

The Board of Commissioners for the County of Cabarrus met in regular session in the Commissioners' Meeting Room at the Cabarrus County Governmental Center in Concord, North Carolina on Monday, March 16, 2015, at 6:30 p.m.

Present - Chairman: Stephen M. Morris  
Vice Chairman: Elizabeth F. Poole  
Commissioners: Diane R. Honeycutt  
Grace M. Mynatt  
Lynn W. Shue

Also present were Mike Downs, County Manager; Richard M. Koch, County Attorney; Pam Dubois, Senior Deputy County Manager; Jonathan Marshall, Deputy County Manager; and Megan Smit, Clerk to the Board.

Chairman Morris called the meeting to order at 6:31 p.m.

The Air Force Junior ROTC from Jay M. Robinson High School conducted the Flag Ceremony. Students participating were: Cadet Captain Allison Rissew; Cadet Staff Sergeant Joseph Monahan; Cadet 2<sup>nd</sup> Lieutenant Noah Hawes; Cadet Major Jenna Petty; and Cadet Major Kelli Brown.

Associate Pastor Mike Roper from Franklin Heights Baptist Church in Kannapolis delivered the invocation.

A moment of silence was observed for Armistead Eugene Divine.

**(A) APPROVAL OR CORRECTION OF MINUTES**

UPON MOTION of Vice Chairman Poole, seconded by Commissioner Honeycutt and unanimously carried, the Board approved the minutes of January 5, 2015 (Work Session); January 20, 2015 (Regular Meeting); January 29, 2015 (Cabarrus Summit); January 30, 2015 (Retreat); January 31, 2015 (Retreat); February 2, 2015 (Work Session); February 16, 2015 (Regular Meeting); and February 19, 2015 (Evening Retreat) as written.

**(B) APPROVAL OF THE AGENDA**

Chairman Morris reviewed the following changes to the Agenda.

Additions:

Recognitions and Presentations

C-2 Finance - Recognition of Sherri Barnhardt on Receipt of Hall-Wicker Award

C-5 Hauler Parade Presentation

New Business

G-7 BOC - Resolution Regarding Regulation of Bio-Solids in Cabarrus County

Closed Session

L-1 Closed Session - Pending Litigation

Supplemental Information:

New Business

G-7 BOC - Resolution Regarding Regulation of Bio-Solids in Cabarrus County  
• Resolution

Reports

I-4 Finance - Monthly Financial Update  
• Report

Removed:

Consent

F-1 County Manager - Approval of Maintenance and Repair Agreement between Cabarrus County, CCS and KCS

H: Appointments to Boards and Committees

UPON MOTION of Commissioner Honeycutt, seconded by Vice Chairman Poole and unanimously carried, the Board approved the Agenda as amended.

**(C) RECOGNITIONS AND PRESENTATIONS**

(C-1) Active Living and Parks - Recognition of Byron Haigler on Receipt of Park Ranger Institute Non-Sworn Professional Ranger Certificate

Londa Strong, Active Living and Parks Director, introduced John Byrd, Executive Director, Park Ranger Institute.

Mr. Byrd recognized Byron Haigler for his achievements at the Park Ranger Institute. He stated Mr. Haigler is not only the youngest board member in the Institute's history, but now the youngest to meet the 500 points required to receive this certification. He then presented Mr. Haigler with the Park Ranger Institute Non-Sworn Professional Ranger Certificate.

Mr. Haigler graciously accepted the certificate and thanked Mr. Byrd and Cabarrus County for providing the opportunity for him to participate in this training.

(C-2) Finance - Recognition of Sherri Barnhardt on Receipt of Hall-Wicker Award

Susan Fearrington, Finance Director, recognized Sherri Barnhardt, Purchasing Agent and Contract Administrator, for receiving the Hall-Wicker Award. She stated the Carolinas Association of Governmental Purchasing established this award in 1996 to recognize outstanding contributions and service to the advancement of the purchasing profession. She also announced this is the last week of Ms. Barnhardt's employment with Cabarrus County and commended her on her 20 years of service.

Ms. Barnhardt expressed appreciation for the opportunity to work for the County.

(C-3) Planning and Development - Soil and Water Conservation District - Recognition of Contestants in the NCASWCD Annual Conservation Education Competition

Dennis Testerman, Senior Resource Conservation Specialist, recognized contestants, family members and school personnel for their support of the Soil and Water Conservation District's 204-2015 "Wetlands are Wonderful" poster and slideshow contest. The local conservation poster and slideshow contests awards ceremony and reception was held on February 10<sup>th</sup>. The regional competitions for these two events, as well as essay and public speaking were held on March 14<sup>th</sup>.

Hannah Hursey, Resource Conservation Coordinator, presented an overview of the Clarke Creek Heron Rookery Significant Natural Heritage Area next to Cox Mill Elementary School. Ms. Hursey advised the natural heritage area includes a 35-acre conservation easement that is part of a 200-acre wetland complex and provides a habitat for a diverse range of birds and other wildlife species. She further advised a goal for the year is to construct a field guide documenting different animal and plant species on the property with the help of students, interns and local organizations.

Ms. Hursey recognized the following contest winners and announced that first place winners will advance to the regional competition.

POSTER

3rd Grade

1st-Maya Sanders, Harrisburg Elementary  
 2nd-Rylan Lowe, Jackson Park Elementary  
 3rd-Chalmers Bankhead IV, Jackson Park Elementary  
 3rd-Lindsey Clarke, Jackson Park Elementary

4th Grade

1st-Jack Lewis, Fred L. Wilson Elementary  
 2nd-Vanessa Wightman, Fred L. Wilson Elementary  
 3rd-Landen Whaley, Jackson Park Elementary

5th Grade

1st-Ellen Weinstock, Cannon School  
 2nd-Kyle Manzoor, Cannon School  
 3rd-Morgan Teifer, Cannon School

6th Grade

1st-Ava Dill, Harris Road Middle  
 2nd-Addie Rogers, Harris Road Middle  
 3rd-Cadiah Gilliland, Harris Road Middle

SLIDE SHOW

6TH GRADE

1st-Kendra Barnes, Harris Road Middle School

2nd-Shayna Brown, Harris Road Middle School

3rd-Thomas Watson, Harris Road Middle School

(C-4) BOC - Proclamation Declaring April 2015 as National Donate Life Month in Cabarrus County

Chairman Morris read the proclamation aloud.

Vice Chairman Poole **MOVED** to adopt the proclamation.

She advised this proclamation was originally presented at the request of her niece, a nurse at CMC NorthEast. She also noted that Commissioner Shue is a recipient of organ donation.

Commissioner Mynatt seconded the motion.

Commissioner Shue strongly endorsed the proclamation stating he is a heart and kidney transplant recipient. He advised of the availability of donor information to interested parties.

The **MOTION** unanimously carried.

Proclamation No. 2015-02

PROCLAMATION  
NATIONAL DONATE LIFE MONTH

WHEREAS, LifeShare Of The Carolinas is focused on saving lives by increasing participation in the North Carolina organ, eye and tissue donor registry; and

WHEREAS, April is observed as National Donate Life Month with unwavering support from the nation's donation and transplantation community; and

WHEREAS, LifeShare Of The Carolinas, the organ procurement organization that serves Cabarrus County, is a part of that community and has its own programs to highlight the importance of donating to save the lives of others; and

WHEREAS, Over 3,300 North Carolina residents and 123,000 people nationwide are in need of life-saving transplants; and

WHEREAS, Residents of Cabarrus County have been touched by donation as recipients of life-saving transplants and as members of donor families who have literally given others a second chance at life; and

NOW, BE IT RESOLVED, we, the members of the Cabarrus Board of County Commissioners do hereby proclaim the month of April, 2015 to be

NATIONAL DONATE LIFE MONTH

In Cabarrus County and urge our residents to give serious thought to the importance of eye, organ and tissue donation and if so desired, to join the North Carolina Donor Registry and further, to notify their family members that they have done so.

