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

**PRESENT:**
- Doug Bridges, Chairman
- Deb Hardin, Vice-Chair
- Johnny Hutchins, Commissioner
- Ronnie Whetstine, Commissioner
- Kevin Gordon, Commissioner
- Tim Moore, County Attorney
- Brian Epley, County Manager
- Phyllis Nowlen, Clerk to the Board
- Scott Bowman, Maintenance Director
- Allison Mauney, Human Resources Director
- Chris Martin, Planning Director
- Sherry Lavender, Tax Assessor
- Perry Davis, Emergency Management Director/Fire Marshal
- Tiffany Hansen, Health Department Director

**CALL TO ORDER**

Chairman Bridges called the meeting to order and Steve Padgett, Small Business Development Director, provided the invocation and led the audience in the Pledge of Allegiance.

**AGENDA ADOPTION**

**ACTION:** Commissioner Whetstine made the motion, seconded by Commissioner Gordon and unanimously adopted by the Board to, **approve the agenda as presented.**

**SPECIAL RECOGNITION**

**FIRE CHIEF OF THE YEAR**

Chairman Bridges recognized Commissioner Gordon to present the Fire Chief of the Year Proclamation to City of Shelby Fire Chief William Hunt. Commissioner Gordon read a brief biography on Chief Hunt, citing the many accomplishments and contributions he has made during his 32 years of fire service. Commissioners presented Chief Hunt with the following resolution:
CITIZEN RECOGNITION

Robert Williams, 814 East Stagecoach Trail, Fallston – spoke about his opinion regarding the Department of Social Services Advisory Board that is on the agenda. Mr. Williams stated he doesn’t agree with the proposed bylaws and asked Commissioners to remove it from the agenda for further review.

CONSENT AGENDA

TAX ADMINISTRATION: ANNUAL SETTLEMENT FY 2020 – 2021 AND ORDER TO COLLECT

The Cleveland County Tax Office collected 98.57% of County General real property tax and 98.53% of all Cleveland County real property annual tax bills during the FY 2020 – 2021.

Adoption of Order directing the Tax Collector to collect taxes for 2021 and prior years. This Order is set forth in accordance with North Carolina General Statute 105-321(b) and shall have the force and effect of a judgment and execution against real and personal property.

ACTION: Commissioner Gordon made a motion, seconded by Commissioner Hardin, and passed unanimously by the Board to, approve the Order of Collection.
The Finance Department is working through closing out the 2020-2021 fiscal year. Each year the finance department implements systematic processes and procedures to ensure a successful general ledger transition into the new fiscal year. The Commissioner approved FY21-22 budget has been uploaded and will go into effect July 1, 2021.

N.C.G.S. 159-34 requires each unit of local government in North Carolina to have its' accounts audited at the close of each fiscal year by a certified public accounting firm. The audit evaluates the performance of a unit of local government with regard to compliance with applicable federal and state laws as well as the

**FINANCE DEPARTMENT: MONTHLY MANAGER’S REPORT**
accuracy and reliance of the financial statement disclosures. The County has contracted with the external audit firm Thompson Price Scott & Adam’s to perform the FY21 audit engagement. This process is currently underway and will conclude in October-November with submission to the Local Government Commission for approval.

- The County received the first of two distributions of funds from the American Rescue Plan Act. These federal funds were allocated for the purpose of COVID-19 relief and economic recovery. Management continues to monitor guidance being released and frequently updated by the U.S. Treasury to determine allowable uses of these funds.

- Cleveland County Government was awarded for being one of the top 15 healthiest employers (500-1,499 employees) by the Charlotte Business Journal. The County found ways to keep wellness programs running throughout a pandemic to ensure employees had access to the support they needed during a time of uncertainty.
FINANCE DEPARTMENT: ONLINE AUCTION PROVIDER

Commissioner’s approved GovDeals.com for online auctions of surplus and confiscated items in December 2003. The County has continued to use GovDeals.com for those services. Cleveland County is interested in also using PropertyRoom.com for online auction services. PropertyRoom.com would handle all aspects of the auction process, thus reducing time spent by various departments across the organization.

