

Cleveland County Board of Commissioners
April 19, 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
Allison Mauney, Human Resources Director
Betsy Harnage, Register of Deeds
Katie Swanson, Social Services Director
Perry Davis, Emergency Management Director/Fire Marshal
Martha Thompson, Chief Deputy County Attorney
Jason Falls, Business Development Director
Sandra Orvig, Shooting Range 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.

Business Development Director Jason Falls provided the invocation and led the audience in the Pledge of Allegiance.

AGENDA ADOPTION

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

CITIZEN RECOGNITION

No one registered to speak.

CONSENT AGENDA

MONTHLY MANAGER'S REPORT

- Finance continues to work through the budget process. With all department requests received and meetings completed, staff is now preparing the FY 22-23 Managers Recommended Budget. This budget will be distributed to the Board of Commissioners at their May 17th regular Commissioners meeting for review.
- General Fund revenues through Q3 continue to show positive economic trends with an increase of around 2.5% over this period in FY 21. Expenditures remained very comparable with a slight decrease of approximately 0.2%. Revenue increase was primarily driven by the County's tax base growth and economic vibrancy shown through Local Option Sales Tax.
- The County is underway with the DSS Co-Location project and the Shell Building 4 project. Finance has begun receiving invoices for CIP for both projects.
- The County contracted with Moseley Architect's for engineering and design services for the proposed Justice Center Campus. Moseley is currently in the Schematic Design Phase of the project.

County of Cleveland, North Carolina
 Manager's Budget Summary
 Presented at the 4/19/22 Board Meeting
 Time Period Covered : 3/7/22 to 4/12/22
 For Fiscal Year Ending June 30, 2022

BUDGET TRANSFERS LEGEND: D = DEPARTMENTAL; L = LATERAL

BUD #	BUDGET TYPE	DATE SUBMITTED BY DEPT	DEPT NAME TO	DEPT NAME FROM	EXPLANATION	BUDGET AMOUNT
1047	D	3/7/2022	Finance		Move funds to cover professional services	\$ 50
1048	D	3/7/2022	Commissioners		Move funds to cover various expenses	\$ 1,624
1049	D	3/7/2022	Maintenance		Move funds to cover repairs	\$ 1,500
1050	D	3/8/2022	Health-COVID		Move funds to cover rental expense	\$ 6,610
1051	D	3/9/2022	E911		Move funds to cover computer equipment purchase	\$ 17,446
1052	D	3/10/2022	Managers Office		Move funds to cover purchase of equipment	\$ 2,139
1053	D	3/10/2022	Commissioners		Move funds to appropriate account for subscriptions	\$ 4,809
1054	D	3/10/2022	LeGrand Center		Move funds to cover fees	\$ 1,329
1055	D	3/10/2022	WIC		Move funds to cover client incentives	\$ 5,723
1056	D	3/11/2022	Planning/Zoning		Move funds to cover contracted services	\$ 100
1057	D	3/11/2022	SW Landfill		Move funds to cover contracted services	\$ 395
1058	D	3/11/2022	SW Manned Sites		Move funds to cover contracted labor	\$ 10,000
1059	D	3/11/2022	Soil & Water		Move funds to cover dues/subscriptions	\$ 549
1060	D	3/14/2022	Property & Liability		Move funds to cover fees and services	\$ 9,047
1061	D	3/14/2022	Human Resources		Move funds to cover professional services	\$ 3,742
1062	D	3/16/2022	SW Landfill		Move funds to cover equipment purchases	\$ 2,850
1063	D	3/16/2022	Employee Wellness Ctr		Reverse temporary budgets for BNA #43 employee wellness	\$ 170,275
1064	D	3/16/2022	Public Safety Grants		Move funds to appropriate account for equipment	\$ 84,270
1065	D	3/17/2022	DSS - Public Assistance		Move funds to appropriate account for departmental expenses	\$ 50,000
1066	D	3/17/2022	Property & Liability		Move funds to cover building and grounds repairs	\$ 2,020
1067	D	3/17/2022	E911		Move funds to cover server migration	\$ 9,068
1068	D	3/17/2022	WIC		Move funds to cover purchase of furniture	\$ 9,810
1069	D	3/17/2022	Health Admin		Move funds to cover various accounts	\$ 7,000
1070	L	3/18/2022	EMS		Move funds to cover refunds	\$ 46,000
1071	D	3/21/2022	ARP Fund		Move funds to cover professional services	\$ 1,000
1072	D	3/21/2022	SW Landfill		Move funds to cover controlled property expense	\$ 1,031
1073	D	3/21/2022	LeGrand Center		Move funds to cover insurance/bonding	\$ 79
1074	L	3/22/2022	SO- Dentention Center		Move funds to cover fees	\$ 130,000