Adopted this the 16<sup>th</sup> day of March, 2015.

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

(C-5) Hauler Parade Presentation

Jacqueline Gafrarar, JHE Production Group, presented a PowerPoint presentation of the upcoming Hauler Parade and related events planned to be held beginning May 8<sup>th</sup>. The 600 Festival of Events includes: Movies on Campus; Haulers on Union FanFest; VN50<sup>th</sup> Celebration; and Haulers on Union.

Donna Carpenter, Cabarrus Visitors Bureau, presented checkered flags to Board members.

**(D) INFORMAL COMMENTS**

Chairman Morris opened the meeting for Informal Public Comments at 7:02 p.m. He stated each speaker would be limited to three minutes.

Robert Simmons, resident of Concord, made the following statement:

I've been leaving you guys alone for a while. I had other things to take care of that are more important than this little problem that I have with the Department of Social Services. But before we get into that, I received an email from the County Human Resource Manager, Lundee Covington. I thought it was from her. When I tried to open it, it was a virus. I don't check my email very often because I don't communicate that way. And it had been on my computer about a week. And I called Mrs. Covington's office to ask her about it. She knew automatically that it was about the virus. I thought it was kind of strange that I could have this email on my computer for a week. She would know about it for a whole week that people were getting these emails with these viruses, but nobody from the county would ever send out an email warning people not to open that email because of the virus. This is very typical of Cabarrus County and how it approaches problems. It pretends that the problems do not exist, in hopes that you'll just go away. Well, as you've noticed, I don't go away. I come back every so often to remind you of the problem and try to get something done. I am slowly achieving some success. Mrs. Baker is no longer in charge of the Department of Adult Medicaid in the Department of Social Services. But I noticed Diane Gridley took her place. Mrs. Gridley was the supervisor that I went to when I had been verbally attacked for asking the name of the county employee who I had been watching harm other people consistently for a long time. During my conversation with her, she never said anything about me making nasty remarks to people. But two weeks later I got a letter from Mr. Koch saying that I had been making racial slurs. It's very important that we solve this problem. The reason why is, I'm unfortunately the only person in this county trying to solve a very serious problem in which hundreds of children are being exposed to toxic chemicals and substances which will affect their learning potential. I went to the EPA. I've gone to my congressman and my state representative's offices and they had no interest really. They pretend but they don't do nothing. And so I have to take those people to court. And it looks like, here I am some bigot when I'm not the bigot. I have experienced a lot of bigotry at the Department of Social Services. I'd like to speak to whoever's in charge of the Department of Social Services Board of Commission meetings. Whoever has a say so in what goes on over there. To us, look into the fact whether Mrs. Gridley had those people make up those stories intentionally. Because if she did, she doesn't belong in charge of Adult Medicaid over there. Now, you guys have consistently refused to let me speak with anybody. I am going to probably take you to court. If I can't get an attorney, I'm going to do it pro se. I don't go away. I don't back down. I have politely asked for communication with the previous people on the Board. I was refused. They refused to speak with me. No one wanted to talk to me. Now, problems like this don't just disappear when a man like me is behind them. Please send me an email, and no viruses this time, okay?

Scott Noel, resident of 1442 Moss Creek Drive in Concord, spoke in support of solar installations in Cabarrus County. He advised federal and state tax credits for solar installations are set to expire at the end of the year.

With there being no one else to address the Board, Chairman Morris closed that portion of the meeting.

**(E) OLD BUSINESS**

None.

**(F) CONSENT**

**(F-1) County Manager - SMG Agreement Renewal**

Cabarrus County currently contracts with SMG to manage the operations of the Cabarrus Arena and Events Center. The County has had a positive relationship with SMG for the past 9 1/2 years. The original agreement called for an initial five-year period with an additional five year period should both parties agree. The second period will end on June 30, 2015. SMG is now seeking an additional agreement with the County, very similar to the original agreement, including another five year period with the option to extend an additional five years with the agreement of both parties.

UPON MOTION of Vice Chairman Poole, seconded by Commissioner Shue and unanimously carried, the Board authorized the County Manager to execute the agreement, subject to review by the County Attorney.

**(F-2) EMS - Ambulance Fee Increase**

Emergency Medical Services (EMS) is requesting an adjustment to ambulance fees in order to align with 150 percent of the Medicare Fee Schedule and to be consistent with common EMS industry practice. Adoption of this fee increase is projected to generate \$230,000.00 in revenue. Revenue projections and recommendation for the fee increase have been reviewed with County Management and the EMS Third Party Billing Vendor (EMS MC).

The proposed Ambulance Fee increase is as follows:

Fee	Current	Proposed
BLS Non-Emergency	\$350	\$350.00
BLS Emergency	\$350	\$515.97
ALS Non-Emergency	\$400	\$400.00
ALS Emergency	\$450	\$612.71
ALS 2	\$500	\$886.82
Specialty Care Transport	Not provided currently	\$1048.05
Mileage	\$7.50	\$10.91
ALS Treatment/no-transport	\$150	\$200

UPON MOTION of Vice Chairman Poole, seconded by Commissioner Shue and unanimously carried, the Board approved the ambulance fee increase, to be effective July 1, 2015.

**(F-3) Finance - FY15 Prime Farmland Budget Amendment and Project Ordinance-\$125,000.00**

The Board of Commissioners approved the funding of \$125,000.00 for Prime Farmland on June 16, 2014 as part of the Capital Improvement Plan included in the FY15 Budget. The Small Projects Capital Fund budget and related Small Projects Capital Projects Ordinance were not updated at that time. This agenda item appropriates funding within the Small Projects Fund to properly account for the \$125,000.00 funding.

UPON MOTION of Vice Chairman Poole, seconded by Commissioner Shue and unanimously carried, the Board approved the updated Small Projects Capital Project Ordinance and related budget amendment.

Date: 3/16/2015 Amount: \$125,000  
 Dept. Head: Pamela S. Dubois Department: Small Capital Projects Fund  
 Internal Transfer Within Department  Transfer Between Departments/Funds  Supplemental Request

Purpose: The Board approved the funding of \$125,000 for Prime land Farmland on June 16, 2014 as part of the Capital Improvement Plan for the FY 2015 Budget. No budget revision was prepared at that time.

Account Number	Account Name	Approved Budget	Inc Amount	Dec Amount	Revised Budget
46060000-6023	Deferred Taxes	\$490,502.59		\$125,000.00	\$365,502.59
46090000-9830	Other Improvements	\$541,607.13		\$125,000.00	\$416,607.13
46063270-6023	Deferred Taxes	\$125,000.00	\$125,000.00		\$250,000.00
46093270-9698	S&W District	\$200,000.00	\$100,000.00		\$300,000.00
46093270-9445	Purchase Services	\$50,000.00	\$25,000.00		\$75,000.00

Ordinance No. 2015-06

CABARRUS COUNTY SMALL PROJECTS  
 CAPITAL PROJECT ORDINANCE

BE IT ORDAINED, by the Board of County Commissioners of the County of Cabarrus, North Carolina that, pursuant to Section 13.2 of Chapter 159 of

the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section I.