**ACTION:** Commissioner Gordon made a motion, seconded by Commissioner Hardin, and passed unanimously by the Board to, approve the use of PropertyRoom.com for online auctions for confiscated items and county vehicles.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #065)

**ACTION:** Commissioner Gordon made a motion, seconded by Commissioner Hardin, 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>012.533.4.310.21</td>
<td></td>
<td>Adult Health/Fed Govt Grant-ELC Enhancing</td>
<td>$48,954.00</td>
<td></td>
</tr>
<tr>
<td>012.533.5.121.00</td>
<td></td>
<td>Adult Health/Salary Reg</td>
<td>$48,954.00</td>
<td></td>
</tr>
</tbody>
</table>

Explanation of Revisions: Budget allocation for $48,954 in funds received from the North Carolina Department of Health and Human Services to assist with enhancing test capabilities and increasing response activities through testing, contact tracing with regards to the COVID-19 disease. The funds will be used for existing salaries involved with response testing and activities.

FINANCE DEPARTMENT: BUDGET AMENDMENT (BNA #066)

**ACTION:** Commissioner Gordon made a motion, seconded by Commissioner Hardin, and unanimously adopted by the Board to, approve the following budget amendment and approve the Resolution for receiving and administering American Rescue Plan funds:

<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>027.434.4.310.00</td>
<td></td>
<td>ARP/Federal Govt Grants</td>
<td>$9,512,529.00</td>
<td></td>
</tr>
<tr>
<td>027.434.5.891.00</td>
<td></td>
<td>ARP/Emerg &amp; Contingency</td>
<td>$9,512,529.00</td>
<td></td>
</tr>
</tbody>
</table>

Explanation of Revisions: Budget allocation to receive funds of $9,512,529 from the Coronavirus Fiscal recovery Funds. NCGS 160-17.1 requires the Board of County Commissioners formally accept their allocation of American Rescue Plan Act funds and to designate an appropriate employee or official to administer and oversee those funds. Cleveland County has received some ARP funds and will receive additional funds.
PLANNING DEPARTMENT: SET PUBLIC HEARING FOR CASE 21-10; REQUEST TO CONDITIONALLY REZONE PARCEL 52468 AT 134 KAY ROAD FROM RESIDENTIAL (R) TO LIGHT INDUSTRIAL CONDITIONAL DISTRICT (LI-CU) (Schedule Public Hearing for July 15, 2021)

Parcel 52468 is a 41.3-acre tract owned by Paul Chambers and is located at 134 Kay Road. The owner has requested to conditionally rezone this parcel from Residential (R) to Light Industrial Conditional Use (LI-CU) to place a small meat processing facility on the property. A site plan accompanying this application shows the proposed development to include a processing room, corral and parking lot. The surrounding zoning uses are mostly Residential (R), with some commercial uses in the corridor along Fallston Road. The Land Use Plan calls this area Future Rural Residential.

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

PLANNING DEPARTMENT: SET PUBLIC HEARING FOR CASE 21-11; REQUEST TO CONDITIONALLY REZONE PARCEL 59861 AT 110 BATTLEGROUND ROAD LIGHT INDUSTRIAL (LI) TO RESIDENTIAL CONDITIONAL DISTRICT (R-CD) (Schedule Public Hearing for July 15, 2021)

Parcel 59861 is a 56-acre tract owned by Madeline Harper and is located at along Hwy 216, Battleground Ave, between Grover and Kings Mountain and adjoins Interstate 85 and is accessed on Battleground Road. Moser Group, represented by Tom Crouch, is requesting to rezone the parcel from Light Industrial (LI) to Residential Conditional Use (R-CU) for the purposes of developing a multi-family housing. The project proposes 15 buildings with 360 housing units, landscape screening around the perimeter, parking, and walking trails throughout the property. The surrounding zoning districts are Industrial, with some pockets of general business and residential nearby. The Land Use Plan calls this area future Light Industrial (LI).
**ACTION:** Commissioner Gordon made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board, to approve scheduling the public hearing as requested.

