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 Chairman
- Johnny Hutchins, Commissioner
- Doug Bridges, Commissioner
- Ronnie Whetstine, Commissioner
- Martha Thompson, Deputy County Attorney
- David Cotton, County Manager
- Phyllis Nowlen, Clerk to the Board
- Kerri Melton, Assistant County Manager
- Chris Martin, Planning Director
- Rebecca Johnson, Interim Social Services Director
- Perry Davis, Emergency Management Director/Fire Marshal
- Sherry Lavender, Tax Assessor

**CALL TO ORDER**

Chairman Gordon called the meeting to order. Murphey’s Toy Run Organizer Buffy Murphey led the audience in the Pledge of Allegiance and provided the invocation.

Chairman Gordon announced: “The public hearing for SRI Three, LLC (Small Business Incentive Grant) has been postponed until further notice. The taxpayer has requested to postpone the public hearing due to a discovery bill the county made in October, and he has not paid yet. The Tax Assessor also found a typographical error on the discovery bill that needs to be corrected.”

**AGENDA ADOPTION**

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

**SPECIAL RECOGNITION**

**MURPHEY’S ANNUAL TOY RUN**

Chairman Gordon called Murphy’s Toy Run organizers John and Buffy Murphey to the podium to receive a proclamation of appreciation for their service to the community. Murphey’s Toy Run was started in 1994 to help people in need during the holidays. The first toy run began with 8 motorcycles, taking toys to the Shriner's Children's Hospital in Greenville, South Carolina. Murphey’s Toy Run has grown over the past 29 years, averaging over 500 motorcycle participants; toys are now delivered to the Shrine Hospital, Masonic Home for Children, Cleveland County Sheriff's Office, Kings Mountain Police Department, and various other places throughout the community. Commissioners presented the following proclamation:
SMALL PARK OF THE YEAR AWARD – BROAD RIVER CAMPGROUND

Chairman Gordon recognized one of the Broad River Campground developers, Tyler Watts, for speaking about the campground development and winning the national Small Park of the Year Award. The Board was reminded of the initial concept and groundbreaking of the Broad River Campground that occurred several years ago. The campground is now in the final phases of development. When completed, there will be 56 RV sites, ten cabins, five glamping domes, five campsites, a clubhouse, a pool, a splash pad, and a nature trail.

In November, team members from the Broad River Campground attended a national conference, Outdoor Hospitality Industry (OHI), open to campgrounds nationwide. The Broad River Campground was awarded the prestigious Small Park of the Year Award during the conference. Mr. Watts spoke of the hard work team members at the campground put in daily to make it successful. He thanked Commissioners for their continued support of the Broad River Campground. Commissioners congratulated Mr. Watts and his team for winning Small Park of the Year and thanked the team members for all they do for the campground and the community.

SPECIAL PRESENTATION

CRISIS RESPONSE CANINES

Commissioner Hardin called Robin Ledford, Jane Williams, and Jane Wood to the podium to present information regarding Crisis Response Canines. Crisis Response Canines (CRC) is a 501(c)(3) non-profit organization that certifies, trains and deploys certified Animal Assisted Therapy (AAT) and Animal Assisted Crisis Response (AACR) teams. CRC’s mission is to provide strength, comfort, and emotional support to individuals,
families, communities, and first responders experiencing intense traumatic emotions after critical incidents. CRC team members have various backgrounds, including law enforcement, military, health care, and education. This highly experienced team member complement affords a broad range of peer-to-peer support in virtually any situation. Canine handlers must participate in robust education and training to achieve and maintain certifications from FEMA’s National Incident Command Structure Training and Critical Incident Stress Management (CISM) principles. Several members completed the CISM certification of knowledge exam offered through the University of Maryland, Baltimore County, Department of Emergency Health Services, through its Professional and Continuing Education Program (PACE). Other required certifications include Pet First Aid, CPR, and specific courses associated with healthcare, and behavioral health. CRC canines also have extensive training and certifications, including National Therapy Dog Certification, AKC Canine Good Citizen, AKC Canine Good Citizen Advanced, AKC Canine Good Citizen Urban, Crisis Working Dog Certification, and Law Enforcement Defensive Systems Crisis Working Dog Certification. Commissioners thanked and praised the work CRC does in the community and the country.