- A. The project authorized is for the purpose of accumulating and appropriating general fund revenues and federal and state grants funds received specifically for use by the appropriate Cabarrus County Department who has received the funds.
- B. The officers of this unit are hereby directed to proceed with this capital project within the terms of the guidelines as set forth by the federal and state government, Generally Accepted Accounting Principles (GAAP) and the budget contained herein.
- C. It is estimated that the following revenues will be available to complete capital projects as listed:

Board of Elections Department:	
Interest on Investments	\$ 33,200
Contribution from General Fund	\$ 25,621
Contribution from Capital Reserve	\$ 150,000
	<u>\$ 208,821</u>
Register of Deeds Department:	
Register of Deeds Fees	\$ 1,146,662
Interest on Investments	\$ 37,303
Contribution from General Fund	\$ 77,504
	<u>\$1,261,469</u>
Soil and Water Department:	
ADFP Grant	\$ 89,600
Clean Water Trust Fund Grant	\$ 521,833
Clarke Creek Grant	\$ 49,800
EEP Contract	\$ 16,900
Operating Revenues (Fees, Donations)	\$ 10,807
Porter Project	\$ 525,000
Porter Project2	\$ 684,338
Contribution from General Fund	\$ 125,000
Deferred Farm Tax Collections	\$ 250,000
Interest on Investments	\$ 1,700
	<u>\$ 2,274,978</u>
Commerce Department:	
NC Tobacco Trust Fund - Site Development	\$ 75,000
Cooperative Extension Department:	
ADFP Grant	\$ 675,000
Contribution from Capital Reserve	\$ 400,000
Contribution from General Fund	\$ 611,178
Interest on Investments	\$ 342
	<u>\$ 1,686,520</u>
Elma C. Lomax Farm Project:	
Deferred Farm Tax Collections	\$ 65,062
Deferred Farm Tax Interest on Investments	\$ 8,941
Contribution from General Fund	\$ 197,229
Donations - Cannon Trust	\$ 152,600
Operating Revenues (Fees, Donations)	\$ 7,301
Interest on Investments	\$ 7,837
	<u>\$ 438,970</u>
Local Agricultural Preservation Projects:	
Deferred Farm Tax Collections	\$ 365,503
Deferred Farm Tax Interest	\$ 75,104
Interest on Investments	\$ 1,000
	<u>\$ 441,607</u>
TOTAL REVENUES	<u>\$ 6,387,365</u>

- D. The following appropriations are made as listed:

Board of Elections Department:	
Board of Elections Equipment and Furniture	\$ 208,821
Register of Deeds Department:	
Register of Deeds Automation & Preservation	\$ 1,261,469
Soil and Water Department:	
ADFP Conservation Easement	\$ 89,600
Clean Water Trust Fund Grant	\$ 538,436
Clarke Creek Grant	\$ 33,197
EEP Contract	\$ 16,900
Soil & Water Farm Easements	\$ 375,000
Porter Project	\$ 525,000
Porter Project2	\$ 684,338

Operating Expenses (Supplies, Maintenance)	\$ 12,507
	<u>\$ 2,274,978</u>
Commerce Department:	
NC Tobacco Trust Fund Grant	\$ 75,000
Cooperative Extension Department:	
Operational Project Expenses	\$ 1,686,520
Elma C. Lomax Farm Project:	
Operational Project Expenses	\$ 438,970
Local Agricultural Preservation Projects:	
Other Improvement Projects	\$ 441,607
TOTAL EXPENDITURES	\$ 6,387,365
GRAND TOTAL - REVENUES	\$ 6,387,365
GRAND TOTAL - EXPENDITURES	\$ 6,387,365

Section II.

- A. Special appropriations to non-profit organizations shall be distributed after the execution of an agreement which ensures that all County funds are used for statutorily permissible public purposes.
- B. The County Manager or designee is hereby authorized to transfer appropriations within or between funds, or modify revenue and expenditure projections as contained herein under the following conditions:
  - 1. The County Manager may transfer amounts between objects of expenditures and revenues within a function without limitation.
  - 2. The County Manager may transfer amounts up to \$100,000 between functions of the same fund.
  - 3. The County Manager may transfer amounts between contingency funds which are set aside for a specific project for budgetary shortfalls or upon the appropriate approval of a change order.
  - 4. The County Manager is authorized to transfer funds from the General Fund or Capital Reserve Fund to the appropriate fund for projects approved within the Capital Improvement Plan for the current fiscal year.
  - 5. Upon notification of funding increases or decreases to existing grants or revenues, or the award of grants or revenues, the Manager or designee may adjust budgets to match, including grants that require a County match for which funds are available.
  - 6. The County Manager or designee may adjust debt financing from estimated projections to actual funds received.
  - 7. The County Manager may enter into and execute change orders or amendments to County construction contracts in amounts less than \$90,000 when the appropriate annual budget or capital project ordinance contains sufficient appropriated but unencumbered funds.
  - 8. The County Manager may award and execute contracts which are not required to be bid or which G.S. 143-131 allows to be let on informal bids so long as the annual budget or appropriate capital project ordinance contains sufficient appropriated but unencumbered funds for such purposes.
  - 9. The County Manager may execute contracts with outside agencies to properly document budgeted appropriation to such agencies where G.S. 153 A-248(b), 259. 449 and any similar statutes require such contracts.
  - 10. The County Manager may reject formal bids when deemed appropriate and in the best interest of Cabarrus County pursuant to G.S. 143-129 (a).
  - 11. The County Manager may reduce revenue projections consistent with prevailing economic conditions, and also reduce expenditures correspondingly.

Section III.

This ordinance and the budget documents shall be the basis of the financial plan for the County of Cabarrus.

- a. The Finance Director is hereby directed to maintain within the Capital Projects Fund sufficient detailed accounting records to satisfy the requirements of the law.
- b. The Finance Officer is directed to report, at the request of the Board, on the financial status of each project element in Section I and on the total revenues received or claimed.
- c. Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board, and to the Finance Director for direction in carrying out this project.
- d. At the completion of a construction project, all unrestricted excess funds are transferred to the General Fund and the portion of the Capital Project Ordinance associated with the project is closed.

Adopted this 16th day of March 2015.

CABARRUS COUNTY BOARD OF COMMISSIONERS

BY: /s/ Stephen M. Morris  
Stephen M. Morris, Chairman

ATTEST:  
/s/ Megan Smit  
Clerk to the Board

**(F-4) Tax Administration - Refund and Release Report - February 2015**

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. Refund report is a summary sheet which lists data from each refund request form, along with the justification for the refunds to the taxpayers in accordance with N.C.G.S. 105-381.

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

UPON MOTION of Vice Chairman Poole, seconded by Commissioner Shue and unanimously carried, the Board approved the February 2015 Refund-Release report, along with the NCVTS Refund Report, as submitted and granted authority to the Tax Collector to process the refunds and releases. The report is hereby incorporated into the minutes by reference and is on file with the Clerk to the Board.

**(F-5) Tax Collection - Advertisement of 2014 Tax Liens on Real Property**

NCGS 105-369 requires counties to report the amount of unpaid taxes for the current year, 2014, that are liens on real property, less bankruptcies and Tax Commission appeals, and to set an advertisement date.

2014 Real Estate .....	\$7,696,909.67
Less Bankruptcies and PTC Appeals (cannot advertise) .	\$2,201,286.00
Total (As of March 5, 2015) .....	\$5,495,623.67

Requested date of Advertisement of Tax Liens: March 22, 2015.

