Cleveland County Board of Commissioners  
March 15, 2022

The Cleveland County Board of Commissioners met on this date, at the hour of 6:00 p.m. in the Commission Chambers of the Cleveland County Administrative Offices.

PRESENT:  
Kevin Gordon, Chairman  
Deb Hardin, Vice-Chair  
Johnny Hutchins, Commissioner  
Ronnie Whetstine, Commissioner  
Doug Bridges, Commissioner  
Tim Moore, County Attorney  
Brian Epley, County Manager  
Phyllis Nowlen, Clerk to the Board  
Kerri Melton, Assistant County Manager  
Chris Martin, Planning Director  
Betsy Harnage, Register of Deeds  
Sherry Lavender, Tax Assessor  
Tiffany Hansen, Health Department Director  
Perry Davis, Emergency Management Director/Fire Marshal  
Sandra Orvig, Shooting Range Director  
Scott Bowman, Maintenance Director  
Allison Mauney, Human Resources Director  
Tommy McNeilly, Emergency Medical Services Director

CALL TO ORDER

Chairman Gordon called the meeting to order and invited anyone from the audience to lead the Pledge of Allegiance and provide the invocation.

Jim Medlon provided the invocation and led the audience in the Pledge of Allegiance.

AGENDA ADOPTION

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Hardin and unanimously adopted by the Board to, approve the agenda with the following addition to the Board Appointments:

Item 11b. Cleveland Community College Board of Trustees

Commissioner Hutchins advised he is stepping down from serving on the Cleveland Community College Board of Trustees effective immediately, and a replacement will need to be appointed.

SPECIAL RECOGNITION

Retirement of Symantha Franklin: Chairman Gordon recognized Business Officer Sherry Vess with the Cleveland County Social Services Office. Ms. Vess gave a brief account of Symantha Franklin, citing the many accomplishments and contributions through her 23-year tenure at Social Services. The Board presented Ms. Franklin with a retirement plaque and gave congratulations.

CITIZEN RECOGNITION

Brandon Ruppe, 137 S. Post Rd., Shelby – spoke about the Prison to Community Simulation Event sponsored by STI, Cleveland Community College and other businesses in the county. Mr. Ruppe outlined the purpose of the Prison to Community program and the awareness this event will bring.
Matthew Maples, STI Sponsor, Kings Mountain – spoke about the importance of the Prison to Community program, which began in 2019, and the positive impacts it has had on STI and, more importantly, the community.

David Trammel, Shelby Rescue Squad – spoke about the new model system for the rescue squads stating he thinks this is the best for the citizens, employees and the community moving forward.

Jonie Blanton, Kings Mountain Rescue Squad – spoke about the history of the Kings Mountain Rescue Squad and the contributions it has made to the community. He also voiced his opinion about the ending of the franchise agreements with the rescue squads.

Debbie Morgan, Upper Cleveland Rescue Squad – is the Chairman of the Upper Cleveland Rescue Board and gave her opinion on the completed rescue squad study and the franchise agreements scheduled to end on June 30, 2022.

CONSENT AGENDA

APPROVAL OF MINUTES

The Clerk to the Board included the Minutes from December 7, December 20, 2021, January 18, January 20 and February 1, 2022, regular meetings in Board members’ packets.

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and passed unanimously by the Board to, approve the minutes as written.

MONTHLY MANAGER’S REPORT

• Finance is now in full swing of the budget process. With capital and operational requests received, individual department meetings will be scheduled in the coming weeks to go over departmental budgets. The Commissioners’ work session held in February was instrumental in setting the direction of this year’s budget.

• General Fund revenues through mid-year continue to show positive economic trends, increasing around 2.5% over this period in FY 21. Expenditures remained very comparable with a slight decrease of approximately 0.2%. The revenue increase was primarily driven by the County’s tax base growth and economic vibrancy shown through the Local Option Sales Tax.

• The County has successfully closed on recent debt borrowings for the Health Department and Social Services Co-Location project and the Shell Building 4 project. Both projects are underway, and the County continues to maintain a strong bond rating and debt portfolio.
TAX COLLECTOR'S MONTHLY REPORT

The Tax Collector provided Commissioners with the following detailed written report regarding taxes collected during January 2022.
The Tax Collector provided Commissioners with the following detailed written report regarding taxes collected during February 2022.

### TOTAL TAXES COLLECTED JANUARY 2021

<table>
<thead>
<tr>
<th>YEAR</th>
<th>AMOUNT-REAL</th>
<th>AMOUNT-VEHI</th>
<th>AMOUNT-GAP</th>
<th>COMBINED AMT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2021</td>
<td>$15,783,010.90</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$15,783,010.90</td>
</tr>
<tr>
<td>2020</td>
<td>$40,943.97</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$40,943.97</td>
</tr>
<tr>
<td>2019</td>
<td>$15,995.86</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$15,995.86</td>
</tr>
<tr>
<td>2018</td>
<td>$6,817.21</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$6,817.21</td>
</tr>
<tr>
<td>2017</td>
<td>$9,634.60</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$9,634.60</td>
</tr>
<tr>
<td>2016</td>
<td>$3,321.13</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$3,321.13</td>
</tr>
<tr>
<td>2015</td>
<td>$988.14</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$988.14</td>
</tr>
<tr>
<td>2014</td>
<td>$333.82</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$333.82</td>
</tr>
<tr>
<td>2013</td>
<td>$533.97</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$533.97</td>
</tr>
<tr>
<td>2012</td>
<td>$501.06</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$501.06</td>
</tr>
<tr>
<td>2011</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

TOTALS $15,880,927.98 $8.06 $7,923.86 $15,870,872.52

| DISC | $0.00 | $0.00 | $0.00 | $0.00 |
| TOTAL | $15,908,015.17 | $9.42 | $7,181.79 | $15,920,397.39 |

### TOTAL TAXES UNCOLLECTED JANUARY 2021

<table>
<thead>
<tr>
<th>AMOUNT-REAL</th>
<th>AMOUNT-VEHI</th>
<th>AMOUNT-GAP</th>
<th>COMBINED AMT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2021</td>
<td>$2,811,038.96</td>
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<td>$0.00</td>
</tr>
<tr>
<td>2020</td>
<td>$602,279.35</td>
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</tr>
<tr>
<td>2019</td>
<td>$786,610.90</td>
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</tr>
<tr>
<td>2018</td>
<td>$398,209.93</td>
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</tr>
<tr>
<td>2017</td>
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<tr>
<td>2016</td>
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<tr>
<td>2015</td>
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<tr>
<td>2014</td>
<td>$143,727.87</td>
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<tr>
<td>2013</td>
<td>$103,731.49</td>
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<tr>
<td>2012</td>
<td>$83,511.87</td>
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<td>$0.00</td>
</tr>
<tr>
<td>2011</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
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</table>