1075	L	3/22/2022	EMS		Move funds to cover fuel expense	\$ 6,274
1076	D	3/22/2022	Property Liability		Move funds for repair costs	\$ 88
1077	D	3/22/2022	Animal Services		Move funds to cover contracted labor and controlled property expenses	\$ 4,889
1078	D	3/22/2022	Animal Services		Move funds to cover purchase of equipment	\$ 5,700
1079	D	3/22/2022	Capital Project		Move funds to cover annual licenses	\$ 39,169
1080	D	3/22/2022	EMS		Move funds to cover automotive supplies and professional services	\$ 20,750
1081	D	3/23/2022	Maintenance		Move funds to cover fuel expense	\$ 2,679
1082	L	3/24/2022	DSS - Public Assistance		Move funds to cover professional services	\$ 3,000
1083	D	3/24/2022	DSS - Public Assistance		Move funds to cover departmental expenses	\$ 100,000
1084	D	3/24/2022	Tax		Move funds to cover postage	\$ 7,500
1085	D	3/24/2022	Tax		Move funds to cover motor fuels	\$ 2,800
1086	D	3/24/2022	Sheriff Office -439		Move funds to cover motor fuels	\$ 1,612
1087	D	3/24/2022	Sheriffs Office -440		Move funds to cover various accounts	\$ 2,000
1088	D	3/24/2022	Building Inspections		Move funds to cover department supplies, dues and subscriptions, and capital equipment	\$ 8,766
1089	D	3/24/2022	Shooting Range		Move funds to cover motor fuels	\$ 1,000
1090	D	3/25/2022	Travel & Tourism		Move funds to cover travel/training & dues/subscriptions	\$ 2,200
1091	D	3/25/2022	Sheriff's Office		Move funds to cover annual uniforms/clothing purchase and motor fuels	\$ 23,599
1092	D	3/25/2022	Detention Center		Move funds to cover professional fees	\$ 12
1093	D	3/29/2022	Maintenance		Move funds to cover capital equipment	\$ 2,500
1094	D	3/29/2022	LeGrand Center		Move funds to cover professional services	\$ 7,809
1095	D	3/29/2022	Human Resources		Move funds to cover dues/subscriptions	\$ 1,000
1096	D	3/30/2022	Child Health		Move funds to cover awards/appreciation	\$ 500
1096	D	3/30/2022	Maternal Health		Move funds to cover departmental supplies and awards/appreciation	\$ 4,726
1096	D	3/30/2022	Family Planning		Move funds to cover departmental supplies	\$ 791
1096	D	3/30/2022	WIC		Move funds to cover advertising and dues/subscriptions	\$ 1,144
1096	D	3/30/2022	Environmental Health		Move funds to cover automotive supplies	\$ 1,560
1096	D	3/30/2022	Nurse Family Partnership		Move funds to cover postage and professional services	\$ 3,080
1096	D	3/30/2022	COVID		Move funds to cover contracted labor and supplies	\$ 35,000
1096	D	3/30/2022	CC4C-PCM		Move funds to cover advertising/promotions	\$ 384
1096	D	3/30/2022	CODAP		Move funds to cover dues/subscriptions	\$ 80
1096	D	3/30/2022	Employee Wellness Ctr		Move funds to cover contracted services	\$ 20,000
1097	D	3/31/2022	Building Inspections		Move funds to cover automotive supplies	\$ 400
1098	D	4/4/2022	Emergency Management		Move funds to cover salaries and benefits	\$ 520
1099	D	4/5/2022	Commissioners		Move funds to cover departmental supplies	\$ 4,000
1100	D	4/5/2022	Commissioners		Move funds to cover operational allotment	\$ 20,000