UPON MOTION of Vice Chairman Poole, seconded by Commissioner Shue and unanimously carried, the Board approved the report of 2014 outstanding delinquent taxes that are liens on real property and ordered the Tax Collector to advertise the tax liens on March 22, 2015.

ORDER OF THE BOARD OF COUNTY COMMISSIONERS  
IN ACCORDANCE WITH N.C.G.S. 105-369

State of North Carolina  
County of Cabarrus

To: J. Brent Weisner, Tax Collector of Cabarrus County

You are hereby authorized, empowered, and commanded to advertise tax liens on real property for failure to pay 2014 property taxes. You shall advertise said liens by posting a notice of liens at the county courthouse and by publishing each lien at least one time in a newspaper having general

circulation in the taxing unit. Advertisement of liens shall be made on Sunday March 22, 2015.

This order shall be a full and sufficient authority to direct, require, and enable you to advertise said tax liens in accordance with North Carolina General Statute 105-369.

Witness my hand and official seal, this 16th day of March 2015.

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

Attest:

/s/ Megan I.E. Smit  
Megan I. E. Smit  
Clerk to the Board of County Commissioners

**(G) NEW BUSINESS**

**(G-1) County Manager - Consideration of Closure of Part of North Drive in Mount Pleasant - Public Hearing 6:30 P.M.**

Chairman Morris advised the public hearing for the closure of North Drive was recessed from February due to inclement weather.

Jonathan Marshall, Deputy County Manager, reiterated, the public hearing was advertised for the February meeting and was recessed to March 16<sup>th</sup> to give more people an opportunity to speak. He stated this request comes from the Cabarrus County Schools Board of Education to close a portion of North Drive which would be necessary to construct a new Mount Pleasant Middle School on that site. This request also went before the Mount Pleasant Board of Commissioners as well as the NCDOT (North Carolina Department of Transportation) Board. The Mount Pleasant Board has unanimously voted to approve the closure of this segment of North Drive. He explained the necessity of both boards approving this request with the south side of the road being in Mount Pleasant's jurisdiction and the north side in Cabarrus County's jurisdiction. He advised the NCDOT Board also voted to approve abandonment of maintenance of that segment of North Drive. He said the last action by this Board would be to adopt an order to close that section of the road. In addition, he advised the public hearing which was opened February 16<sup>th</sup> and recessed to tonight is required.

Chairman Morris re-opened the public hearing at 7:11 p.m. The Public Hearing Notice for the recessed public hearing was posted on the County's website ([www.cabarruscounty.us](http://www.cabarruscounty.us)) on February 19, 2015 and March 4 and 11, 2015 in accordance with Article 2, Administration, Section 2.1 (Use of Electronic Means to Provide Public Notices) of the Cabarrus County Code of Ordinances.

Tina Condor, resident of 200 North Moose Road in Mount Pleasant, and President of Mount Pleasant Middle School PTO, expressed support for the closure of part of North Drive and for fully funding the new facility.

Amber Pope, resident of 8812 Valley Street in Mount Pleasant, spoke in support of the new middle school at its present site and the closure of a part of North Drive. She urged the Boards' support.

Esther Hauber, resident of 590 Jackson Street in Mount Pleasant, and Mount Pleasant Middle School teacher, spoke in support of the closure of part of North Drive. She urged the Board to approve the road closure and proceed with the construction of the new middle school.

Sam Treadaway, resident of 1120 North College Street in Mount Pleasant, spoke in support of the closure of part of North Drive in Mount Pleasant and construction of the new middle school. He also expressed concerns regarding North Carolina House Bill 128.

Tim Farrar, resident of 1124 Hanford Place in Concord, and Mount Pleasant Middle School Principal, expressed support for fully funding the new middle school at its present site and for the closure of a part of North Drive.

Melinda Helmtoller, resident of 8931 Crestwood Drive in Mount Pleasant, spoke in support of the closure of part of North Drive, citing safety concerns. She also expressed support for the construction of the new middle school.

With there being no one else to address the Board; Chairman Morris closed the public hearing.

Commissioner Honeycutt **MOVED** to adopt the order for the closure of North Drive in Mount Pleasant. Vice Chairman Poole seconded the motion.

Vice Chairman Poole requested the motion be amended to include, in the event the school board determines to build on another location, or there was a question of funding, then that portion of North Drive will not be closed. She requested the closure to be effective as of the date the Board of Commissioners fund the middle school project at that location and the Board of Education proceeds to commence construction at that location.

Commissioner Mynatt expressed agreement with Vice Chairman Poole's suggestion for the amendment to the motion.

Commissioner Shue expressed his intent to vote against the motion citing a lack of due diligence by the school system in considering other sites for the new school facility. He stated other sites should be considered, sites that will allow room not only for a future middle school, but a future elementary school also. He reiterated his support for the replacement of Mount Pleasant Middle School.

Chairman Morris inquired about the clarity of the amended motion and its impact on the project.

Dave Burnett, Cabarrus County Schools Director of Construction, advised the amended motion will not present issue with the construction of the new school.

Commissioner Mynatt expressed her intent to vote for the motion. She also expressed concern regarding the amount of requested funding for the new school.

Vice Chairman Poole repeated her requested amendment to the motion to make it contingent upon the closure of North Drive effective as of the date the Board of Commissioners fund the Mount Pleasant Middle School at that location and the Board of Education proceeds to commence construction at that location.

Commissioner Honeycutt amended the **MOTION** to adopt the order for the closure of North Drive in Mount Pleasant contingent upon the closure of North Drive effective as of the date the Board Commissioners fund the Mount Pleasant Middle School at that location and the Board of Education proceeds to commence construction at that location. Vice Chairman Poole amended her second to the motion.

The **MOTION** carried with Chairman Morris, Vice Chairman Poole and Commissioners Honeycutt and Mynatt voting for and Commissioner Shue voting against.

Resolution No. 2015-05

#### Street Closing Order

A RESOLUTION ORDERING THE CLOSING OF A PORTION OF NORTH DRIVE (State Road 2481) SUCH PORTION BEING IN NO. 8 TOWNSHIP, CABARRUS COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY SHOWN ON THE ATTACHED MAP.

WHEREAS, on December 15, 2014, the Cabarrus County Board of Commissioners passed a resolution requesting that the North Carolina Board of Transportation consider abandonment and closure of a portion of North Drive; and

WHEREAS, the request for abandonment of maintenance will be heard by the Board of Transportation at their March, 2015 meeting; and

WHEREAS, on the 20th day of January, 2015 the Cabarrus County Board of Commissioners called for a public hearing to be held on February 16, 2015 at 6:30 p.m., or as soon thereafter as it could be heard; and

WHEREAS, the notification including signage, published advertising and registered mail notification of all property owners who use any part of North Drive for access was completed prior to the public hearing in accordance with N.C. General Statute 153A-241; and

WHEREAS, after full and complete consideration of the matter and having granted full and complete opportunity for all interested persons to appear and register any objections that they might have with respect to the closing of such road portion in the public hearing held on February 16, 2015; and

WHEREAS, it now appears to the satisfaction of the Board of Commissioners that the closing of such portion of North Drive is not contrary to the public interest, and that no individual owning property either abutting the road or in the vicinity of such road will as a result of such closing be thereby deprived of a reasonable means of ingress and egress to his/her property; and

WHEREAS, Cabarrus County Schools have promised that the final design of the Mt. Pleasant Middle School replacement campus will include a gate that can be opened during periods of emergency to provide access to North Drive;

NOW, THEREFORE a portion of North Drive, such portion being in Township 8, Cabarrus County, North Carolina and being more particularly shown on the attached map, is hereby ordered closed, and all right, title and interest that may be vested in the public to such area is hereby released and quitclaimed to the abutting property owners in accordance with the provisions of N.C. General Statute 153A-241,

The Board Chair and Clerk to the Board are hereby authorized to execute quitclaim deeds or other necessary documents in order to evidence vesting all right, title and interest in those persons owning lots or parcels of land adjacent to this road portion, such title, for the width of the abutting land owned by them, to extend to the centerline of the closed portion in accordance with the provisions of N.C. general Statute 153A-241.