**PLANNING DEPARTMENT: SET PUBLIC HEARING FOR CASE 21-12: REQUEST TO REZONE PROPERTY AT 610 EAST DOUBLE SHOALS ROAD FROM RURAL AGRICULTURE (RA) TO MANUFACTURED HOME PARKS (RM) (Schedule Public Hearing for August 3, 2021)**

Parcel 35848 is a 10.94-acre tract located at 610 East Double Shoals Road in Lawndale. The owner, Harold Wright, has requested to rezone this parcel from Rural Agriculture (RA) to Manufactured Home Park (RM). Surrounding zoning is Rural Agriculture on the south side of East Double Shoals Road, and a mix of Manufactured Home Park, Residential (R) and Neighborhood Business on the north side of East Double Shoals. Fallston Road runs perpendicular to East Double Shoals Road to the East and has the Highway Corridor overlay on top of its existing zoning. Surrounding uses are mostly residential, with a manufactured home park to the east and some commercial uses along Fallston Road.

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

**PLANNING DEPARTMENT: SET PUBLIC HEARING FOR CASE 21-13: REQUEST TO REZONE PROPERTY AT 3827 CLIFFSIDE ROAD FROM RESIDENTIAL (R) TO GENERAL BUSINESS-CONDITIONAL (GB-C) FOR AUTOMOTIVE SALES (Schedule Public Hearing for August 3, 2021)**

Parcel 44797 is a 0.25-acre tract owned by Billy Marsh and is located at 3827 Cliffside Road. Bret Pittman, who rents this tract of land from Mr. Marsh is requesting to rezone the 0.25-acre from Residential (R) to General Business Conditional (GB-C). Mr. Pittman is requesting to rezone the property to use an existing structure on the property for automobile sales. Surrounding zoning is Residential. Surrounding uses are mostly residential. The existing structure on the property has been used for automobile repairs. Mr. Marsh, the property owner, has signed the application giving his approval of the rezoning request.

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

**PLANNING DEPARTMENT: SET PUBLIC HEARING FOR CASE 21-15: REQUEST TO AMEND SECTION 12-134 OF THE CLEVELAND COUNTY UNIFIED DEVELOPMENT ORDINANCE (Schedule Public Hearing for August 3, 2021)**

Currently, in the watershed overlay, development outside of single-family dwellings must not exceed 12% of the built upon area. The administrator is authorized to approve non-residential projects up to 70% built upon, not to exceed 10% of the total water supply overlay. The request is to add other residential uses to the 70% so that multifamily developments, such as apartments and townhouses, can take advantage of the option.

**ACTION:** Commissioner Gordon made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board, to approve scheduling the public hearing as requested.
Parcel 24702 is a 61.5-acre tract located at 1650 North Post Road. The applicant, Oak Mills, LLC, has requested to rezone a portion of this property on the north end from General Business (GB) to Residential (R). The surrounding zoning districts are Restricted Residential (RR) and General Business (GB). Surrounding uses are Residential (R), with the Deer Brook neighborhood directly east of this parcel, and various business uses along both Fallston Road and North Post Road. The current Land Use Plan calls this area future commercial.

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

**SOCIAL SERVICES: SOCIAL SERVICES ADVISORY BOARD BYLAW AMENDMENTS**

In December of 2018, the Cleveland County Board of Commissioners assumed all powers and duties of the county social services board, as authorized by North Carolina General Statute §153A-76 and §153A-77(a). At that time, the Board of Commissioners also created a Cleveland County Social Services Advisory Board to assist and advise the Board of Commissioners in overseeing the County’s social services functions. The Advisory Board currently has seven members. The proposed amendment would create a temporary eighth seat, which would have a term running from July 6, 2021 to June 30, 2023. The proposed amendment also makes certain technical changes, such as outlining procedures for when the Chair is not present at a meeting.