TOTALS $8,415,511.87 $0.00 $182,317.94 $8,597,829.67

### TOTAL TAXES COLLECTED FEBRUARY 2021

<table>
<thead>
<tr>
<th>AMOUNT-REAL</th>
<th>AMOUNT-VEHI</th>
<th>AMOUNT-GAP</th>
<th>COMBINED AMT</th>
</tr>
</thead>
<tbody>
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<td>2021</td>
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</tr>
<tr>
<td>2020</td>
<td>$394,246.62</td>
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<td>$0.00</td>
</tr>
<tr>
<td>2019</td>
<td>$28,510.93</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>2018</td>
<td>$7,012.23</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>2017</td>
<td>$5,796.38</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>2016</td>
<td>$3,091.19</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>2015</td>
<td>$2,938.18</td>
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<td>$0.00</td>
</tr>
<tr>
<td>2014</td>
<td>$1,848.94</td>
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<td>$0.00</td>
</tr>
<tr>
<td>2013</td>
<td>$785.57</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>2012</td>
<td>$472.66</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>2011</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

TOTALS $1,666,435.66 $0.00 $9,623.50 $1,676,059.16

### TOTAL TAXES UNCOLLECTED FEBRUARY 2021

<table>
<thead>
<tr>
<th>AMOUNT-REAL</th>
<th>AMOUNT-VEHI</th>
<th>AMOUNT-GAP</th>
<th>COMBINED AMT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2021</td>
<td>$2,033,007.11</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>2020</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>2019</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>2018</td>
<td>$0.00</td>
<td>$0.00</td>
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</tr>
<tr>
<td>2017</td>
<td>$438.17</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

TOTALS $2,033,007.11 $0.00 $10,793.05 $2,043,800.16

### TOTAL TAXES COLLECTED FEBRUARY 2021

<table>
<thead>
<tr>
<th>AMOUNT-REAL</th>
<th>AMOUNT-VEHI</th>
<th>AMOUNT-GAP</th>
<th>COMBINED AMT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2021</td>
<td>$3,083,912.46</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>2020</td>
<td>$683,783.01</td>
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<td>$0.00</td>
</tr>
<tr>
<td>2019</td>
<td>$741,362.46</td>
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<td>$0.00</td>
</tr>
<tr>
<td>2018</td>
<td>$393,109.84</td>
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<td>$0.00</td>
</tr>
<tr>
<td>2017</td>
<td>$237,588.20</td>
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<td>$0.00</td>
</tr>
<tr>
<td>2016</td>
<td>$172,303.05</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>2015</td>
<td>$138,614.39</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>2014</td>
<td>$142,078.93</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>2013</td>
<td>$104,956.12</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>2012</td>
<td>$83,357.91</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>2011</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

TOTALS $5,461,211.99 $0.00 $172,193.63 $5,633,405.62

| DISC | $0.00 | $0.00 | $0.00 | $0.00 |

TOTAL UNCOLLECTED $7,012,891.83 $0.00 $259,466.36 $7,272,358.19
TAX ABATEMENTS AND SUPPLEMENTS AND PENDING REFUNDS/RELEASES

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during **January 2022**. The monthly grand total of tax abatements was listed as ($127,452.76) and the monthly grand total for tax supplements was $114,118.67.

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during **February 2022**. The monthly grand total of tax abatements was listed as ($1,163.20) and the monthly grand total for tax supplements was listed as $460,894.83.

The Tax Administration Office is requesting the release of $736.23 in a total refund to LeMaster #1 Family LLC to correct a clerical error due to acreage out conveyance. The County Tax Assessor has reviewed the requests and advised they are in order for Board approval.

**ACTION:** Commissioner Hardin made the motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board, to **approve the Abatements and Supplements and Pending Refunds/Releases as submitted by the Tax Assessor.**

**FINANCE DEPARTMENT: BUDGET AMENDMENT (BNA #036)**

**ACTION:** Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, **approve the following budget amendment:**

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Project Code</th>
<th>Department/Account Name</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>492.249.4.400.00</td>
<td>9.400.00</td>
<td>Cap Proj-DSS Relocation/Loan Proceeds</td>
<td>$3,500,000.00</td>
<td></td>
</tr>
<tr>
<td>492.249.9.980.41</td>
<td>9.980.00</td>
<td>Cap Proj-DSS Relocation/Tx fm Cap Reserve</td>
<td>$500,000.00</td>
<td></td>
</tr>
<tr>
<td>492.249.5.991.00</td>
<td>5.991.00</td>
<td>Cap Proj-DSS Relocation/Const in Progress</td>
<td>$3,500,000.00</td>
<td></td>
</tr>
<tr>
<td>492.249.5.490.00</td>
<td>5.490.00</td>
<td>Cap Proj-DSS Relocation/Professional Services</td>
<td>$500,000.00</td>
<td></td>
</tr>
</tbody>
</table>

**Explanation of Revisions:** Budget allocation for $3,500,000 for loan proceeds for the funding for the Health Department and Social Services co-location project.
TAX ADMINISTRATION: BUDGET AMENDMENT (BNA #037)

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, approve the following budget amendment:

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Project Code</th>
<th>Department/Account Name</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>010.410.4.111.18</td>
<td>General Revenues/Ad Valorem Taxes-2018</td>
<td>$20,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>010.410.4.111.19</td>
<td>General Revenues/Ad Valorem Taxes-2019</td>
<td>$100,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>010.415.5.490.00</td>
<td>Tax Admin/Professional Services</td>
<td>$120,000.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Explanations of Revisions: Budget allocation for $120,000 to cover Tax Management Associates for business property tax audit fees.

SHERIFF’S OFFICE: BUDGET AMENDMENT (BNA #038)

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, approve the following budget amendment:

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Project Code</th>
<th>Department/Account Name</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>010.436.4.350.00</td>
<td>Sheriff MCU/State Government Grants</td>
<td>$450,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>010.436.5.910.00</td>
<td>Sheriff MCU/Capital Equipment</td>
<td>$450,000.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Explanations of Revisions: Budget allocation for $450,000 in funds received from the North Carolina Office of State Budget and Management to purchase a mobile command unit.

