13,605.38	\$8,843.49	\$8,163.23	\$7,482.96	\$6,802.69	\$8,241.05
Town home	\$6,590.00	\$7,216.05	\$4,690.43	\$4,329.63	\$3,968.83	\$3,608.03	\$4,370.91
Multi-Family/Other	\$5,988.00	\$6,556.86	\$4,261.96	\$3,934.12	\$3,606.27	\$3,278.43	\$3,971.62

She advised at the January 3, 2011 work session, the Board tabled the APF VMP Adjustment for CY 2011 to April 4, 2011; at the April 4, 2011 work session, the Board voted to table the APF VMP Adjustment for CY2011 until the August work session; and at the August 15, 2011 regular meeting, the Board tabled the APF VMP Adjustment for CY2011 until such time as the North Carolina Supreme Court renders a decision on the Adequate Public Facilities Ordinance.

Richard Koch, County Attorney, recommended the Adequate Public Facilities Voluntary Mitigation Payment Adjustment for CY 2012 be deferred until the outcome of the APFO litigation is determined. Following a brief discussion, all the Board indicated their agreement to defer the APF VMP Adjustment until such time as the North Carolina Supreme Court renders a decision.

Commissioner White also expressed support for eliminating the APF Ordinance.

Planning and Development - Think Cabarrus First Campaign and Budget Amendment - \$4,063.00

Shannon Johnson, Sustainable Local Economy Project Manager, presented the following information relating to the "Think Cabarrus First Campaign":

The Council for a Sustainable Local Economy has recommended approval of a "Buy Local" campaign. The "Buy Local" campaign is the first initiative of the Council and is designed to promote public awareness of local businesses and services. The intent of the campaign is to create a business directory on-line to help customers find local businesses and services to meet their needs. It is anticipated that the creation of this directory will cost \$4,000.00 which is to be generated through a \$20.00 fee for participating businesses and services.

She also responded to questions from the Board.

All the Board members indicated their agreement with the "Think Cabarrus First Campaign".

General Services - Construction and Demolition Landfill Operation and Financial Update

Kevin Grant, Sustainability Manager, presented the following summary of events regarding the Construction and Demolition Landfill Operation and Financial update:

As discussed during the May, BOC meeting, the construction and demolition landfill had a very limited amount of air space left in its current waste placement cell. Also discussed was the fact that the landfill has experienced additional costs associated with increased regulatory compliance and the need to maintain a closure / post closure liability balance for the landfill. This, combined with reductions in revenue created a situation where the landfill is unable to fund itself. Contributions from the general fund would be needed regardless of closing or expanding.

A Memorandum of Understanding with Greenway Waste with regards for a Public / Private partnership was also discussed and approved back in May. This option would have eliminated the need for contributions from the General Fund. While we continued negotiations concerning the memorandum of understanding, we also began meeting with the department of environment and natural resources to see if we could extend our existing area in which we were permitted to place waste. We were running out of space and needed to provide room to place additional waste to keep our permit active while negotiations with Greenway Waste continued. Also, part of the MOU with Greenway Waste was the stipulation that the department of environment and natural resources would grant additional expansion areas at the landfill that would not require a liner. We needed additional time to pursue this issue.

We received a permit to construct an unlined extension of our current waste placement cell back on July 29th. Shortly thereafter, the extension construction project commenced utilizing County landfill employees. Funds from the current landfill operating budget were used for the extension project. We have estimated that by not contracting out this project, we saved approximately \$150,000.

It was during this approval process and construction for the extension of our current waste placement cell that negotiations with Greenway Waste broke down over the issues of profit sharing and financial assurances. An email was sent to the Board of Commissioners explaining this on September 14th.

The construction of extension of the current waste placement area was completed in early October. The department of environment and natural resources granted an operating permit for this area on November 1. Once the construction was completed, an airspace survey for the new area was conducted. This study determined that the new area will provide a total of 83,000 cubic yards of additional airspace. Assuming that an average of 2,000 tons of construction and demolition waste enters the landfill, airspace in this section of landfill would last until June 2013.

This additional revenue coming into the landfill will help reduce the General Fund contribution needed to fully fund the closure / post closure liability balance. Financial data is included to show the impact of keeping the landfill open until the end of June, 2013.

Closing the landfill June 30, 2012 may require additional funding due to regarding of waste per closure specifications.

We are asking for direction as to whether we should continue to operate the landfill until this area fills up in 2013 or if we should close operations the end of this fiscal year.