PUBLIC COMMENT

Robert Williams, 814 E. Stagecoach Trl, Lawndale – spoke about canceling the real estate purchase agreement on the consent agenda, agreeing with the Commissioners’ decision to terminate the economic development project with Project Power. Mr. Williams then spoke against the Justice Center Change Order 4 on the regular agenda, advising by his calculations the project is over budget and will cost billions.

Steve Padgett, 215 Eagle Cove Drive, Cherryville – Small Business Development Director, spoke about the impact COVID-19 had on small businesses. Through continued support and tax incentives from the Commissioners, small businesses in the community have been able to rebuild and stay open for business. Mr. Padgett thanked the Board for their continued support of the Small Business Development Center.

CONSENT AGENDA

APPROVAL OF MINUTES

The Clerk to the Board included the Minutes from the November 7, 2023 regular meeting and the December 4, 2023, organizational meeting 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.

TAX COLLECTOR’S MONTHLY REPORT

Pursuant to North Carolina General Statute §105-350.7, the Tax Collector shall submit to the governing body, at each of its regular meetings, a report to include the amount collected on each year’s taxes with which she is charged, the amount remaining uncollected, and the steps being taking to encourage payment of uncollected
taxes. The Tax Collector provided Commissioners with a detailed written report regarding taxes collected during November 2023.

**ACTION:** Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and passed unanimously by the Board to, approve the November 2023 monthly tax report submitted by the Tax Collector.

**TOTAL TAXES COLLECTED NOVEMBER 2023**

<table>
<thead>
<tr>
<th>YEAR</th>
<th>AMOUNT-REV</th>
<th>AMOUNT-GAP</th>
<th>COMBINED AMT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2023</td>
<td>$2,726,598.63</td>
<td>$1,905.26</td>
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<tr>
<td>2022</td>
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<td>2021</td>
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<td>2019</td>
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<td>$2,729,856.94</td>
</tr>
<tr>
<td>2018</td>
<td>$2,729,856.94</td>
<td>$0.00</td>
<td>$2,729,856.94</td>
</tr>
<tr>
<td>2017</td>
<td>$2,729,856.94</td>
<td>$0.00</td>
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<td>2014</td>
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<tr>
<td>2013</td>
<td>$2,729,856.94</td>
<td>$0.00</td>
<td>$2,729,856.94</td>
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**TOTAL TAXES COLLECTED NOVEMBER 2023**

<table>
<thead>
<tr>
<th></th>
<th>AMOUNT-REAL</th>
<th>AMOUNT-GAP</th>
<th>COMBINED AMT</th>
</tr>
</thead>
<tbody>
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<td>$13,522.09</td>
<td>$43,375,328.51</td>
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<tr>
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<tr>
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<td>2014</td>
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**TOTAL TAXES UNCOLLECTED NOVEMBER 2023**

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<tr>
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<th>AMOUNT-REAL</th>
<th>AMOUNT-GAP</th>
<th>COMBINED AMT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2023</td>
<td>$46,721,942.89</td>
<td>$39,785.07</td>
<td>$47,113,728.96</td>
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</table>

**TAX ADMINISTRATION: ABATEMENTS AND SUPPLEMENTS**

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during November 2023. The monthly grand total for tax abatements was listed as ($103,158.29) and the monthly grand total for tax supplements was listed as $80,949.17.

**ACTION:** Commissioner Hardin made a motion, seconded by Commissioner Whetstine and passed unanimously by the Board to, approve the November 2023 tax abatements and supplements submitted by the Tax Assessor.

**TAX ADMINISTRATION: LATE APPLICATIONS FOR EXEMPTION/EXCLUSION/DEFERRAL**

Per North Carolina General Statute §105-282.1, every owner of property claiming exemption or exclusion from property taxes under the provisions of this Subchapter has the burden of establishing that the property is entitled to it. Upon a showing of good cause by the applicant for failure to make a timely application, an application for exemption or exclusion filed after the statutory deadlines may be approved by the Department of Revenue, the Board of Equalization and Review, the Board of County Commissioners, or the governing body of a municipality, as appropriate. The Tax Assessor would have approved all of the applications if they had been filed on time.
**ACTION:** Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and passed unanimously by the Board to, *approve the late applications for exemption, exclusion or deferral as submitted by the Tax Assessor.*