**ACTION:** Commissioner Gordon made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board to approve the proposed amendments to the Cleveland County Social Services Advisory Board Bylaws.

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### CLEVELAND COUNTY SOCIAL SERVICES ADVISORY BOARD BYLAWS

#### I. Definitions

a. “Advisory Board” refers to the Cleveland County Social Services Advisory Board.

b. “Board of Commissioners” refers to the Cleveland County Board of Commissioners.

c. “Commissioner” refers to a member of the Cleveland County Board of Commissioners.

d. “DSS” refers to the Cleveland County Department of Social Services.

e. “Member” refers to a member of this Cleveland County Social Services Advisory Board.

f. “County Clerk” refers to the person who occupies the role of Clerk to the Board of Commissioners, as defined by N.C.G.S. § 153A-111.

#### II. Members

There shall be no less than (6) members of the Advisory Board until June 30, 2023, after which there shall be seven (7) members. Members shall be appointed by the Board of Commissioners. Members of the Advisory Board shall receive a stipend of twenty dollars ($20.00) per meeting. Members will serve as advocates for the clients of DSS and for the programs and initiatives that serve clients. Members are expected to attend all regular and special meetings. If it is necessary to be absent from a meeting, the member shall notify the Advisory Board Chair and the DSS Director.

#### IV. Officers

As the Board of Commissioners has assumed all powers and duties of the county social services board pursuant to N.C.G.S. §§ 153A-76 and 153A-77(a), it is the duty of the members of the Advisory Board to assist and advise the Board of Commissioners in carrying out the duties prescribed in that section. Members shall be appointed by the Board of Commissioners in any manner not inconsistent with these bylaws. In the event that the current Commissioner who serves on the Advisory Board is no longer able or willing to do so, the Board of Commissioners shall appoint another Commissioner to occupy that seat. Should a vacancy occur on this Advisory Board, the Board of Commissioners may appoint any person to fill the remainder of the term for the vacant seat.

#### V. Terms

The terms of the initial members of the Advisory Board shall begin on July 6, 2018. Members shall serve a term of four (4) years from the date of appointment. This four-year period shall be calculated in the same manner as prescribed for civil actions by Rule 6(e) of the North Carolina Rules of Civil Procedure. Members may be reappointed at the end of a four-year term, and there is no limit on the number of terms a person can serve.

#### VI. Initial Members

There shall be five (5) initial members of the Advisory Board, whose terms shall be as follows:

<table>
<thead>
<tr>
<th>Seat</th>
<th>Member Name</th>
<th>Title</th>
<th>Term Start Date</th>
<th>Term End Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Scott Allen</td>
<td>Vice-Chair</td>
<td>12/18/2018</td>
<td>6/30/2020</td>
</tr>
<tr>
<td>2</td>
<td>Berrie Wells</td>
<td>Member</td>
<td>12/18/2018</td>
<td>6/30/2021</td>
</tr>
<tr>
<td>3</td>
<td>Mary Archer</td>
<td>Chair</td>
<td>12/18/2018</td>
<td>6/30/2020</td>
</tr>
<tr>
<td>4</td>
<td>Dukel Oliver</td>
<td>Member</td>
<td>12/18/2018</td>
<td>6/30/2020</td>
</tr>
<tr>
<td>5</td>
<td>Leola Phillips</td>
<td>Member</td>
<td>12/18/2018</td>
<td>6/30/2020</td>
</tr>
</tbody>
</table>

#### VII. Officers

a. Officers Designated: The officers of the Advisory Board shall be a Vice-Chair, Chair, DSS Director, DSS Deputy Director, DSS Assistant Director, social Services, and Administrative Adviser. The Chair shall serve as Chair of the Board of Commissioners in the absence of the Board of Commissioners and shall represent the Board of Commissioners at all meetings of the Board of Commissioners. The Chair shall, at the request of any member of the Board of Commissioners, call special meetings of the Board of Commissioners.