1101	D	4/6/2022	LeGrand Center		Move funds to cover building repairs	\$ 2,765
1102	L	4/7/2022	Sheriff Dept	Contingency	Transfer funds to cover capital equipment	\$ 80,218
1103	D	4/8/2022	Electronic Maintenance		Move funds to cover purchase of capital equipment	\$ 28,821
1104	D	4/8/2022	LeGrand Center		Move funds to cover equipment replacement	\$ 10,895
1105	L	4/11/2022	DSS - Administration	DSS-Outside Poor	Transfer funds to cover annual IT equipment purchase	\$ 140,626
1106	D	4/11/2022	DSS - Administration		Move funds to cover annual IT equipment purchase	\$ 154,317
1107	D	4/12/2022	SW Landfill		Move funds to cover departmental supplies	\$ 1,000
1108	D	4/12/2022	Health Dept - COVID		Move funds to cover departmental supplies	\$ 2,936
1108	D	4/12/2022	Health Dept - Admin		Move funds to cover departmental supplies	\$ 3,300
1109	D	4/12/2022	DSS-Admin		Move funds to appropriate account	\$ 320
1110	D	4/12/2022	Workers Comp		Move funds to cover professional fees	\$ 31
1111	D	4/12/2022	Health Plan		Move funds to cover professional services	\$ 8,794

TAX COLLECTOR'S MONTHLY REPORT

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

TOTAL TAXES COLLECTED MARCH 2021					
YEAR	AMOUNT-REAL	AMOUNT-VEHI.	AMOUNT-GAP	COMBINED AMT	
DEF REV	\$0.00	\$0.00	\$0.00	\$0.00	
2021	\$1,253,912.17	\$0.00	\$7,227.50	\$1,261,139.67	
2020	\$54,235.07	\$0.00	\$2,338.07	\$56,573.14	
2019	\$27,384.81	\$0.00	\$0.00	\$27,384.81	
2018	\$7,580.99	\$0.00	\$0.00	\$7,580.99	
2017	\$2,760.82	\$0.00	\$0.00	\$2,760.82	
2016	\$2,004.73	\$0.00	\$0.00	\$2,004.73	
2015	\$1,078.33	\$0.00	\$0.00	\$1,078.33	
2014	\$1,476.73	\$0.00	\$0.00	\$1,476.73	
2013	\$1,062.76	\$0.00	\$0.00	\$1,062.76	
2012	\$346.17	\$0.00	\$0.00	\$346.17	
2011	\$0.00	\$0.00	\$0.00	\$0.00	
				<u>\$1,361,408.15</u>	
TOTALS	\$1,351,842.58	\$0.00	\$9,565.57	\$1,361,408.15	
DISCOUNT	(\$1.46)				
INTEREST	\$68,637.29	\$0.00	\$727.14	\$69,364.43	
TOLERANCE	(\$15.70)		(\$0.75)	(\$16.45)	
ADVERTISING	\$2,025.93	VEHICLE FEES	GAP BILL FEES	DEFERRED GAP	
GARNISHMEN	\$15,338.54	\$0.00	\$2,371.99	\$2,352.86	
NSF/ATTY	\$27.13				
LEGAL FEES	\$0.00				
TOTALS	\$1,437,854.31	\$0.00	\$12,663.95		
MISC FEE	\$0.00		\$2,352.80	GRAND TOTAL	
TAXES COLL	\$1,437,854.31		\$15,016.75	\$1,450,518.26	
DEF	\$8,853.08	\$0.00	DEF	\$2,352.86	
DISC	(\$18.73)	\$1,437,854.31	TOL	\$0.00	
TOL	\$0.03		INT	(\$0.06)	
INT	\$712.35		TOT	\$2,352.80	
TOTAL TAXES UNCOLLECTED MARCH 2021					
	AMOUNT-REAL	AMOUNT-VEHI.	AMOUNT-GAP	COMBINED AMT	
2021	\$2,330,717.20	\$0.00	\$110,082.36	\$2,440,799.56	
2020	\$810,154.46	\$0.00	\$52,545.70	\$862,700.16	
2019	\$713,777.64	\$0.00	\$0.00	\$713,777.64	
2018	\$385,527.35	\$0.00	\$0.00	\$385,527.35	
2017	\$235,107.38	\$0.00	\$0.00	\$235,107.38	
2016	\$170,355.32	\$0.00	\$0.00	\$170,355.32	
2015	\$137,536.06	\$0.00	\$0.00	\$137,536.06	
2014	\$140,602.20	\$0.00	\$0.00	\$140,602.20	
2013	\$103,903.36	\$0.00	\$0.00	\$103,903.36	
2012	\$83,011.74	\$0.00	\$0.00	\$83,011.74	
2011	\$0.00	\$0.00	\$0.00	\$0.00	
				<u>\$0.00</u>	
	<u>\$5,110,692.71</u>	\$0.00	\$162,628.06	<u>\$5,273,320.77</u>	
DEF REV	\$571,505.82		\$84,938.87	\$656,444.69	
TOTAL UNCOLLECTED	\$5,682,198.53	\$0.00	\$247,566.93	\$5,929,765.46	