SHERIFF’S OFFICE: BUDGET AMENDMENT (BNA #039)

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, approve the following budget amendment:

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Project Code</th>
<th>Department/Account Name</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>010.437.4.350.00</td>
<td>NCDPS-EQUIP Public Safety Grants/State Govt Grants</td>
<td>$84,270.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>010.437.5.211.00</td>
<td>NCDPS-EQUIP Public Safety Grants/Controlled Equipment</td>
<td>$84,270.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Explanations of Revisions: Budget allocation for $84,270 in funds received from the North Carolina Department of Public Safety to purchase equipment for patrol vehicles.

EMERGENCY MANAGEMENT: BUDGET AMENDMENT (BNA #040)

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, approve the following budget amendment:

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Project Code</th>
<th>Department/Account Name</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>010.445.4.409.00</td>
<td>Emergency Management/Local Revenues</td>
<td>$49,200.00</td>
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<td></td>
</tr>
<tr>
<td>010.445.5.250.00</td>
<td>Emergency Management/Uniforms-Clothing</td>
<td>$1,000.00</td>
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<td></td>
</tr>
<tr>
<td>010.455.5.910.00</td>
<td>Emergency Management/Capital Equipment</td>
<td>$48,200.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Explanations of Revisions: Budget allocation for $49,200 in funds received from Duke Energy to be used to purchase supplies and equipment to enhance emergency operations.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #041)

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, approve the following budget amendment:

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Project Code</th>
<th>Department/Account Name</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>012.534.4.310.58</td>
<td>School Health/Federal Govt Grant-ARPA</td>
<td>$163,604.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>012.534.5.422.58</td>
<td>School Health/Contracted Labor</td>
<td>$163,604.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Explanations of Revisions: Budget allocation for $163,604 in funds received from the North Carolina Department of Health and Human Services thru the CDC ARPA funds. These funds will be used in the School Health Program to provide nursing coverage to assist with the COVID-19 public health response in Cleveland County Schools.
HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #042)

**ACTION:** Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, **approve the following budget amendment:**

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Project Code</th>
<th>Department/Account Name</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>012.540.5.310.40</td>
<td>WIC/Federal Govt Grant-WIC CS</td>
<td>$12,323.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>012.540.5.210.40</td>
<td>WIC/Departmental Supply</td>
<td>$4,340.00</td>
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<tr>
<td>012.540.5.211.40</td>
<td>WIC/Controlled Property</td>
<td>$7,983.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Explanation of Revisions:* Budget allocation for $12,323 in additional funds received from the North Carolina Department of Health and Human Services for the WIC Client Services program. Funds will be used to purchase furniture and office supplies for the WIC Department.

FINANCE DEPARTMENT: BUDGET AMENDMENT (BNA #043)

**ACTION:** Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, **approve the following budget amendment:**

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Project Code</th>
<th>Department/Account Name</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>065.981.4.991.00</td>
<td>Health Plan/Fund Balance Appropriated</td>
<td>$621,000.00</td>
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<tr>
<td>065.981.5.890.00</td>
<td>Health Plan/Interfund Transfers</td>
<td>$621,000.00</td>
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<td></td>
</tr>
<tr>
<td>013.660.4.980.65</td>
<td>Employee Wellness/Transfers From Health Plan</td>
<td>$621,000.00</td>
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<tr>
<td>013.660.5.230.01</td>
<td>Employee Wellness/Prescription Drugs</td>
<td>$621,000.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Explanation of Revisions:* Budget allocation for $621,000 in funds to cover prescription drugs for the Employee Wellness Center.

FINANCE DEPARTMENT: BUDGET AMENDMENT (BNA #044)

**ACTION:** Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, **approve the following budget amendment:**

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Project Code</th>
<th>Department/Account Name</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>044.802.4.991.00</td>
<td>Capital Loan Fund/Fund Balance Appropriated</td>
<td>$1,000,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>044.802.5.890.00</td>
<td>Capital Loan Fund/Interfund Transfers</td>
<td>$1,000,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>493.250.4.980.44</td>
<td>Justice Ctr Campus/Contributions From Reimbursement</td>
<td>$1,000,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>493.250.5.420.00</td>
<td>Justice Ctr Campus/Contracted Services</td>
<td>$1,000,000.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Explanation of Revisions:* Budget allocation for $1,000,000 in funds for the new Justice Center Campus and engineering design.

FINANCE DEPARTMENT: BUDGET AMENDMENT (BNA #045)

**ACTION:** Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, **approve the following budget amendment:**

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Project Code</th>
<th>Department/Account Name</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>481.232.4.980.00</td>
<td>Reimb Resolution/Fund Balance Appropriated</td>
<td>$144,800.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>481.232.5.992.00</td>
<td>Reimb Resolution/Interfund Transfers</td>
<td>$144,800.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>481.232.5.991.00</td>
<td>Reimb Resolution/Interfund Transfers</td>
<td>$144,800.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>481.232.5.990.00</td>
<td>Reimb Resolution/Interfund Transfers</td>
<td>$144,800.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Explanation of Revisions:* Budget allocation for $144,800 in funds for Professional Services for site grading and industrial Building Concrete pad at the old Doran Mill site.

PLANNING DEPARTMENT: REQUEST TO SET PUBLIC HEARING FOR TUESDAY, APRIL 5, 2022 FOR CASE 22-07: REQUEST TO REZONE PROPERTY AT 1205 COSTNER ROAD FROM RURAL AGRICULTURE (RA) TO LIGHT INDUSTRIAL – CONDITIONAL USE (LI-CU)

Parcel 35736 is a 3.7-acre tract of land located at 1205 Costner Road, owned by Clyde Heafner, is one mile from Highway 18 between Shelby and Fallston. There are two commercial buildings on the property, one a wholesale trader and the other used as storage. The current zoning layer for the parcel is Rural Agriculture (RA). The surrounding zoning is Rural Agriculture (RA), and surrounding uses are mostly large tracts, agriculture, and
single-family. Mr. Heafner requests to rezone the property from Rural Agriculture (RA) to Light Industrial-Conditional Use (LI-CU) for wholesale trade and warehousing.