<table>
<thead>
<tr>
<th>Owner Name</th>
<th>Parcel/Account</th>
<th>Physical Location</th>
<th>Type</th>
<th>Exempt/Deferral</th>
<th>Estimated Value to be Exempt/Deferred (County Tax Only)</th>
<th>Fiscal Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parish, Malik Bushell</td>
<td>64723</td>
<td>1726 Pifer Rd</td>
<td>Disabled Veterans Exclusion</td>
<td>$45,000</td>
<td>$246.38</td>
<td></td>
</tr>
<tr>
<td>Gilmore, Jenisa Marie</td>
<td>24855</td>
<td>1014 N Post Rd</td>
<td>Disabled Veterans Exclusion</td>
<td>$ -</td>
<td>$ -</td>
<td></td>
</tr>
<tr>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

*Staff Recommendation:* Approve applications. All properties qualify for the exclusion or exemption requested other than the late submission of the application.

| Total | $50,000 | $492.75 |

**TAX ADMINISTRATION: PENDING REFUNDS AND RELEASES**

The Tax Administration Office requests the release of $552.44 and a refund of $1,696.90, pursuant to North Carolina General Statute §105-381. The petitioner, Gary E. Evans, was overcharged due to a clerical error. The County Tax Assessor has reviewed the request and advised it is in order for approval.

**ACTION:** Commissioner Hardin made the motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board, *to approve the Pending Refunds and Releases as submitted by the Tax Assessor.*
FINANCE DEPARTMENT: BUDGET TRANSFER SUMMARY

As required by North Carolina General Statute §159-15, all internal transfers shall be submitted to the Board of Commissioners. The budget transfer summary from October 12, 2023 through December 1, 2023 is included in Commissioner packets.

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and passed unanimously by the Board to, approve the budget transfer summary as presented.

FINANCE DEPARTMENT: ELECTRONIC PAYMENTS AND PRE-AUDIT

North Carolina General Statute 159-28 requires counties to have an adopted resolution to engage in electronic payments. Staff recommends approving the resolution in Commissioners’ packets authorizing the county to engage in electronic payments. The resolution approval will allow the continuance of electronic payments transacted with charge cards, credit cards, debit cards, gas cards, procurement cards, or electronic funds transfers. The electronic approval will also include an exemption from the pre-audit certificate requirements in North Carolina General Statute §159-28.
Resolution Authorizing Cleveland County to Engage in Electronic Payments

WHEREAS, it is the desire of the Board of Commissioners that Cleveland County be authorized to engage in electronic payments as defined by North Carolina General Statute §159-28 or §159-441; and

WHEREAS, it is the responsibility of the Finance Officer to create a written policy outlining procedures for pre-audit obligations that will be incurred by electronic payments as required by North Carolina Administrative Code 25 NCAC 03.0403; and

WHEREAS, it is the responsibility of the Finance Officer to create a written policy outlining procedures for disbursing public funds by electronic transaction as required by North Carolina Administrative Code 25 NCAC 03.0403; and

NOW, THEREFORE, BE IT RESOLVED, by the Cleveland County Board of Commissioners that:

Section 1. Authorizes Cleveland County to engage in electronic payments as defined by North Carolina General Statute §159-28 or by North Carolina General Statute §159-441; and

Section 2. Authorizes the Finance Officer to create a written policy outlining procedures for pre-audit obligations that will be incurred by electronic payments as required by North Carolina Administrative Code 25 NCAC 03.0403; and

Section 3. Authorizes the Finance Officer to create a written policy outlining procedures for disbursing public funds by electronic transaction as required by North Carolina Administrative Code 25 NCAC 03.0403; and

Section 4. This resolution shall take effect immediately upon its passage.