TAX ABATEMENTS AND SUPPLEMENTS

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during *March 2022*. The monthly grand total of tax abatements was listed as (\$1,323.40) and the monthly grand total for tax supplements was \$28,588.86.

FINANCE DEPARTMENT: BUDGET AMENDMENT (BNA #053)

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

<u>Account Number</u>	<u>Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
040.210.4.980.41		Capital Proj-General/Trnfrs fm Capital Reserve	\$1,500,000.00	
040.210.5.910.00		Capital Proj-General/Capital Equipment	\$600,000.00	
040.210.5.980.00		Capital Proj-General/C-O Building	\$900,000.00	
041.209.4.991.00		Capital Proj-General/Fund Balance Appro	\$1,500,000.00	
041.209.5.890.00		Capital Proj-General/Interfund Transfers	\$1,500,000.00	

Explanation of Revisions: Budget allocation for \$1.5 MM in funds for capital acquisition.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #054)

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

<u>Account Number</u>	<u>Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
012.540.4.310.40		WIC/Federal Govt Grant-WIC-CS	\$44,852.00	

012.540.4.310.41	WIC/ Federal Govt Grant-WIC-NE	\$2,000.00
012.540.4.310.43	WIC/Federal Govt Grant-WIC-BRF	\$26,200.00
012.540.5.121.00	WIC/Salaries-FT Reg	\$7,395.00
012.540.5.131.00	WIC/Social Security	\$107.00
012.540.5.133.00	WIC/Hospital Insurance	\$12,000.00
012.540.5.134.00	WIC/Dental Insurance	\$180.00
012.540.5.136.00	WIC/Medicare	\$25.00
012.540.5.310.40	WIC/Travel-Training-WIC-CS	\$8,414.00
012.540.5.321.43	WIC/Telecommunications WIC-BRF	\$1,200.00
012.540.5.370.40	WIC/Advertising-WIC-CS	\$4,500.00
012.540.5.581.40	WIC/Awards-Appreciation-WIC-CS	\$7,000.00
012.540.5.581.41	WIC/ Awards-Appreciation-WIC-NE	\$2,000.00
012.540.5.581.43	WIC/ Awards-Appreciation-WIC-BRF	\$25,000.00
012.540.5.910.40	WIC/Capital Equipment--WIC-CS	\$5,231.00

Explanation of Revisions: Budget allocation for \$73,052 in additional funds from the North Carolina Department of Health and Human Services for the WIC program. These funds will be used for employee training, salaries, client nutrition, breastfeeding items and advertising.

REGISTER OF DEEDS: REVIEW OFFICER RESOLUTION

North Carolina General Statute § 47-30.2 requires the County to, by resolution, designate by name one or more persons as review officers to review maps and plats before they are presented to the Register of Deeds for recording. The proposed resolution makes appointments effective for Donna Mellon and Henry Earle to serve as designated review officers by the Board of Commissioners.