The Clerk to the Board is hereby ordered and directed to file at the Office of the Register of Deeds of Cabarrus County a certified copy of this resolution and order.

Upon motion duly made and duly seconded, the above resolution was duly adopted by the Board of Commissioners at the public meeting held on the 16th day of March, 2015.

This 16th day of March, 2015.

CABARRUSCOUNTY  
BOARD OF COMMISSIONERS

/s/ Stephen M. Morris  
Stephen M. Morris, Chairman

ATTEST:  
/s/ Megan Smit  
Megan Smit, Clerk to the Board

(This space intentionally left blank.)

**Mt. Pleasant Middle School North Drive Road Closure  
Exhibit**



**SITE PLAN**

**(G-2) Emergency Management - Adoption of Cabarrus-Stanly-Union Regional Hazard Mitigation Plan - Public Hearing 6:30 P.M.**

Bobby Smith, Emergency Management Director, reported FEMA (Federal Emergency Management Agency) has conditionally approved the Cabarrus Stanly Union Regional Hazard Mitigation Plan. He said this plan is required in order to receive both federal and state disaster funding and that the final step in the process is to hold a public hearing, approve the plan and adopt the resolution.

Chairman Morris opened the public hearing at 7:38 p.m. The Public Hearing Notice was published on March 4 and 15, 2015 in *The Independent Tribune*. The Public Hearing Notice was also posted on the County's website ([www.cabarruscounty.us](http://www.cabarruscounty.us)) on March 4, 2015 in accordance with Article 2, Administration, Section 2.1 (Use of Electronic Means to Provide Public Notices) of the Cabarrus County Code of Ordinances.

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

**UPON MOTION** of Commissioner Honeycutt, seconded by Commissioner Shue and unanimously carried, the Board approved the Cabarrus Stanly Union Regional Hazard Mitigation Plan and adopted the following resolution.

Resolution No. 2015-06

RESOLUTION TO ADOPT THE  
CABARRUS STANLY UNION REGIONAL HAZARD MITIGATION PLAN

WHEREAS, Cabarrus County is vulnerable to an array of natural hazards that can cause loss of life and damages to public and private property; and

WHEREAS, Cabarrus County desires to seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the development and implementation of a hazard mitigation plan can result in actions that reduce the long-term risk to life and property from natural hazards; and

WHEREAS, it is the intent of Cabarrus County to protect its citizens and property from the effects of natural hazards by preparing and maintaining a local hazard mitigation plan; and

WHEREAS, it is also the intent of Cabarrus County to fulfill its obligation under North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive state and federal assistance in the event of a declared disaster affecting Cabarrus County and

WHEREAS, Cabarrus County in coordination with Concord, Harrisburg, Kannapolis, Midland, Mount Pleasant, Stanly County, Albemarle, Badin, Locust, Misenheimer, New London, Norwood, Oakboro, Red Cross, Richfield, Stanfield, Union County, Fairview, Hemby Bridge, Indian Trail, Lake Park, Marshville, Marvin, Mineral Springs, Monroe, Stalling, Unionville, Waxhaw Weddington, Wesley Chapel, and Wingate has prepared a multi-jurisdictional hazard mitigation plan with input from the appropriate local and state officials;

WHEREAS, the North Carolina Division of Emergency Management and the Federal Emergency Management Agency have reviewed the Cabarrus Stanly Union Regional Hazard Mitigation Plan for legislative compliance and has approved the plan pending the completion of local adoption procedures;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Cabarrus County hereby:

1. Adopts the Cabarrus Stanly Union Regional Hazard Mitigation Plan; and
2. Agrees to take such other official action as may be reasonably necessary to carry out the proposed actions of the Plan.

Adopted this the 16<sup>th</sup> day of March, 2015.

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

ATTEST:  
/s/ Megan I.E. Smit  
Megan I. E. Smit, Clerk  
Cabarrus County Board of Commissioners

**(G-3) CCS - Additional Funding Request for Road Improvements for the Odell 3-5 School Site**

Dave Burnett, Cabarrus County Schools Director of Construction, stated the Cabarrus County Schools Board of Education is requesting \$839,500.00 to construct an access from Highway 73 to the Odell 3-5 school site. He advised this request was discussed at the Board of Education meeting on Monday, February 2, 2015 and was approved at the Board of Education meeting on Monday, February 9, 2015.

UPON MOTION of Commissioner Shue, seconded by Commissioner Mynatt and unanimously carried, the Board adopted the project ordinance and related budget amendment.

Date: 2/16/2015 Amount: \$2,839,500.00  
Dept. Head: Pamela S. Dubois Department: School Construction Fund  
 Internal Transfer Within Department  Transfer Between Departments/Funds  Supplemental Request

Purpose: Cabarrus County Schools is requesting \$839,500 in funding to construct an access from Highway 73 to the new Odell 3-5 School. Also, for administrative purposes, Mt. Pleasant Middle School needs to be moved to another fund for tracking purposes, Fund 368.

Account Number	Account Name	Approved Budget	Inc Amount	Dec Amount	Revised Budget
36490000-9821	Building/Renovation	\$312,173.75		\$312,173.75	\$0.00
36497342-9485	Administration Fees	\$60,000.00	\$5,000.00		\$65,000.00

36497342-9606	Engineers	\$172,000.00	\$20,000.00		\$192,000.00
36497342-9607	Architects	\$956,000.00	\$38,500.00		\$994,500.00
36497342-9802	Road Construction	\$450,000.00		\$450,000.00	\$0.00
36497342-9803	Utility Extension	\$545,000.00		\$545,000.00	\$0.00
36497342-9849	Site Development	\$1,300,000.00		\$1,300,000.00	\$0.00
36497342-9820	Construction	\$14,113,241.00	\$3,071,000.00		\$17,184,241.00
36467342-6921	Cont Cap Reserve	\$17,944,166.00	\$527,326.25		\$18,471,492.25
36467332-6921	Cont Cap Reserve	\$2,000,000.00		\$2,000,000.00	\$0.00
36497332-9606	Engineers	\$2,000,000.00		\$2,000,000.00	\$0.00

Ordinance No. 2015-07

CABARRUS COUNTY SCHOOL CONSTRUCTION PROJECT  
BUDGET ORDINANCE

BE IT ORDAINED by the Board of Commissioners of Cabarrus County, North Carolina that, Pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section I.

- A. The project authorized is for the construction and renovations of Public Schools. Details of the projects are listed in section D. of this Project Ordinance.
- B. The officers of this unit are hereby directed to proceed with this capital project within the terms of the Generally Accepted Accounting Principles (GAAP) and the budget contained herein.
- C. It is estimated that the following revenues will be available to complete capital projects as listed.

General Fund Contribution	\$4,220,339
Capital Reserve Contribution	\$18,471,492
Capital Projects Fund Contribution	\$2,738,951
TOTAL REVENUES	\$25,430,782

- D. The following appropriations are made as listed.