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and passed unanimously by the Board to, adopt the resolution authorizing Cleveland County to engage in electronic payments.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #028)

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>012.535.4.410.00</td>
<td>012.535.5.210.00</td>
<td>Health Promotions/Local Other Grants</td>
<td>$2,500.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Health Promotions/Department Supply</td>
<td>$2,500.00</td>
<td></td>
</tr>
</tbody>
</table>

Explanation of Revisions: Budget allocation of $2,500 in grant monies awarded from Healthy Together of Cleveland. These funds will be used towards cost of marketing and branding of the MedSouth Program.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #029)

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>012.548.4.540.26</td>
<td>012.548.4.540.49</td>
<td>CODAP/Contracted Revenue</td>
<td>$18,145.00</td>
<td>$4,104.00</td>
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<tr>
<td>012.548.5.121.00</td>
<td>012.548.5.131.00</td>
<td>CODAP/Salaries-Wages</td>
<td>$7,133.00</td>
<td>$422.00</td>
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<tr>
<td>012.548.5.132.00</td>
<td>012.548.5.133.00</td>
<td>CODAP/Retirement</td>
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<td>$23.00</td>
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<tr>
<td>012.548.5.134.00</td>
<td>012.548.5.135.00</td>
<td>CODAP/Dental Insurance</td>
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<tr>
<td>012.548.5.211.00</td>
<td>012.548.5.230.00</td>
<td>CODAP/Controlled Property</td>
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<tr>
<td>012.548.5.230.00</td>
<td>012.548.5.310.00</td>
<td>CODAP/Prescription Drugs</td>
<td>$4,104.00</td>
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<tr>
<td></td>
<td></td>
<td>CODAP/Treatment</td>
<td>$5,838.00</td>
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</tr>
</tbody>
</table>

Explanation of Revisions: Budget allocation of $18,145 in additional funding from Partners Behavioral Health. Funds will support youth education, professional/community development, and training to support youth substance.
abuse programs. Funds will also be used to purchase nicotine replacement therapy medication to aid in tobacco use reduction in the community.

**SHERIFF’S OFFICE: BUDGET AMENDMENT (BNA #030)**

**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>010.410.4.991.00</td>
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<td>010.444.5.513.00</td>
<td></td>
<td>General Revenues/Hospital-Dr Fees</td>
<td>$301,000.00</td>
<td></td>
</tr>
</tbody>
</table>

*Explanation of Revisions:* Budget allocation of $301,000 for increased inmate doctor and hospital fees.

**SHERIFF’S OFFICE: BUDGET AMENDMENT (BNA #031)**

**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>010.441.4.540.00</td>
<td></td>
<td>Sheriff’s Office/Contracted Revenue</td>
<td>$20,225.00</td>
<td></td>
</tr>
<tr>
<td>010.441.5.121.00</td>
<td></td>
<td>Sheriff’s Office/Salaries-Wages-Reg</td>
<td>$17,375.00</td>
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</tr>
<tr>
<td>010.441.5.1220.00</td>
<td></td>
<td>Sheriff’s Office/ Salaries-Wages-PT</td>
<td>$2,850.00</td>
<td></td>
</tr>
</tbody>
</table>

*Explanation of Revisions:* Budget allocation for $20,225 in funds received from the Cleveland County Fair to reimburse fair duty pay for hours worked during the 2023 fair.

**SOCIAL SERVICES: BUDGET AMENDMENT (BNA #032)**

**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>
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<tr>
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<td>08300-P432</td>
<td>TACC/State Govt Grants</td>
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<td>08300-P432</td>
<td>TACC/Grants</td>
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<tr>
<td>010.508.4.350.00</td>
<td>08300-P432</td>
<td>Income Maintenance/State Govt Grants</td>
<td>$30,126.00</td>
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</tr>
<tr>
<td>011.508.5.700.00</td>
<td>08300-P432</td>
<td>Income Maintenance/Grants</td>
<td>$30,216.00</td>
<td></td>
</tr>
</tbody>
</table>

*Explanation of Revisions:* Budget allocation for $80,509 in additional funds from the North Carolina Department of Transportation for FY24 ROAP (Rural Operating Assistance Program) funds.

**COMMISSIONERS: 2024 COMMISSIONER MEETING SCHEDULE**

The Clerk to the Board included the **2024 Commissioner Regular Meeting Schedule**, in Board Members’ packets.