CABARRUS COUNTY LANDFILL PROJECTED FINANCIAL INFORMATION OPTION A: CLOSE JUNE 30, 2013		
	2012	2013
Tipping Fee	\$ 31.00	\$ 31.00
TOTAL REVENUES	\$1,068,345	\$1,068,345
OPERATING EXPENSES	572,497	572,497
OPERATING INCOME	495,848	495,848
Capital Reserve Expense - Transfer to C/PC	-	767,496
NET OPERATING INCOME	495,848	(271,648)
CASH FLOW PROJECTION:		
Beginning Cash - 7/1/11	3,349,072	3,692,837
Net Income (Loss)	495,848	(271,648)
Less: Closure for Current/Expansion	-	(1,218,384)
Less: Monitoring & Care Costs	(152,083)	(155,249)
Sub-Total	3,692,837	2,047,555
Transfer of Fund Balance to C/PC	-	767,496
General Fund Contribution - C/PC	-	756,649
Ending Cash	3,692,837	3,571,700
Closure/PC Liability Balance	3,421,189	3,571,700
Fund Balance (Cumulative)	271,648	0

CABARRUS COUNTY LANDFILL PROJECTED FINANCIAL INFORMATION OPTION B: CLOSE JUNE 30, 2012	
	2012
Tipping Fee	\$ 31.00
TOTAL REVENUES	\$ 1,068,345
OPERATING EXPENSES	572,497
OPERATING INCOME	495,848
Capital Reserve Expense - Transfer to C/PC	271,648
NET OPERATING INCOME	224,200
CASH FLOW PROJECTION:	
Beginning Cash - 7/1/11	3,349,072
Net Income (Loss)	224,200
Less: C&D Over MSW Closure	-
Less: Closure for Current/Expansion	(1,218,384)
Less: Monitoring & Care Costs	(152,083)
Sub-Total	2,202,805
Transfer of Fund Balance to C/PC	271,648
General Fund Contribution - C/PC	1,097,247
Ending Cash	3,571,700
Closure/PC Liability Balance	3,571,700
Fund Balance (Cumulative)	(0)

A discussion ensued related to raising the tipping fee and associated consequences. Mr. Grant and Kyle Bilafer, General Services Director, responded to a variety of questions from the Board. During discussion, the Board expressed support for increasing the tipping fee to \$35.00 and closing

the Landfill in 2013. (Note: The tipping fee increase will be addressed during the annual budget process.)

Mr. Grant also stated his intent to gain the State's approval to bury additional waste in other areas of the landfill without a liner, using existing data from the last extension project to avoid incurring additional engineering costs. If this request is denied, then the landfill will close in 2013.

Pam Dubois, Deputy County Manager, advised the closure/post closure monies will be restricted within the General Fund and transferred when necessary.

Approval of Regular Meeting Agenda

The Board discussed the placement of the "Discussion Items for Action at the January 17, 2012 Meeting" on the Agenda.

Commissioner Carruth advised Betsy Carpenter, original founder of the local Humane Society, is in poor health and requested a resolution honoring her be presented at the regular meeting.

UPON MOTION of Commissioner White, seconded by Commissioner Measmer and unanimously carried, the Board approved the January 17, 2012 Agenda as presented:

Approval or Correction of Minutes

- Approval or Correction of Meeting Minutes

Recognitions and Presentations

- BOC - Recognition of the Odell Eagles Football Team - Cadet, Division II on Winning Regional, State and National Championships
- BOC - Resolution - Betsy Carpenter

Consent

- Fair - Approval of Agreement Extension with Powers Great American Midways
- Parks Department - Approval of PARTF Grant Application Request for Rob Wallace Park
- Planning and Development - CDBG Optional Coverage Relocation Plan
- Tax Administration - Refund and Release Report - December 2011
- Wellness/Risk Mgmt. - Vending Services Contract with Atlas Food Systems and Services, Inc.
- Planning and Development - Reservation of Capacity for Afton Ridge Apartments
- Planning and Development - Adequate Public Facilities Voluntary Mitigation Payment Adjustment for CY 2012
- Cabarrus County Construction and Demolition Landfill - Operation and Financial Update

New Business

- Planning and Development - 2012-2013 HOME Program Public Hearing - 6:30 P.M.
- Transportation - 5310 Elderly and Disabled Grant Funding and Public Hearing - 6:30 P.M.
- Transportation - 5316 JARC Grant Funding and Public Hearing - 6:30 P.M.
- Transportation - North Carolina Department of Transportation - Public Transportation Division (NCDOT) Section 5311 Grant for the Fiscal Year
- 2013 - Public Hearing - 6:30 P.M.
- County Manager - Discuss Options for the Old Bethel School Property
- Planning and Development - Think Cabarrus First Campaign and Budget Amendment
- County Manager - Update on Proposed Development at Corner of Union Street and Corban Street

Appointments to Boards and Committees

- Appointments - Firemen's Relief Fund Trustees
- Appointment - Cabarrus County Youth Council

Reports

- EDC - EDC Quarterly Report for October 1 - December 31, 2011

- BOC - Receive Updates from Commission Members Who Serve as Liaisons to Municipalities or on Various Boards/Committees
- Request for Applications for County Boards/Committees

Closed Session

- BOC - Closed Session to Discuss a Personnel Matter

Note: Ms. Carpenter passed away January 8, 2012 and a moment of silence was held for her at the January 17, 2012 meeting in lieu of the resolution.

Adjourn

UPON MOTION of Commissioner White, seconded by Vice Chairman Burrage, and unanimously carried, the meeting adjourned at 5:35 p.m.



Kay Honeycutt, Clerk to the Board