Odell Grades 3-5 Elementary School	\$21,217,372
Northwest Middle School Roof	\$1,200,000
Rocky River Elementary School Roof	\$1,494,205
Wincoff Elementary School Roof	\$1,519,205
TOTAL EXPENDITURES	\$25,430,782

GRAND TOTAL - REVENUES	\$25,430,782
GRAND TOTAL - EXPENDITURES	\$25,430,782

Section II.

- A. Special appropriations to non-profit organizations shall be distributed after the execution of an agreement which ensures that all County funds are used for statutorily permissible public purposes.
- B. The County Manager or designee is hereby authorized to transfer appropriations within or between funds, or modify revenue and expenditure projections as contained herein under the following conditions:
  - 1. The Manager may transfer amounts between objects of expenditure and revenues within a function without limitation.
  - 2. The County Manager may transfer amounts up to \$500,000 between

functions of the same fund.

3. The County Manager may transfer amounts between contingency funds which are set aside for a specific project for budgetary shortfalls or upon the appropriate approval of a change order.
4. The County Manager is authorized to transfer funds from the General Fund or Capital Reserve Fund to the appropriate fund for projects approved within the Capital Improvement Plan for the current fiscal year.
5. Upon notification of funding increases or decreases to existing grants or revenues, or the award of grants or revenues, the Manager or designee may adjust budgets to match, including grants that require a County match for which funds are available.
6. The Manager or designee may adjust debt financing from estimated projections to actual funds received.
7. The County Manager may enter into and execute change orders or amendments to construction contracts in amounts less than \$90,000 when the appropriate annual budget or capital project ordinance contains sufficient appropriated but unencumbered funds.
8. The County Manager may award and execute contracts which are not required to be bid or which G.S. 143-131 allows to be let on informal bids so long as the annual budget or appropriate capital project ordinance contains sufficient appropriated but unencumbered funds for such purposes.
9. The County Manager may execute contracts with outside agencies to properly document budgeted appropriations to such agencies where G.S. 153 A-248(b), 259, 449 and any similar statutes require such contracts.
10. The County Manager may reject formal bids when deemed appropriate and in the best interest of Cabarrus County pursuant to G.S. 143-129(a).
11. The County Manager may reduce revenue projections consistent with prevailing economic conditions, and also reduce expenditures correspondingly.

Section III.

This ordinance and the budget documents shall be the basis of the financial plan for the County of Cabarrus.

- a. The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy the requirements of the law.
- b. The Finance Director is directed to report, at the request of the Board, on the financial status of each project element in Section I and on the total revenues received or claimed.
- c. Copies of this capital project ordinance shall be furnished to the Clerk to the governing Board, and to the Finance Director for direction in carrying out this project.
- d. At the completion of a construction project, all unrestricted excess funds are transferred to the General Fund and the portion of the Capital Project associated with the project is closed.

Adopted this the 16th day of March, 2015.

CABARRUS COUNTY BOARD OF COMMISSIONERS

BY: /s/ Stephen M. Morris  
Stephen M. Morris, Chairman

ATTEST:  
/s/ Megan Smit  
Clerk to the Board

(G-4) CCS - Funding Request for Surveying, Geotechnical, and Phase I for Royal Oaks Elementary School Replacement

Dave Burnett, Cabarrus County Schools Director of Construction, stated the Cabarrus County Schools Board of Education is requesting \$30,000.00 for surveying, geotechnical and phase I for the replacement of Royal Oaks Elementary School. He advised this request was discussed at the Board of Education meeting on Monday, February 9, 2015.

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

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Mynatt and unanimously carried, the Board adopted the project ordinance and associated budget revision not to exceed \$30,000.00.

Date: 3/16/2015 Amount: \$2,030,000  
 Dept. Head: Pamela S. Dubois Department: School Construction Debt Fund  
 Internal Transfer Within Department  Transfer Between Departments/Funds  Supplemental Request

Purpose: To establish funding for surveying, geotechnical, and phase I for the replacement of Royal Oaks Elem. The Cabarrus Board of Education is currently pursuing this sight as first selection while looking at other site as a backup option. The County also need to establish the Mt. Pleasant School Replacement funding of \$2,000,000 in this fund from the 364 fund for administrative purposes.

Account Number	Account Name	Approved Budget	Inc Amount	Dec Amount	Revised Budget
36867305-6921	Cont. Capital Reserve	\$0.00	\$30,000.00		\$30,000.00
36897305-9606	Engineering	\$0.00	\$30,000.00		\$30,000.00
36867332-6921	Cont. Capital Reserve	\$0.00	\$2,000,000.00		\$2,000,000.00
36897332-9331	Minor and Equip/Furn	\$0.00	\$552,000.00		\$552,000.00
36897332-9606	Engineering	\$0.00	\$183,000.00		\$183,000.00
36897332-9607	Architect	\$0.00	\$1,200,000.00		\$1,200,000.00
36897332-9485	Administrative	\$0.00	\$15,000.00		\$15,000.00
36897332-9801	Land	\$0.00	\$50,000.00		\$50,000.00

Ordinance No. 2015-08

CABARRUS COUNTY SCHOOL CONSTRUCTION DEBT FUND  
 BUDGET ORDINANCE

BE IT ORDAINED by the Board of Commissioners of Cabarrus County, North Carolina that, Pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section I.

- A. The project authorized is for the construction and renovations of Public Schools. Details of the projects are listed in section D. of this Project Ordinance.
- B. The officers of this unit are hereby directed to proceed with this capital project within the terms of the Generally Accepted Accounting Principles (GAAP) and the budget contained herein.
- C. It is estimated that the following revenues will be available to complete capital projects as listed.

Capital Reserve Contribution	\$3,349,000
<b>TOTAL REVENUES</b>	<b>\$3,349,000</b>

- D. The following appropriations are made as listed.

Kannapolis Middle School	\$1,319,000
Royal Oaks Elementary School	\$30,000
Mt. Pleasant Middle School	\$2,000,000
<b>TOTAL EXPENDITURES</b>	<b>\$3,349,000</b>
<b>GRAND TOTAL - REVENUES</b>	<b>\$3,349,000</b>

GRAND TOTAL - EXPENDITURES

\$3,349,000

## Section II.

- A. Special appropriations to non-profit organizations shall be distributed after the execution of an agreement which ensures that all County funds are used for statutorily permissible public purposes.
- B. The County Manager or designee is hereby authorized to transfer appropriations within or between funds, or modify revenue and expenditure projections as contained herein under the following conditions:
1. The Manager may transfer amounts between objects of expenditure and revenues within a function without limitation.
  2. The County Manager may transfer amounts up to \$500,000 between functions of the same fund.
  3. The County Manager may transfer amounts between contingency funds which are set aside for a specific project for budgetary shortfalls or upon the appropriate approval of a change order.
  4. The County Manager is authorized to transfer funds from the General Fund or Capital Reserve Fund to the appropriate fund for projects approved within the Capital Improvement Plan for the current fiscal year.
  5. Upon notification of funding increases or decreases to existing grants or revenues, or the award of grants or revenues, the Manager or designee may adjust budgets to match, including grants that require a County match for which funds are available.
  6. The Manager or designee may adjust debt financing from estimated projections to actual funds received.
  7. The County Manager may enter into and execute change orders or amendments to construction contracts in amounts less than \$90,000 when the appropriate annual budget or capital project ordinance contains sufficient appropriated but unencumbered funds.
  8. The County Manager may award and execute contracts which are not required to be bid or which G.S. 143-131 allows to be let on informal bids so long as the annual budget or appropriate capital project ordinance contains sufficient appropriated but unencumbered funds for such purposes.
  9. The County Manager may execute contracts with outside agencies to properly document budgeted appropriations to such agencies where G.S. 153 A-248(b), 259, 449 and any similar statutes require such contracts.
  10. The County Manager may reject formal bids when deemed appropriate and in the best interest of Cabarrus County pursuant to G.S. 143-129(a).
  11. The County Manager may reduce revenue projections consistent with prevailing economic conditions, and also reduce expenditures correspondingly.