**ACTION:** Commissioner Hardin made the motion, seconded by Commissioner Whetstine, and unanimously approved by the Board to, **approve the 2024 Commissioner Regular Meeting Schedule**.
LEGAL DEPARTMENT: SALE OF COUNTY OWNED PROPERTY – PARCEL 26535

Parcel 26535, located on Carver Street, Shelby, was acquired by Cleveland County from foreclosure proceedings in 1990. Cleveland County became the last and highest bidder at Nine Hundred Twenty-Five and 00/100 Dollars ($925.00). This parcel of land has no residential structures, and the current tax value is $1,435. The county received an opening bid of $1,000 from Bobby G. Hunt, II, to acquire parcel 26535. Staff recommend approval of the offer made on parcel 26535 and authorize county staff to advertise and open the upset bid process through resolution adoption.

2. The County paralegal will notify the offeror of the Commissioners’ authorization and the amount required of them for advertising costs to be paid by cash, money order or cashier’s check payable to the County and delivered to the County paralegal at 311 E. Marion Street, Suite 121, Shelby, North Carolina 28150.

3. Following receipt of payment of the advertising cost by the offeror, the Clerk to the Board will cause a notice of the proposed sale to be published. (In the event offeror declines payment of the advertising cost, the property will not be advertised.) The notice will contain a general description of the property, the amount and terms of the offer, and a notice that within ten (10) days any person may make the bid by not less than ten percent (10%) of the first one thousand dollars ($1,000) and five percent (5%) of the remainder.

4. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to Christie Woram, paralegal, Cleveland County Administrative Office Building, 311 E. Marion Street, Suite 121, Shelby, NC 28150 for hand delivery or PO Box 1200 Shelby, NC 28151 for receipt of mail delivery on or before 3:00 p.m. or on the 10th day following publication of said notice. Use of the road or any means of delivery is at the bidder’s risk and any bids received after the deadline will be considered. Any bid with conditions or terms will not be accepted or considered. Use of the road or any means of delivery will be at the bidder’s risk and any bids received after the deadline will not be considered. Any bid with conditions or terms will not be accepted or considered. No bid will be accepted or considered.

5. At 5:00 p.m. on said date (or the next following business day if the 10th day is a weekend or holiday), the County Attorney/Deputy County Attorney will open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

6. If a qualifying higher bid is received, the County Clerk will cause a new notice of upset bid to be published and will continue to do so until a 10-day period has passed without any qualifying upset bid having been received.

7. A qualifying higher bid must also be accompanied by a deposit in the amount of either the higher of

(a) a minimum of Seven Hundred Fifty Dollars ($750.00); or

(b) five percent (5%) of the bid and accompanying One Hundred Twenty-Five Dollars ($125.00); or higher in the event of an increase,

for advertising costs. The greater amount of either (a) or (b) may be made in cash, money order, or cashier’s check.

8. The County will apply the deposit of the final high bidder first to the costs of the bidding process, including but not limited to the cost of advertising the notice of the proposed sale, then the remaining balance to the purchase price at closing, unless...
ACTION: Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, approve the offer made on parcel 26535 and authorize county staff to advertise and open the upset bid process.

LEGAL DEPARTMENT: REAL ESTATE PURCHASE AGREEMENT CANCELATION

Cleveland County entered into a Real Estate Purchase Agreement effective August 17, 2023, with Project Sunrise. Both parties had, as a condition, precedent to their obligations under the purchase agreement, that the parties reach an agreement with respect to incentives from the county to the company. After negotiations with Project Sunrise, the county has not been able to agree with the company regarding incentives. The county sent a draft incentive agreement to the Company and its representatives on August 30, 2023. The company did not substantively respond to the incentive offer until October 2, 2023, at which time the company requested various changes, including a reduction in the anticipated amount of capital investment. The company also requested that another related company be allowed to join the incentive agreement and that the jobs it creates at the site be counted towards its job creation requirements under the incentive agreement. Legal recommends the cancellation of the real estate purchase agreement with Project Sunrise.