b. Duties of Officers:

i. The Chair is a member of the Advisory Board and shall serve at all regular and special meetings, delegate tasks to members, and attend to all correspondence and business of the Advisory Board if necessary. The Chair shall act as spokesperson for the Advisory Board and perform such duties as shall be delegated to him or her by the Advisory Board.
LEGAL: BUILDING INSPECTIONS MUTUAL AID AGREEMENT

From time to time, it may become necessary for the County and the City of Shelby to request building inspection services from the other. Staff recommends entering into a mutual aid agreement with the City of Shelby for Building Inspection services due to staff limitations by both entities from time to time, specifically with Level III inspections. North Carolina General Statute 160A-461 authorizes any local government in North Carolina to enter into a contract with another in order to execute any undertaking. A mutual aid agreement must be ratified by resolution of the participating governing boards. The agreement is reciprocal, and costs incurred by either party will be fully reimbursed by the other. The mutual aid agreement will ensure inspections happen in a timely manner.

ACTION: Commissioner Gordon made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board, to approve the Mutual Aid Agreement between Cleveland County and the City of Shelby.
ARTICLE 3: TERM, AMENDMENT AND TERMINATION

3.01 Term. This Agreement shall become effective upon the properly authorized execution of the Agreement by both Parties and shall continue until superseded or terminated by either Party (“Term”).

3.02 Amendment. This Agreement may only be amended in writing by the Parties and in accordance with its North Carolina General Assembly provision. To propose an amendment to this Agreement, either Party may submit a proposed amendment and be responsible for the proposed amendment in writing to the other Party for the Notice provisions contained herein. If the Party agrees to the proposed amendment, a written amendment to the Agreement shall be executed. The Parties may insert into amendments that do not have financial implications for either Party with the approval of and association by their respective Managers. All other amendments shall require approval by the respective governing boards of the Parties.

3.03 Dispute. Notwithstanding any other provision of this Agreement, any Party may contest any decision, action, or inaction of the other Party, or an alleged failure of the other Party to comply with the terms of this Agreement.

3.04 Termination. Either party may terminate this Agreement for any reason, or for no reason, upon thirty (30) days written notice to the other Party per the Notice provisions contained herein. Notwithstanding the foregoing, the Terminating Party shall also provide a termination terminating this Agreement in the same manner as set forth in N.C. Gen. Stat. §160A-481.

3.05 Notice. Any notice required by this Agreement shall be in writing and delivered to the Parties at the following addresses:

For Cleveland County: Cleveland County Permits and Inspections Director 311 East Marion Street Shelby, NC 28150 For the City of Shelby: City of Shelby Permits and Inspections Director 305 South Washington St Shelby, NC 28150

3.06 Further Agreements Superseded. Upon the execution and delivery of this Agreement, this Agreement shall supersede any and all other prior agreements, if any, and shall supersede the definitive Agreement or Agreement between the parties regarding any matters regarding this understanding.

3.07 Survival Terminations. Any obligations to enforce warranties and representation by nature survive the termination of this Agreement.

3.08 Responsibilities of the Parties.

a. Cleveland County agrees to:

1. Permits, subject to availability of inspectors, building, electrical, plumbing, and HVAC inspections on behalf of Cleveland County on an as needed basis within twenty-four (24) hours of receiving a request for the same from the Building, Planning, and Zoning Department staff of the City of Shelby.

2. Promptly invoice Cleveland County for each inspection performed pursuant to this Agreement. Such invoice shall include the type of inspection performed, the date of inspection, the fee, and applicable discounts or total fees, as well as a copy of any written notice, permits, or comments provided by the inspector.

b. Pay Cleveland County the rate contained in Cleveland County’s ’1st rate schedule for inspections, which both Parties understand may be increased or otherwise amended from time to time and would impact the amount paid by the City of Shelby under this Agreement for each inspection conducted pursuant to this Agreement.