## Section III.

This ordinance and the budget documents shall be the basis of the financial plan for the County of Cabarrus.

- a. The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy the requirements of the law.
- b. The Finance Director is directed to report, at the request of the Board, on the financial status of each project element in Section I and on the total revenues received or claimed.
- c. Copies of this capital project ordinance shall be furnished to the Clerk to the governing Board, and to the Finance Director for

direction in carrying out this project.

- d. At the completion of a construction project, all unrestricted excess funds are transferred to the General Fund and the portion of the Capital Project associated with the project is closed.

Adopted this the 16th day of March, 2015.

CABARRUS COUNTY BOARD OF COMMISSIONERS

BY: /s/ Stephen M. Morris  
 Stephen M. Morris, Chairman

ATTEST:  
/s/ Megan Smit  
 Clerk to the Board

**(G-5) County Manager - Update of Capital Reserve Project Ordinance and Related Budget Amendment**

Pam Dubois, Senior Deputy County Manager, stated at the March 2, 2015 Board of Commissioners' work session, direction was given to update the Capital Reserve Project Ordinance and related budget amendment to allocate funds to the Odell 3-5 School Road Improvements (\$527,326.25), to allocate funds to the Royal Oaks Elementary School surveying, geotechnical and Phase I expenditures (\$30,000.00) and to release funds (\$11,486,500.00) to be used for other county projects.

UPON MOTION of Vice Chairman Poole, seconded by Commissioner Shue and unanimously carried, the Board approved the updated Capital Reserve Project Ordinance and related budget amendment.

Date: 3/3/2015 Amount: \$10,929,173.75  
 Dept. Head: Susan Fearington Department: Finance - Capital Reserve Fund  
 Internal Transfer Within Department  Transfer Between Departments/Funds  Supplemental Request

Purpose: This budget amendment commits \$527,326.25 of Capital Reserve Funds for the Odell 3-5 School Road Improvements, \$30,000 for the Royal Oaks surveying, geotechnical and Phase I expenditures, and releases (\$11,486,500) in funds to be used for other County projects.

Account Number	Account Name	Approved Budget	Inc Amount	Dec Amount	Revised Budget
45097220-9708	Cont to Cap Proj Fd	\$41,255,871.56		\$10,929,173.75	\$30,326,697.81
45097220-9821	Building & Renovations	\$3,255,977.49	\$10,929,173.75		\$14,185,151.24

Ordinance No. 2015-09

CABARRUS COUNTY CAPITAL RESERVE  
 CAPITAL PROJECT BUDGET ORDINANCE

BE IT ORDAINED by the Board of Commissioners of Cabarrus County, North Carolina that, Pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section I.

- A. The project authorized is for the purpose of accumulating and appropriating funds specifically for future County and School capital projects.
- B. The officers of this unit are hereby directed to proceed with this capital project within the terms of the Generally Accepted Accounting Principles (GAAP) and the budget contained herein.
- C. It is estimated that the following revenues will be available to complete capital projects as listed.

Contributions from General Fund	\$45,074,750
Contributions from CVB	\$398,000
Interest on Investments	\$307,142

TOTAL REVENUES	\$45,779,892
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- D. The following appropriations are made as listed:

Odell 3-5 Elementary School	\$18,471,492
Mt. Pleasant Middle School	\$2,000,000

Replacement	\$30,000
Royal Oaks Elementary	\$6,331,633
County Facility Projects	\$4,243,573
Park Projects	\$398,000
Park Projects/CVB	\$13,650,151
Other County Capital Projects	\$280,043
Community College Renovations	\$375,000
Harrisburg EMS Station	
 TOTAL EXPENDITURES	 \$45,779,892
 GRAND TOTAL - REVENUES	 \$45,779,892
GRAND TOTAL - EXPENDITURES	\$45,779,892

Section II.

- A. Special appropriations to non-profit organizations shall be distributed after the execution of an agreement which ensures that all County funds are used for statutorily permissible public purposes.
- B. The County Manager or designee is hereby authorized to transfer appropriations within or between funds, or modify revenue and expenditure projections as contained herein under the following conditions:
  1. The Manager may transfer amounts between objects of expenditure and revenues within a function without limitation.
  2. The County Manager may transfer amounts up to \$100,000 between functions of the same fund.
  3. The County Manager may transfer amounts between contingency funds which are set aside for a specific project for budgetary shortfalls or upon the appropriate approval of a change order.
  4. The County Manager is authorized to transfer funds from the General Fund or Capital Reserve Fund to the appropriate fund for projects approved within the Capital Improvement Plan for the current fiscal year.
  5. Upon notification of funding increases or decreases to existing grants or revenues, or the award of grants or revenues, the Manager or designee may adjust budgets to match, including grants that require a County match for which funds are available.
  6. The Manager or designee may adjust debt financing from estimated projections to actual funds received.
  7. The County Manager may enter into and execute change orders or amendments to construction contracts in amounts less than \$90,000 when the appropriate annual budget or capital project ordinance contains sufficient appropriated but unencumbered funds.
  8. The County Manager may award and execute contracts which are not required to be bid or which G.S. 143-131 allows to be let on informal bids so long as the annual budget or appropriate capital project ordinance contains sufficient appropriated but unencumbered funds for such purposes.
  9. The County Manager may execute contracts with outside agencies to properly document budgeted appropriations to such agencies where G.S. 153 A-248(b), 259, 449 and any similar statutes require such contracts.
  10. The County Manager may reject formal bids when deemed appropriate and in the best interest of Cabarrus County pursuant to G.S. 143-129(a).
  11. The County Manager may reduce revenue projections consistent with prevailing economic conditions, and also reduce expenditures correspondingly.

Section III.

This ordinance and the budget documents shall be the basis of the

financial plan for the County of Cabarrus.

- a. The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy the requirements of the law.
- b. The Finance Director is directed to report, at the request of the Board, on the financial status of each project element in Section I and on the total revenues received or claimed.
- c. Copies of this capital project ordinance shall be furnished to the Clerk to the governing Board, and to the Finance Director for direction in carrying out this project.
- d. At the completion of a construction project, all unrestricted excess funds are transferred to the General Fund and the portion of the Capital Project associated with the project is closed.

Adopted this the 16th day of March, 2015.

CABARRUS COUNTY BOARD OF COMMISSIONERS

BY: /s/ Stephen M. Morris  
Stephen M. Morris, Chairman

ATTEST:

/s/ Megan Smit  
Clerk to the Board

**(G-6) County Manager - Proposal to Construct New Driveway for Concord Senior Center**

Jonathan Marshall, Deputy County Manager, reported the City of Concord is considering a rezoning proposal for a parcel across from the Concord Senior Center located at the southeast corner of N.C. 3 (Branchview Drive) and N.C. 73 (Corban Avenue). If the rezoning is approved, the property developer may need to align the new development with the Concord Senior Center driveway. He advised this will require the Senior Center driveway to be relocated. The developer's proposal is to build a new driveway into the Concord Senior Center and LIFE Center that would align with the driveway for the new development. All this work would be done at the expense of the private developer and would include a donation of a parcel of land that is currently used for Senior Center overflow parking. He further advised the rezoning is still being considered and is scheduled to go before the Concord Planning and Zoning Commission on April 21<sup>st</sup>. He stated this is not a zoning action for the County adding, if this development occurs, the alignment of the driveways would be required under the current proposal for the development.