**ACTION:** Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, **approve scheduling the public hearing as requested.**

**PLANNING DEPARTMENT: REQUEST TO SET PUBLIC HEARING FOR TUESDAY, APRIL 5, 2022 FOR CASE 22-08: TEXT AMENDMENT OF THE CLEVELAND COUNTY UNIFIED DEVELOPMENT ORDINANCE, SECTION 12-142(14)**

The Broadway Group, LLC, is requesting an amendment to Section 12-142 (14) of the Cleveland County Unified Development Ordinance (UDO). Section 12-142 of the UDO is entitled Parking and details parking requirements for several commercial and industrial categories. New commercial and industrial projects are required to adhere to the parking requirements of this section when submitting their development plans for review. Part 14 of the section states retail business and consumer service outlets shall have one space for each two hundred square feet of gross floor area. The Broadway Group, LLC, which submits development plans for national chains, including The Dollar Store, is asking that Section 12-142(14) be changed to:

“Retail business and consumer service outlets shall have one (1) space for each four hundred (400) square feet of gross floor area.”

**ACTION:** Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, **approve scheduling the public hearing as requested.**

**PLANNING DEPARTMENT: REQUEST TO SET PUBLIC HEARING FOR TUESDAY, APRIL 5, 2022 FOR CASE 22-09: REQUEST TO REZONE PROPERTIES ALONG STONY POINT ROAD FROM RESTRICTED RESIDENTIAL (RR) TO RESIDENTIAL (RR)**

David Bradshaw is asking to rezone 22 parcels along Stony Point Rd, totaling 121.6 acres, from Restricted Residential to Residential. He has received signatures representing 21 of the properties. The surrounding uses consist of single-family residential, manufactured homes, convenience store, storage units, and golf course facilities. The land-use plan designates the area as split between future primary growth and secondary growth. Both residential and restricted residential districts provide uses that would be consistent with these designations.

**ACTION:** Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, **approve scheduling the public hearing as requested.**

**LEGAL DEPARTMENT: SALE OF COUNTY OWNED PROPERTY – PARCEL 40159**

Parcel 40159 is located on Enola Drive in Waco and has no residential structures on the property. Cleveland County acquired this property through foreclosure proceedings in 2017 and has incurred costs in the amount of $2,523.38 for accrued unpaid taxes and interest and county costs. The offer of $3500 exceeds County costs. North Carolina General Statute § 153A-176 authorizes the County to dispose of property according to the procedures proscribed in Chapter 160A, Article 12 of the General Statutes. North Carolina General Statute § 160A-269 states the County may receive an offer to purchase property and advertise it for upset bids.
**ACTION:** Commissioner Hutchins made a motion, seconded by Commissioner Hardin, and unanimously adopted by the Board to, approve the offer made on parcel 40159 and authorize County staff to advertise and open the upset bid(s) process.

ANIMAL SERVICES: TECHNICAL CHANGES TO ANIMAL SERVICES ORDINANCE (SECOND READING)

At the February 2022 work session, the Board of Commissioners approved three ordinances concerning animal services: one each concerning licensing, dangerous and exotic animals, and technical amendments. One
AN ORDINANCE MAKING TECHNICAL CHANGES TO CHAPTER 3 OF THE CLEVELAND COUNTY CODE OF ORDINANCES

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF CLEVELAND IN REGULAR SESSION ASSEMBLED:

The following changes are hereby made to Chapter 3 of the Cleveland County Code of Ordinances. These changes are effective as of the date that this ordinance is approved by the Cleveland County Board of Commissioners. Additions are underlined in blue, and deletions are struck through in red.

Sec. 3-5. Definitions. The following terms, phrases, words, or uses, when used in this chapter, shall have the meanings assigned to them in this section, except where the context clearly indicates a different meaning:

Addendum: that area to be fenced or a dog can stay on a leash, road, or public or private place without providing for the care, cleanliness, protection, and adequate shelter of such animal.

Animal services director: means the person who is appointed by the county manager to oversee all animal services and animal control activities carried out by the county except those that are otherwise provided for by statute. If any time the County does not have an animal services director, the rights and duties of the animal services director shall be exercised by the County Manager or his designee.

DANGEROUS DOG: means any dog that is determined to have been:

1. Aggressive, bitten, attacked, or inflicted a serious injury on a human being or provoked on private or public property.
2. Killed or injured a pet or domestic animal without provocation while off the owner’s property.
3. Banned and declared dangerous by the animal services director or animal services advisor and remains classified as dangerous.

Exposed to restraint means an animal has been exposed to abuse; within the meaning of this chapter, abuse has been, by or has been exposed to, any animal lenses or suspected to have been infected with rabies.

General and service dog means a dog trained for the primary purpose of enhanced protection.

Sec. 3-5. Inspection; interference; encroachment.

(a) It shall be unlawful . . .

(1) No person may . . . animal services officer, director.

Sec. 3-24. Enforcement.

Sec. 3-26. General penalty, additional remedies.

(a) The sections of this chapter may be enforced, unto all, as authorized and in accordance with N.C.G.S. 153A.13-134.1. Specifically:

Sec. 3-28. Restrictions.

Sec. 3-36. Cruelty to animals; manner of keeping.

(a) It shall be unlawful for any person owning, possessing or harboring an animal to negligently or willfully fail to provide any animal so owned, possessed, or harbored:

1. Medical attention or necessary veterinary care when the dog or cat is sick, diseased, or injured.

(b) It shall be unlawful for an owner or keeper of any animal to restrain it in an unsanitary manner. It shall further be unlawful for an owner or keeper of any animal to suffer the animal . . .

Sec. 3-39. Subsections (a) and (b) shall be effective immediately. Subsection (c) and (d) shall be effective January 1, 2023.

This Ordinance is enacted as amended following passage of “An Ordinance Amending Cleveland County’s Ordinances to Comply with Sanctions Law 2021-112,” which will be certified contemporaneously with this ordinance.

Health director means the director of the county health department or authorized representative, as described in N.C.G.S. 130A.135.

Senior officer means a person who purchases and keeps certain North Carolina or federal:

Small, sheltered, or pet shops may any person, group of persons, partnership or corporation engaged in buying, selling, breeding, or boarding animals.

Owner causes any person, group of persons, firm, partnership, or corporation owning, keeping, having charge of, vending, breeding, harboring, or taking care of any animal. The owner is responsible for the care, actions, and behavior of the animal. In the event that the owner or keeper of an animal is a minor, the parent or guardian of such minor shall be held liable for compliance with the provisions of this chapter.

Person means any individual, partnership, firm, sole-proprietorship, corporation, association, trust, estate, or other legal entity as defined by N.C.G.S. 153A.13-134.

Respect means the intentional, unannounced entrance onto someone’s property. The cause of the individual to be on the property and any other relevant circumstances shall be considered in determining the individual.

Sec. 3-3. Animal services directors—Powers and duties.

(a) . . .

(b) . . .

(4) Maintain the county animal shelter, including required records of all animals impounded, released, and disposed thereof.