3. City of Shelby agrees to remit payment to Cleveland County Permits and Inspections Department within thirty (30) days upon receipt of invoice for services rendered.

ARTICLE 4: MISCELLANEOUS PROVISIONS

4.01 No Third-Party Beneficiaries. This Agreement is not intended to benefit any third party. The rights and obligations contained herein exclusively belong to the Parties herein and shall not confer any rights or remedies upon any person or entity other than the Parties hereto.

4.02 Ethics Policy. The Parties acknowledge and shall adhere to the requirements of N.C.G.S. §18B-32 which prohibits the offering to, or acceptance by, any state or local employee of any gift from anyone in a contract with the governmental entity from a person seeking to do business with the governmental entity.

4.08 Dispute Resolution. In the event of a conflict or default that might arise for matters associated with this Agreement, the Parties agree to informally communicate to resolve the conflict. If any such dispute cannot be informally resolved, then such dispute, or any other matter arising under this Agreement, shall be subject to resolution in a court of competent jurisdiction. Such disputes, or any other claims, disputes or other controversies arising out of, and between the Parties shall be subject to and decided exclusively by the appropriate general court of justice in Cleveland County, North Carolina.

4.09 No waiver of Non-Compliance with Agreement. No provision of this Agreement shall be deemed to have been waived by any Party hereto unless such waiver shall be in writing and executed by the same formality as this Agreement. The failure of any Party herein at any time to require strict performance by the other of any provision hereof shall in no way affect the right of the other Party to thereafter enforce the same. In addition, no waiver or acquiescence by a Party hereto of any breach of any provision hereof by another Party shall be taken to be a waiver of any succeeding breach of such provision or as a waiver of the provision itself.
PARTNERS AMENDED BYLAWS

Chairman Bridges recognized Andrew Schrag, Regional Director of Community Operations for Partners Behavioral Health, to present the proposed Partners Amended Bylaws. Partners Behavioral Health (PBH) is growing with Cabarrus, Union, Forsyth and Stanley County requesting to join PBH per the approval from North Carolina Department of Health and Human Services (NC DHHS) Secretary Mandy Cohen. To prepare for this growth, PBH is requesting to add one new board member or board seat for each of the additional new counties joining PBH to ensure each county has representation with a Commissioner or appointee to serve as a voting member. North Carolina General Statute 122(c) is outdated but PBH is still beholden to it and they must request a statutory exception to add additional seats beyond the current allotment of 21 seats. Achievement of the request requires two steps; PBH must go before each their current counties and to ask for joint approval and secondly, Secretary Cohen must approve the additional counties.

Chairman Bridges opened the floor to the Board for questions and discussion. Commissioner Whetstine, who serves on the PBH Board, spoke about the many benefits and services PBH offers to its communities

ACTION: Commissioner Whetstine made the motion, seconded by Commissioner Gordon, and unanimously adopted by the Board, to approve the amended bylaws and joint resolution with Partners Behavioral Health.
JOINT RESOLUTION
OF THE BOARDS OF COUNTY COMMISSIONERS
OF BURKE, CATARWA, CLEVELAND, CASTON, ERDELL,
LINCOLN, RUTHERFORD, SURRY, AND YADKIN COUNTIES

WHEREAS, Partners Health Management ("Partners") is the Area Authority and
Local Management Entity/Managed Care Organization (LME/MCO) for Burke,
Catawba, Cleveland, Gaston, Iredell, Lincoln, Rutherford, Surry, and Yadkin Counties,
consistent with N.C. Gen. Stat. §§ 122C-32.1-3, 122C-31.01, and 122C-32.2;

WHEREAS, current state law at N.C. Gen. Stat. §122C-118.1 limits the maximum
number of voting members of an Area Authority board of directors to twenty-one (21),
above approval by the Boards of County Commissioners of that Area Authority and the
Secretary of the North Carolina Department of Health and Human Services (NCDHHS)
"to appoint members of the area board in a manner or with a composition other than as
required by [that statute];"

WHEREAS, Partners’ Board on May 20, 2021, approved revised bylaws to add a
voting member for each new county joining Partners’ Catchment Area or Region, which
would include as of September 1, 2021, Cabarrus, Union, and Stanly Counties and
foreseeably one more county thereafter, bringing the total catchment population to over
the 1,250,000 minimum needed for a statutory exception;

WHEREAS, the revised Partners bylaws would thereby exceed that maximum of
21 voting members, but otherwise make no other substantive changes and would continue
with compliance with the other legal board requirements in that statute.