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, approve the cancellation of the Real Estate Purchase Agreement with Project Sunrise.
PLANNING DEPARTMENT: REQUEST TO SET A PUBLIC HEARING ON TUESDAY, JANUARY 16, 2024, FOR CASE 23-26, REQUEST TO REZONE PARCELS 45127, 63557, 63556, 44626, 62579, 62578 AND 43955 FROM GENERAL BUSINESS AND RESIDENTIAL (GB-R) TO LIGHT INDUSTRIAL (LI)

Property owners Barry Beaver, Michael Melton, and Vickie Melton are requesting rezone parcels 45127, 63557, 63556, 44626, 62579, 62578, 43955, containing 58 acres total, from General Business and Residential (GB & R) to Light Industrial (LI). The six parcels lie along Plato Lee Road and Artee Road and contain existing uses, including metal fabrication, electric motor repair, and warehousing. The surrounding zoning districts are a mixture of Residential (R), Restricted Residential (RR) to the North, Residential Manufactured Homes & Parks (RMP) to the south, and General Business (GB) to the east and west. The Land Use Plan designates this area as Secondary Growth. There are areas designated as Primary Growth along Washburn Switch Road.

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

PLANNING DEPARTMENT: REQUEST TO SET A PUBLIC HEARING ON TUESDAY, JANUARY 16, 2024, FOR CASE 23-27, REQUEST TO REZONE PARCEL 35828 FROM RURAL AGRICULTURE (RA) TO RESIDENTIAL (R)

Nicole Helms requests to rezone parcel 35828, containing 1.08 acres, from Rural Agriculture (RA) to Residential (R). The vacant parcel lies along Fallston Road (Hwy 18) at the intersection with Dick Spangler Road, between Shelby and Fallston. Highway 18 is considered an arterial road with the highway corridor protection overlay. Surrounding zoning districts include Rural Agriculture (RA) and Residential (R) to the east and south. The uses surrounding the property are mixed, including residential uses, two convenience/gas stations, an auto repair shop, and car sales. The Land Use Plan designates this area as Secondary Growth.
ACTION: Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, approve setting the public hearing as requested.

REGULAR AGENDA

JUSTICE CENTER CHANGE ORDER 4

Chairman Gordon recognized County Manager David Cotton to present Change Order 4 for the Justice Center Project. Mr. Cotton presented the foundation package for the Justice Center construction project. The package was sent out for bids, and the county received three sealed bid responses. The lowest responsible bidder was Vance Construction. The total bid amount, including Metcon’s construction management fee, is $6,128,240 for 111 calendar days to complete that work immediately following the installation of the piers.

Chairman Gordon opened the floor to the Board for questions and discussion. Commissioner Whetstine asked for clarification that the foundation would be completed after the piers are installed, but the foundation package can be approved now. Mr. Cotton stated that was correct; the bid is only good for 60 days, and approval would guarantee pricing and contract terms. (a full copy of the Justice Center Change Order 4 with addendums is on file in the Clerk’s Office).

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Whetstine, and unanimously approved by the Board to, approve the Justice Center Change Order 4 as presented.
BOARD APPOINTMENTS

AGRICULTURAL ADVISORY BOARD

ACTION: Commissioner Whetstine made the motion, seconded by Commissioner Bridges, and unanimously adopted by the Board, to appoint Wayne Yarbo and Matt Bell to serve as members of this board for a three-year term, scheduled to conclude December 31, 2026.

ANIMAL SERVICES ADVISORY BOARD

ACTION: Commissioner Hardin made the motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board, to appoint Max Turner to serve as a member of this board for an initial one-year term, scheduled to conclude December 31, 2024.

CLEVELAND COUNTY BOARD OF ADJUSTMENT

ACTION: Commissioner Bridges made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board, to appoint Bobby Watson and Thomas Fletcher to serve as members of this board and appoint Paul Aulbach to serve as an alternate member of this board for a three-year term, scheduled to conclude December 31, 2026.

CLEVELAND COUNTY PLANNING BOARD

ACTION: Commissioner Hardin made the motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board, to re-appoint Matthew Hord, Eddie Kee, and Jay Carpenter to serve as members of this board for a three-year term, scheduled to conclude December 31, 2026.

ADJOURN

There being no further business to come before the Board at this time, Commissioner Hardin made a motion, seconded by Commissioner Whetstine and unanimously adopted by the Board, to adjourn. The next meeting of the Commission is scheduled for Tuesday, January 16, 2024, at 6:00 pm in the Commissioners’ Chambers.

________________________________________
Kevin Gordon, Chairman
Cleveland County Board of Commissioners

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