Sec. 3-5. Jurisdiction; interpretation of provisions.

(a) No employee of the . . . counties that . . .

(b) . . .

(4) The animal services employee responsible for the animal service activities, the animal services director, or his designee shall . . .

The Animal Services employee, officer, or employee shall . . .

(4) . . .

The animal services employee, officer, or employee shall . . .

(4) . . .

(4) The animal services employee responsible for the animal service activities, the animal services director, or his designee shall . . .

Adopted this day of March, 2023.

Respectfully submitted,

[Signature]

Chairman

City of the Cleveland County Board of Commissioners

[Signature]
AN ORDINANCE AMENDING CLEVELAND COUNTY ORDINANCES GOVERNING WILD, EXOTIC, AND INHERENTLY DANGEROUS ANIMALS

BE IT ORDAINED by the Board of Commissioners of the County of Cleveland in regular session assembled:

The following changes are hereby made to Chapter 3 of the Cleveland County Code of Ordinances. These changes are effective on the date that this ordinance is approved by the Cleveland County Board of Commissioners. Additions are indicated by underlined blue text, and deletions are indicated by strike-through text.

Sec. 3-1. Definitions

The following words, terms, and phrases, when used in this chapter, shall have the meanings assigned to them in this section, except where the context clearly indicates a different meaning:

(a) Impoundment or impoundment means to seize and hold in the custody or possession as animal by the animal services department.

(b) Incurably dangerous means any animal of a domesticated, agricultural nature, including, but not limited to, horses, cattle, sheep, goats, fawns, wild dogs, opossums, raccoons, and rats.

ARTICLE V. WILD, EXOTIC, AND INHERENTLY DANGEROUS EXOTIC ANIMALS

Sec. 3-5B. Definitions

Exotic animal is any animal which:

1. Is not native or indigenous to North Carolina;
2. Does not have an established wild population in North Carolina; or
3. Is not regulated by the North Carolina State Wildlife Commission and:
   a. Is considered livestock as defined in section 3-1 of this chapter;
   b. Inherently dangerous exotic mammal or inherently dangerous mammal means any animal of the mammalian order Carnivora or avian animals or birds of the mammalian order Aves.

Sec. 3-101. Possession of inherently dangerous exotic mammals, inherently dangerous mammals, and inherently dangerous mammals requiring registration requires registration.

(a) A person who keeps any person who possesses an inherently dangerous exotic mammal, inherently dangerous mammal, or inherently dangerous mammal requiring registration requires registration.

(b) A person who possesses an inherently dangerous exotic mammal, inherently dangerous mammal, or inherently dangerous mammal requiring registration requires registration shall be fined a civil penalty of one hundred dollars ($100.00).

Sec. 3-102. Exemptions.

This chapter does not apply to:

(1) Veterinary clinics in possession of such mammals or requiring registration for the treatment or rehabilitation purposes;
(2) Non-captive zoos for a period no longer than (1) a twenty-day period, per each separate location where such animals is held within the county, per calendar year;
(3) Non-captive zoos for a period no longer than (1) a twenty-day period, per each separate location where such animals is held within the county, per calendar year.

Sec. 3-103. Impoundment; disposition of impounded animals.

(a) Any inherently dangerous exotic mammal, inherently dangerous mammal, or inherently dangerous mammal requiring registration requires registration shall be impounded with such mammal in the possession of the owner or harbinger, but, if such is not practicable, the animal services director may impound such mammal for twenty-four (24) hours.

(b) An inherently dangerous exotic mammal, inherently dangerous mammal, or inherently dangerous mammal requiring registration requires registration pursuant to this section, the owner or harbinger of the mammal shall be notified by the animal services director prior to or by certified mail.

(c) Any mammal or mammals impounded pursuant to this section shall be held for thirty (30) days for the owner or harbinger to be notified as provided in subsection (b) above, but if the impoundment or impoundment cannot be taken up safely by the animal services director, or if proper and safe housing cannot be found for the mammal or mammals, the animal services director can immediately destroy or euthanize the mammal or mammals.

(d) The owner or harbor of the inherently dangerous exotic mammal, inherently dangerous mammal, or inherently dangerous mammal requiring registration requires registration shall claim the mammal or mammals with the animal services director if the person can satisfy the animal services director that a safe transfer of the mammal or mammals requires an appropriate location outside of the county has been arranged.

(e) No person or harbor of the inherently dangerous exotic mammal, inherently dangerous mammal, or inherently dangerous mammal requiring registration requires registration to remove, hide, or keep for or to be given such mammals or for release within the animal’s owner’s home, yard, kennel, enclosure, responsible person or responsible person or any other premises in which the mammal or mammals resides or is kept or placed for the person or person.

(f) All costs of impoundment and care of the mammal or mammals requiring registration shall be borne by the owner or harbor of the mammal or mammals requiring registration.

Sec. 3-104. Confinement, control, and registration of wild and exotic animals.

(a) It shall be unlawful for any owner or keeper to keep any wild or exotic animal within the county, unless it is confined within a secure enclosure as required by the animal services director, or is not being transported to receive veterinary care, to be sold, to be destroyed, or killed.

(b) Any wild animal which is not properly secured or restrained as required by this section or which has injured or endangered any person or property may be confiscated by the animal services director and harbored at the owner’s or owner’s keeper’s expense.

(c) For the purpose of this section, animals of a species customarily used in the state as domestic household pets, animals of a species customarily used in the state as domestic farm animals, fish'n'chips, fish confined in an aquarium other than pisces, birds, nonmammal reptiles, and invertebrates are exempt.

(d) All owners of wild animals and exotic pets shall be required to register their animals with the animal services director within ten (10) working days of acquisition. Such registration shall be for information and enforcement purposes, and there shall be no fee for such registration.

Sec. 3-105. Imposition of penalties, disposition and appeal of wild and exotic animals.

(a) Any wild animal or exotic animal shall attack, assault, wound, bite, or otherwise injure or kill a human being, the owner or keeper shall pay a fifteen hundred dollar ($1,500.00) fine, within ten (10) days after the occurrence of such an injury or death, the animal services director will prepare a written order declaring whether the animal is found to be dangerous or is not dangerous to the public safety or public health or to both.

(b) The animal services director shall have the authority to terminate the owner’s ownership rights in the animal and to dispose of the animal in accordance with this section.
CLEVELAND COUNTY WATER: RESOLUTION OF SUPPORT FOR NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

Resolution supporting the allocation of North Carolina Department of Transportation Funding for Planning, Design, Permitting and Construction Administration/Inspection for the Stagecoach Greenway in Lawndale. Cleveland County Water continues to make improvements at the Greenway. The proposed resolution is a show of support by the Commissioners and does not require any county funds.