Commissioner Mynatt expressed a preference to table this item until after the Concord Planning and Zoning Commission has approved the rezoning.

Commissioner Mynatt **MOVED** to table "County Manager - Proposal to Construct New Driveway for Concord Senior Center" to a later date. Commissioner Honeycutt seconded the motion.

A discussion ensued. The following items were discussed: waiting until the City of Concord has made their decision; the statement of interest requested by the developer regarding the driveway and sign relocation; consideration of accepting the donated property; etc.

Dan Moseley, Retail and Commercial Real Estate Services, noted much work has gone into the project in order to present the project to the Concord Planning and Zoning Commission. He stated the proposed relocation of the driveway is the preferred plan but if the county does not approve of the current proposed driveway, there are other layouts that do not involve the Senior Center.

Vice Chairman Poole commented on requests from the public to delay this item. She advised if the rezoning is approved by Concord, it would benefit the County to agree to the driveway relocation and land donation. She requested an addition to the motion specifying to table the item until the May 4<sup>th</sup> work session.

Commissioner Mynatt amended her **MOTION** to table "County Manager - Proposal to Construct New Driveway for Concord Senior Center" to the May 4<sup>th</sup>

work session. Commissioner Honeycutt amended her second to the motion and the MOTION unanimously carried.

**(G-7) BOC - Resolution Regarding Regulation of Bio-Solids in Cabarrus County**

Mike Downs, County Manager, stated adopting the resolution is an opportunity for the Board to make a statement, understanding that the process is regulated by the state. Also, if the resolution is approved, it requests access to the results of the required inspections. He announced the public hearing being held by the North Carolina Environmental Management Commission is scheduled for March 24, 2015 at 7:00 p.m. at Mount Pleasant High School. Registration for the public hearing will begin at 6:30 p.m.

Chairman Morris read the resolution aloud.

UPON MOTION of Commissioners Shue, seconded by Commissioner Honeycutt and unanimously carried, the Board adopted the Resolution Regarding the Land Application of Residuals in Cabarrus County.

Resolution No. 2015-07

RESOLUTION REGARDING THE  
LAND APPLICATION OF RESIDUALS IN CABARRUS COUNTY

WHEREAS, Charlotte-Mecklenburg Utilities, Inc. has submitted a proposal to modify their Water Quality Permit No. WQ0000057 for the application of Water Treatment Plant and Waste Water Treatment Plant Residuals to sites situated within Cabarrus County, North Carolina;

WHEREAS, the North Carolina Environmental Management Commission based on preliminary staff review and application of Article 21 of Chapter 143, General Statutes of North Carolina, and other lawful standards and regulation, proposes to renew Permit No. WQ0000057 with modifications;

WHEREAS, the Cabarrus County Board of Commissioners acknowledge the responsibility and authority of the North Carolina Environmental Management Commission to accept, review and act on such permits;

WHEREAS, the North Carolina Department of Environment and Natural Resources, Division of Water Resources, Water Quality Permit Section requires periodic site inspections and tests as well as produces the Residuals Management Annual Report, released on March 1<sup>st</sup> of every year;

NOW THEREFORE BE IT RESOLVED that the Cabarrus County Board of Commissioners hereby request:

1. To receive monthly updates regarding land application of residual and waste water permits filed for sites located in Cabarrus County, North Carolina;
2. To receive updates pertaining to site or soil inspections relating to land application of residuals and waste water permits within Cabarrus County; and
3. To receive a copy, upon its yearly release, of the Residuals Management Annual Report as filed with the United States Environmental Protection Agency and the North Carolina Department of Environment and Natural Resources.

Adopted this 16th day of March, 2015.

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

ATTEST:

/s/ Megan I.E. Smit  
Megan I. E. Smit, Clerk to the Board

**(H) APPOINTMENTS TO BOARDS AND COMMITTEES**

None.

**(I) REPORTS**

**(I-1) County Manager - Monthly Reports on Building Activity**

The Board received the Cabarrus County Construction Standards Dodge Report for February 2015 and the Cabarrus County Commercial Building Plan Review Summary for February 2015 for informational purposes as part of the Agenda. No action was required of the Board.

**(I-2) EDC - February 2015 Monthly Summary Report**

The Board received the Cabarrus Economic Development Corporation (EDC) monthly report for the month of February as part of the Agenda. No action was required of the Board.

**(I-3) Finance - Monthly Financial Update**

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

**(I-4) BOC - Receive Updates from Commission Members Who Serve as Liaisons to Municipalities or on Various Boards/Committees**

Commissioner Mynatt gave an update on the Cabarrus Youth Commissions' activities.

**(I-5) Request for Applications for County Boards/Committees**

Applications are being accepted for the following County Boards/Committees:

- Adult Care Home Community Advisory Committee - 7 Vacant Positions
- Cabarrus County Planning and Zoning Commission - 1 Vacant Position
- Concord Planning and Zoning Commission (ETJ) - 1 Vacant Position
- Industrial Facilities and Pollution Control Financing Authority - 1 Vacant Position
- Juvenile Crime Prevention Council - 1 Vacant Position
- Nursing Home Community Advisory Committee - 6 Vacant Positions
- Transportation Advisory Board - 7 Vacant Positions
- Youth Council - 7 Vacant Positions

Chairman Morris reviewed the aforementioned list and urged citizens to consider participating on a Board or Committee.

**(J) GENERAL COMMENTS BY BOARD MEMBERS**

Commissioner Honeycutt advised she is liaison to the Senior Centers Advisory Council and commended the success of the Senior Health and Wellness Event.

Vice Chairman Poole reviewed details regarding Kibbles and Bids, a charity event to support Kitty City and Cabarrus Cares, as well as information related to an exhibit of Robert Phifer's Art Collection by Historic Cabarrus; she also urged citizens to become familiar with House Bill 128.

Commissioner Shue commented on progress being made on the Town of Midland's new town hall; he also commended Kannapolis City Schools for their 'Smart Girls Know' programming.

Chairman Morris advised he joined others at the City of Kannapolis earlier in the day for the signing of the documents to purchase downtown Kannapolis; he commended elected officials from the City of Kannapolis.

**(K) WATER AND SEWER DISTRICT OF CABARRUS COUNTY**

None.

**(L) CLOSED SESSION**

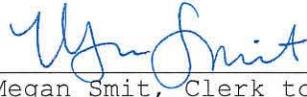
**(L-1) Closed Session - Pending Litigation and Economic Development**

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Mynatt and unanimously carried, the Board moved to go into closed session to consult with the County Attorney to discuss matters related to pending litigation and economic development as authorized by NCGS 143-318.11(a)(3) and (4). Richard Koch and Margie Bukowski were invited into the closed session.

UPON MOTION of Commissioner Honeycutt, seconded by Commissioner Mynatt and unanimously carried, the Board moved to come out of closed session.

(M) ADJOURN

UPON MOTION of Commissioner Shue, seconded by Commissioner Mynatt and unanimously carried, the meeting adjourned at 9:18 p.m.



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Megan Smit, Clerk to the Board