WHEREAS, the Boards of County Commissioners of Burke, Catawba, Cleveland,
Gaston, Iredell, Lincoln, Rutherford, Surry, and Yadkin Counties do not object to this
statutory exception;

NOW, THEREFORE, BE IT RESOLVED JOINTLY THAT Partners’ board of
directors may be appointed in a manner or with a composition other than as required by
N.C. Gen. Stat. §122C-118.1, including that the voting members of Partners’ board of
directors may exceed the twenty-one (21) maximum stated in that statute and as reflected
in the Partners-approved bylaws.

This Joint Resolution shall be effective immediately when signed, and to later
than September 1, 2021.

ADOPTED AND RATIFIED in counterparts by the Boards of County
Commissioners of Burke, Catawba, Cleveland, Gaston, Iredell, Lincoln, Rutherford, Surry,
and Yadkin Counties.

[SIGNATURES FOR EACH COUNTY FOLLOW ON NEXT PAGE]
Chairman Bridges called County Manager Brian Epley to the podium to present the Doran Mill Conceptual Layout. Staff has been working on this project for some time. Commissioners were reminded of the direction given to staff during their January 2021 work session. The county inherited the Doran Mill property in 2012, as a tax foreclosure. Since that point, there have been several different strategies and over a couple year period of trying to better understand the best use of the property.

The Doran Mill property is about 75 acres with 50-acres on the eastern side and 25-acres on the western side of Highway 226. Beginning in 2018, staff was able to develop a strategy to demolish the old building and clean the property. On a parallel track, the county engaged with a firm called ColeJenest & Stone to do a highest and best use analysis, where parameter measures included traffic flow, different intersections, utilities and a variety of different infrastructure measurements. The completed report gave staff direction on what will ultimately generate the most return on this public asset for taxpayers. This is a very advantageous piece of property and staff has tried to be very calculated in a decision that is being worked through now to ensure a sustainable return over a long period of time for Cleveland County.

The Doran Mill dates back to the 1920s and was one of the county's largest employers. The mill closed its doors in 2001 and in 2018 the county began cleaning the property. The options that were developed in connection with the highest and best use study presented to the Board, originally back in 2019, and then updated in 2021 was number one to sell the property at a market rate and try to immediately put the property back on the tax books. Option two was to pursue some type of industrial development specifically on the eastern side. This option had several areas of concern such as topography, utilities and the environmental phase one/phase two Geotech analysis that may be in the dirt. The final option was a mixed-use option that was incorporated in an investment into Cleveland County housing stock as well as flex space that could give the county some diversity in our local economy.

Over the last 18 months, staff reviewed through all those options and presented them to the Board. Ultimately, the decision of the Commissioners was to have staff further pursue option two and better understand what a site development plan would look like. There were tremendous challenges with both option one and three, making option two best choice. Between January 2021 and now, the county has partnered with a respected civil engineering firm called WithersRavenel who have offices across the state of North Carolina. Their firm and the county’s engineering staff advise the site will sit well for a 100,000 square foot expandable 200,000 square foot industrial site that pushes the building 150 feet off the road. The topography was able to be balanced the site with onsite dirt and the environmental phase one and phase two have been completed, however, there's still some environmental engineering that still needs to take place.
90% of Cleveland County’s Request for Information (RFI’s) are requests received from commercial site consultants are looking for that 100,000 to 200,000 square foot facility. The market is being significantly weighted for that 100,000 to 200,000 square foot building. If the Board approves the proposed site plan, there are still some issues that need to be addressed. Geotech engineering needs to be completed to ensure there are no rock problems, specifically underneath where the old mill building was located, and the dirt needs more testing. WithersRavenel needs to be noticed to proceed with a schematic level sight reading plan and give staff some estimate of the impact of cost. Once all of these steps are completed, the progress will come back before the Board for further direction.