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Whetstone, and unanimously adopted by the Board to, approve the resolution of support for the Stagecoach Greenway in Lawndale.
Chairman Gordon recognized Planning Director Chris Martin to present Planning Case 22-02; Text Amendment to section 12-157, Manufactured Home Parks, of the Cleveland County Unified Development Ordinance (UDO). At the Commissioner’s September 2021 work session, the Board directed staff to continue evaluating development ordinances for needed updates, including the Manufactured Home Park ordinance. It has been several years since the Mobile Home Park ordinance was modified. A regular review ensures that ordinances are up to date, promote compatibility of uses, and consistent with Land Use Plans. Planning staff reviewed the Manufactured Home Parks ordinance and recommended several changes relating to density, landscape screening and public safety:

- 5-acre minimum lot size
- 2 units per acre, 3 per acre is served by public water and sewer
- Landscape screening required
- Fire hydrants required
- Roads must meet Fire Code
- Streets to be named
- Entrance/exit 50-foot solid surface apron
Staff believes these amendments will help Mobile Home Parks meet the goals of the newly adopted Land Use Plan and provide safety measures for tenants within the park. The Planning Board voted 4-1 in favor of recommending approval of the amendment with the addition of a paved fifty-foot solid surface at each entrance/exit. The following information and PowerPoint were reviewed to Commissioners.

Chairman Gordon opened the floor to the Board for discussion and questions. Commissioner Hutchins inquired about adequate screening requirements for the Manufactured Home Parks. Mr. Martin reviewed the three different types of screening in the UDO and explained this ordinance would have type B screening:

**Semi-opaque screen, Type B:** A screen that is opaque from the ground to a height of three (3) feet, with intermittent visual obstruction from above the opaque portion to a height of at least twenty (20) feet at maturity. This screen is intended to partially block visual contact between uses and to create a strong impression of the separation of spaces. The semi-opaque screen may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. Planted trees shall be at least three (3) feet in height at planting.
Commissioner Hardin inquired if the streets would be named; Mr. Martin replied, “Yes, they will be. By naming the streets, it allows for a numerical to be placed on the sites and will greatly benefit first responders should they need to respond to an emergency at that site.”

Chairman Gordon opened the Public Hearing at 6:43 pm for anyone wanting to speak for or against Planning Case 22-02; Text Amendment to section 12-157 Manufactured Home Parks, of the Cleveland County Unified Development Ordinance.

(Legal Notice was published in the Shelby Star on Friday, March 4 and Friday, March 11, 2022). Hearing no comments, Chairman Gordon closed the Public Hearing at 6:44 pm.

ACTION: Commissioner Bridges made a motion, seconded by Commissioner Hardin, and unanimously adopted by the Board, **approve the Text Amendment to section 12-157 Manufactured Home Parks, of the Cleveland County Unified Development Ordinance.**
Planning Director Chris Martin remained at the podium to present Planning Case 22-03: Text Amendment to Section 12-161, Recreational Vehicle Parks, of the Cleveland County Unified Development Ordinance (UDO). The Planning Department requests a text amendment to the Recreational Vehicle Park ordinance, specifically Section 12-161. At the Board of Commissioners’ September 2021 work session, the Board directed staff to evaluate the county’s UDO for any needed updates, including Recreational Vehicle Parks. A routine review ensures ordinances are up to date, promote the compatibility of uses in surrounding areas, and are consistent with the county’s Land Use Plans. Planning staff reviewed the Recreational Vehicle Parks ordinance and recommended several amendments relating to separation, density, sanitation, and public safety:

- Eliminating the 1-mile separation requirement
- Amending the watershed density requirement to the critical area only
- Dumpster requirement
- Roads must meet Fire Code
- Eliminating the 1000 feet maximum requirement

The Planning Board voted 5-0 in favor of recommending approval of the amendment. The Board felt that the amendment was reasonable and consistent with other changes in the UDO and would improve safety and sanitation for tenants in the park. The following information and PowerPoint were reviewed to Commissioners.
Chairman Gordon opened the floor to the Board for questions and discussion. Commissioner Bridges asked if the roads in a recreational vehicle park should be named to assist first responders. Mr. Martin advised street names are for permanent structures and homes, not recreational vehicles. Commissioners discussed further the importance of naming streets in a recreational vehicle park.

Chairman Gordon opened the Public Hearing at 6:49 pm for anyone wanting to speak for or against Planning Case 22-03: Text Amendment to Section 12-161, Recreational Vehicle Parks, of the Cleveland County Unified Development Ordinance (UDO). (Legal Notice was published in the Shelby Star on Friday, March 4 and Friday, March 11, 2022).

Hearing no comments, Chairman Gordon closed the Public Hearing at 6:50 pm.

**ACTION:** Commissioner Bridges made a motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board to, approve the Text Amendment to section 12-161, Recreational Vehicle Parks, of the Cleveland County Unified Development Ordinance with the inclusion of street names and lot numbers.

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**PLANNING DEPARTMENT CASE 22-06: REQUEST TO REZONE 513 BORDERS ROAD FROM RESTRICTED RESIDENTIAL (RR) TO RESIDENTIAL MANUFACTURED HOME PARKS (RMV)**

Planning Director Chris Martin remained at the podium to present Planning Case 22-06: request to rezone 513 Borders Road from Restricted Residential (RR) to Residential Manufactured Home Parks (RMV). Parcel 21939 is a 2.0-acre tract of land, located at 513 Borders Road, belonging to Dustin and Amber Smith. The applicants have submitted an application with signatures of support from some of the surrounding landowners. The surrounding zoning is a mixture of Restricted Residential (RR), Residential (R), Residential Manufactured Home
and Parks (RMV) and General Business (GB) along Oak Grove Road. Surrounding uses are mostly single-family dwelling residential uses with a manufactured home park across Borders Road. The Land Use Plan defines this area as Future Primary Growth Area, which does support single-family residential development. The allowable uses in the proposed zoning district are compatible with surrounding existing uses and align with Cleveland County’s Land Use Plan. The Planning Board voted unanimously to approve the recommended rezoning request. They felt his amendment was consistent with the Land Use Plan and compatible with existing surrounding uses.