The following information and PowerPoint were presented to Commissioners.

**DORAN MILL PROPERTY**

**DUE DILIGENCE**

**BEST USE OPTIONS**

**OPTION 1 - SELL ENTIRE PROPERTY AS IS**

**OPTION 2 - INDUSTRIAL DEVELOPMENT**

**OPTION 3 - MIXED USE DEVELOPMENT**
Chairman Bridges opened the floor to the Board for questions and discussion. Commissioner Hutchins asked if this could be a future joint project with the City of Shelby; Mr. Epley stated it could be. Commissioner Whetstine commented on the transition so far with the Doran Mill clean up. Chairman Bridges stated Cleveland County’s endeavors in this area thus far have been successful with new business growth and job creation.

BOARD APPOINTMENTS

CLEVELAND COUNTY CHILD FATALITY PREVENTION TEAM

ACTION: Commissioner Hardin made the motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board, to re-appoint Katie Baker, Laurie Whetstone, Peter Bagley, Dashe’ Lawton and Jessica Crawford to serve as members of this board, for a period of three-years, scheduled to conclude June 30, 2024.

CLEVELAND COUNTY JUVENILE CRIME PREVENTION COUNCIL

ACTION: Commissioner Whetstine made the motion, seconded by Commissioner Gordon, and unanimously adopted by the Board, to re-appoint Cathy Robertson and Phil Weathers and appoint Roy Bowman to serve as members of this board for a period of three-years, scheduled to conclude June 30, 2024.

CLEVELAND COUNTY SOCIAL SERVICES ADVISORY BOARD

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Gordon, and unanimously adopted by the Board, to re-appoint Betsy Wells to serve as a member of this board, for a one-time appointment for a period of two-years, scheduled to conclude June 30, 2023.
HOME AND COMMUNITY CARE BLOCK GRANT ADVISORY BOARD

ACTION: Commissioner Whetstine made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board, to appoint Anzie Horn, Marilyn Smith, Tammy Phillips and Cleveland County Finance Director Lucas Jackson or his designee and re-appoint Nancy Abaise Kong and Freda Pauly, to serve as a member of this board, for a period of three-years, scheduled to conclude June 30, 2024.

SHOOTING RANGE ADVISORY BOARD

ACTION: Commissioner Whetstine made the motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board, to re-appoint Jim Quinlan, Chip Camp, Jason Falls, and appoint David Hanse, Roy Bowman and Betsy Harnage to serve as members of this board for a period of three-years, scheduled to conclude June 30, 2024.

CITY OF SHELBY BOARD OF ADJUSTMENT (ETJ)

ACTION: Commissioner Gordon made the motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board, to re-appoint Roger Holland and Noel Mac Arthur to serve as members of this board, for a period of three-years, scheduled to conclude June 30, 2024.

CITY OF SHELBY PLANNING AND ZONING BOARD (ETJ)

ACTION: Commissioner Hardin made the motion, seconded by Commissioner Gordon, and unanimously adopted by the Board, to re-appoint Emanuel Hunt Jr. and Bob Cabaniss to serve as members of this board, for a period of three-years, scheduled to conclude June 30, 2024.

RECESS TO RECONVENE

There being no further business to come before the Board at this time, Commissioner Gordon made a motion, seconded by Commissioner Hutchins and unanimously adopted by the Board, to recess to reconvene. The next meeting of the Commission is scheduled for Thursday, July 15, 2021 at 6:00 p.m. in the Commissioners Chambers.

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Doug Bridges, Chairman
Cleveland County Board of Commissioners

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