Chairman Gordon opened the floor to the Board for discussion and questions. Commissioner Bridges and Commissioner Whetstine commented on the number of manufactured homes that are already in the area and the lack of opposition from surrounding neighbors.
Chairman Gordon opened the Public Hearing at 6:53 pm for anyone wanting to speak for or against Planning Case 22-06: request to rezone 513 Borders Road from Restricted Residential (RR) to Residential Manufactured Home Parks (RMV). (Legal Notice was published in the Shelby Star on Friday, March 4 and Friday, March 11, 2022).

Hearing no comments, Chairman Gordon closed the Public Hearing at 6:54 pm.

**ACTION:** Commissioner Whetstine made a motion, seconded by Commissioner Bridges, and unanimously adopted by the Board to, approve the request to rezone 513 Borders Road from Restricted Residential (RR) to Residential Manufactured Home Parks (RMV) as it is consistent with the Land Use Plan and compatible with existing surrounding uses.

**REGULAR AGENDA**

**SALE OF COUNTY OWNED PROPERTY – PARCELS 26693 AND 51976**

Chairman Gordon called Deputy County Attorney Elliot Engstrom to the podium to present the sale of county owned property for parcels 26693 and 51976. The properties have been through the upset bid process, have been properly advertised and now need final bid(s) approval from the Commissioners to complete the sale of these county owned properties. Cleveland County acquired parcel 51976, located on Blazer Street, Shelby, from the United States Marshal in 1998. The County incurred no cost in the acquisition of this property and there are no residential structures on the land.

Parcel 26693 is located on County Club Drive in Shelby. The county acquired this property through foreclosure proceedings in 2014. The County incurred costs in the amount of $15,645.00 for taxes and interest, attorneys’ fees, court cost and advertisement fees. This property has no residual structures. BOCC authorized using this procedure to solicit upset bids on the sale of each of these properties. The bids on both parcels are each in a sum to satisfy the county cost and prior unpaid taxes. The following information and PowerPoint were presented to Commissioners.

<table>
<thead>
<tr>
<th>Parcel Number</th>
<th>Amount Offered</th>
<th>Tax Value</th>
<th>Year Acquired</th>
<th>County Cost</th>
<th>Net To County</th>
</tr>
</thead>
<tbody>
<tr>
<td>51976</td>
<td>$2,500.00</td>
<td>$4,725.00</td>
<td>1998</td>
<td>0</td>
<td>$2,500.00</td>
</tr>
</tbody>
</table>

Sale of County owned properties:
51976, 202 Blazer, Street, Shelby, NC 28152
and
26693, Country Club Road, Shelby, NC

202 Blazer Street, Shelby, NC
Parcel No.: 51976
ACTION: Commissioner Bridges made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, approve the offers made on parcel 26693 and parcel 51976 and authorize staff to complete the sale of these county owned properties.

Resolution

Resolution Accepting Negotiated Offer and Upset Bid (G.S. 160A-259)

WHEREAS, Cleveland County received offers to sell and adhere to the upset bid procedure pursuant to N.C.G.S. § 153A-179 and N.C.G.S. § 160A-209 and of its February 1, 2022 Resolution as to certain properties it owns identified, as follows:

<table>
<thead>
<tr>
<th>Parcel #</th>
<th>Location</th>
<th>Highest Offer</th>
<th>Current Offer</th>
</tr>
</thead>
<tbody>
<tr>
<td>26693</td>
<td>Country Club Road</td>
<td>Dan Leslie</td>
<td>$17,000.00</td>
</tr>
<tr>
<td>51976</td>
<td>202 Blazer Street</td>
<td>Anthony Sklavounakis</td>
<td>$2,500.00</td>
</tr>
</tbody>
</table>

and

WHEREAS, the time is ripe for the County to review and determine whether to accept or reject the highest bids by analyzing the bids and the property; and

WHEREAS, the County has incurred expenses and has outstanding property taxes due on the properties identified above reflected as follows:

<table>
<thead>
<tr>
<th>Parcel #</th>
<th>2022 Tax Value</th>
<th>Current Offer</th>
<th>TOTAL Owed</th>
<th>Gains/(Loss)</th>
<th>Would be 2022 Tax payment</th>
</tr>
</thead>
<tbody>
<tr>
<td>26693</td>
<td>$33,950.00</td>
<td>$17,000.00</td>
<td>$15,950.00</td>
<td>$428.90</td>
<td>$1,355.00</td>
</tr>
<tr>
<td>51976</td>
<td>$4,721.00</td>
<td>$2,500.00</td>
<td>$2,221.00</td>
<td>$37.98</td>
<td>$2,500.00</td>
</tr>
</tbody>
</table>

and

WHEREAS, the County expects offers to cover the indebtedness of any property through this bid process, with the intention to sell property for a sum that is equal to or in excess of the amount owed to the County; whom reasonable and that takes into consideration a rational relationship to the tax values of the property at issue; and

WHEREAS, the bids on parcels 26693 and 51976 is the sole bid(s) that covers the outstanding indebtedness on the properties and is also close to the current tax valuation(s).

WHEREAS, notice of this Board’s intention to accept the offer and instructions for the upset bid process was published in The Shelby Star on February 2, 2022; and

WHEREAS, the County received no other offers for the property during the upset bid process.

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

1. The Board of Commissioners approves the sale to Anthony Sklavounakis of the property identified as parcel #51976 located at 202 Blazer Street, Shelby, NC for the sum of $2,500.00 in cash, money order or certified check, and authorizes Chair Kevin Gordon to sign a quitclaim deed for the sum of $2,500.00 in cash, money order or certified check, and authorizes Chair Kevin Gordon to sign a quitclaim deed for sale to Anthony Sklavounakis and

2. The Board of Commissioners approves the sale to Dan Leslie of the property identified as parcel #26693 located at Country Club Road, Shelby, NC for the sum of $17,000.00 in cash, money order or certified check, and authorizes Chair Kevin Gordon to sign a quitclaim deed for the sum of $17,000.00 in cash, money order or certified check, and authorizes Chair Kevin Gordon to sign a quitclaim deed for delivery to Dan Leslie.

Adopted this 19th day of March, 2022.

ATTEST:

Phyllis Nolan, Clerk to the Board
Cleveland County Board of Commissioners
Chairman Gordon called County Manager Brian Epley to present the residential solid waste collection.

Following Board direction from their February 2021 work session, staff has been evaluating the concept of a single exclusive franchise for commercial and residential solid waste pickup. A tremendous amount of work and time has been dedicated to this process, and the Board is preparing to make a decision on the matter. The presentation will include an overview of the current system, an analysis of potential benefits and drawbacks of a single franchise model, and a discussion of steps moving forward. The Board will consider this information and make a decision on the residential solid waste collection initiative.
gone in for data gathering, forecasting, cost projections and options for the Board to consider. In July 2021, Cleveland County piloted an open market commercial system with a vendor registration system, remaining exclusive on the residential pickup. Staff collected all the information and reported back to the Board at their February 2022 work session.

On the commercial side, staff has seen adjustments in the market for price, with competition driving that market price down. Staff was measuring the collective data over a 12-month period for a front-loaded container with weekly pickup. The county has 16 vendors that are now operating in that commercial market, where historically the county has only had one. The feedback shows there has not been an uptick in parameters the county measures such as litter, tonnage materials and integrity. To date, there has been a correction in the market price.

What are the next steps for the residential side? Several options were presented with the stated goal being how to make create competitiveness and ensure the best price point for citizens without losing some of the advantages that come with a franchise of 100% coverage with weekly pickup, no matter where a resident lives in the county. At their February 2022 work session, the Board asked staff to proceed with the development of options, but in a competitive way through a request for proposal (RFP) process. Staff was also directed to create two separate models; the county in phases to allow multiple vendors or vendors to produce specific areas of the county, or they could adjust the price point based on specific areas of the county, or if companies wanted to bid on the entirety of the county. Both models are under a competitive process but ultimately leading towards franchise. Currently out of the 25,000 or so unincorporated households in Cleveland County, about 3,294 citizens are already receiving this service through Republic.

The Board was reminded the current ordinance and franchise agreement allow them to control the price and Republic Services is not able to change what they’re charging the customers without Commissioner’s approval. Staff has been evaluating the county, working through how zones may be created to consider multiple franchises or other bidding options. A tool used for the evaluation was census tracts for 2022. Staff started with census tracts off the heels of the 2020 census. There is a tremendous amount of information inside the census tracts including income levels, educational attainment, the number of people in a household, all those factors helped guide staff toward a more equitable zone development. Mr. Epley reviewed the data gathered to create the proposed zoning districts. An RFP has been drafted and is ready for distribution.

Following the Commissioner’s February 2022 work session, staff called all 16 commercial vendors and spoke with them about the Commissioner’s desire to have a competitive process. They were asked if they were interested in hauling residential solid waste curbside. Five vendors indicated they were interested and were invited to a meeting for further discussion; four of the five vendors came. The prepared RFP includes two options; a vendor could choose to bid on the entire county, or they could do to bid on one zone or multiple zones. Staff presented the completed bid packets to the Board at their May 3, 2022 meeting. It is the intention to mobilize by the June 30, 2022 expiration of the current franchise agreement.
If a new vendor bids, they may need more time to be able to execute. In the RFP, vendors are not required to be mobilized by law. But if they can't be ready by June 30, the vendor must inform staff when they will be prepared. In the RFP, there are minimum insurance requirements, a performance bond. It requires them to list additional charges such as other containers or do an additional pick up. Staff is seeking Board direction and guidance on developing the proposed zones and permission to release the RFP on March 16, 2022. The following information and PowerPoint were presented to Commissioners.

### Proposed Curbside Zoning

- Who is currently receiving curbside in unincorporated areas?
- What would proposed zones look like for services?
- What is the demographic information of the unincorporated areas?
  - Distance from the landfill
  - Number of households
  - Household income
  - Population
  - Age

### Current Curbside Clients

<table>
<thead>
<tr>
<th>Current Curbside Residential</th>
<th>5 Miles</th>
<th>10 Miles</th>
<th>15 Miles</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Customers</td>
<td>1130</td>
<td>2118</td>
<td>646</td>
<td>3294</td>
</tr>
</tbody>
</table>

### Sheriff Patrol Zones

### Current Customers

### Census Tracts

- 22 Tracts in the county
- *Majority in city limits
- **Partially in city limits

Cleveland County, North Carolina
Chairman Gordon opened the floor to the Board for questions and discussion. Commissioners discussed the time frame and the two competitive RFP options.

**ACTION:** Commissioner Bridges made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, approve the distribution of the RFP on March 16, 2022, and accept the staff’s recommendation for proposed service zones.

**COVID-19 UPDATE AND RESCINDED STATE OF EMERGENCY RESOLUTION**

Chairman Gordon called Health Department Director Tiffany Hansen to the podium to present a COVID-19 update. She reviewed Cleveland County’s numbers, testing overview, community levels, guidance updates and a pandemic reflection. The following information and PowerPoint were presented to Commissioners.
Emergency Management Director/Fire Marshal Perry Davis came to the podium to present a state of emergency update. The following information and PowerPoint were reviewed with Board members.

Chairman Gordon opened the floor to the Board for questions and discussion. Commissioners thanked Mrs. Hansen, Mr. Davis and their staff for the tremendous amount of hard work and dedication they do for the citizens of Cleveland County.

**ACTION:** Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, **approve the Rescinded State of Emergency Resolution for Cleveland County.**
BOARD APPOINTMENTS

CLEVELAND COMMUNITY COLLEGE BOARD OF TRUSTEES

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board, to appoint Commissioner Kevin Gordon to serve as a member of this board, filling the unexpired term of Commissioner Johnny Hutchins, whose term is set to conclude June 30, 2024.

BOARD OF EQUALIZATION AND REVIEW

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board, to appoint Andy Dedmon, Gary Hastings, David Allen, Mike Philbeck and Marvin Hutchinson to serve as members of this board, for a period of one year, scheduled to conclude March 31, 2023.

CLOSED SESSION

ACTION: Commissioner Hardin made the motion, seconded by Commissioner Bridges, and unanimously adopted by the Board, to go into closed session per North Carolina General Statute § 143-318.11(a)(3), (a)(5) and (a)(6) to consult with an attorney in order to preserve the attorney-client privilege, to consider a personnel matter, and to establish the terms of an employment contract. (Copy of closed session minutes are sealed and found in Closed Session Minute Book).

RECONVENE IN REGULAR SESSION

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, reconvene in open session.
Chairman Gordon stated the following, “the Board gave direction to its attorneys to take action on a personnel matter and establish the terms of employment contracts.”

**ADJOURN**

There being no further business to come before the Board at this time, Commissioner Hutchins made a motion, seconded by Commissioner Hardin and unanimously adopted by the Board, to adjourn. The next meeting of the Commission is scheduled for Tuesday, April 5, 2022 at 6:00 p.m. in the Commissioners Chambers.

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Kevin Gordon, Chairman
Cleveland County Board of Commissioners

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Phyllis Nowlen, Clerk to the Board
Cleveland County Board of Commissioners