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, *approve the Review Officer resolution.*



Resolution

08-2022

REVIEW OFFICER RESOLUTION

WHEREAS, pursuant to North Carolina General Statute § 47-30.2, the Board of Commissioners "shall, by resolution, designate by name one or more persons experienced in mapping or land records management as a Review Officer to review each map and plat required to be submitted for review before the map or plat is presented to the register of deeds for recording."

NOW THEREFORE, BE IT RESOLVED, the Cleveland County Board of Commissioners confirms the appoints of the following staff members as Review Officers for Cleveland County:

Donna Mellon (appointment effective January 16, 2016)

Henry Earle (appointment effective November 5, 2019)

BE IT FURTHER RESOLVED that upon discontinuing employment with Cleveland County, the duties of these persons as Review Officers shall cease.

BE IT FURTHER RESOLVED that a copy of this Resolution appointing these staff members as Review Officers for Cleveland County shall be recorded in the Cleveland County Register of Deeds' Office and indexed in the name of the Review Officer.

Adopted this 19th day of April, 2022.



Kevin Gordon, Chairman
Cleveland County Board of Commissioners

ATTEST:



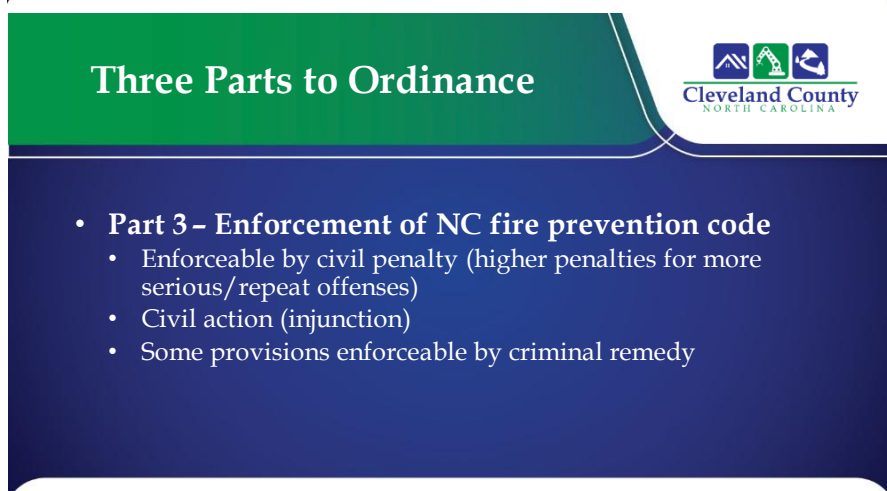
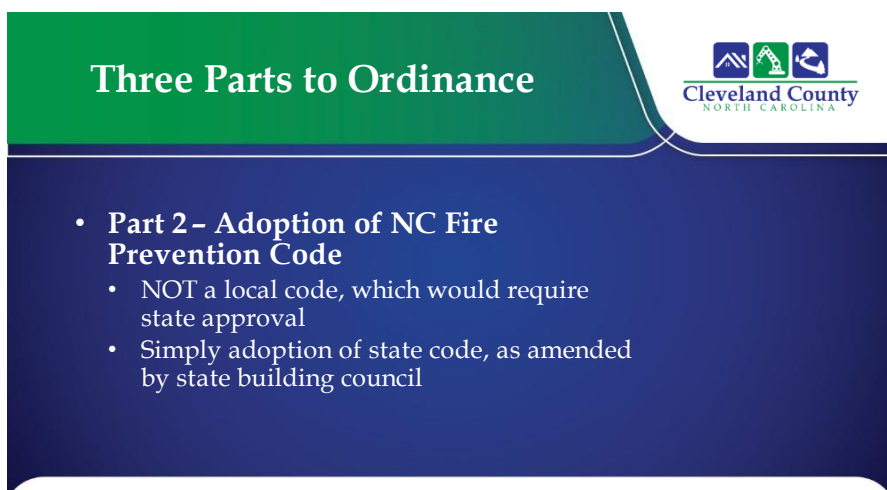
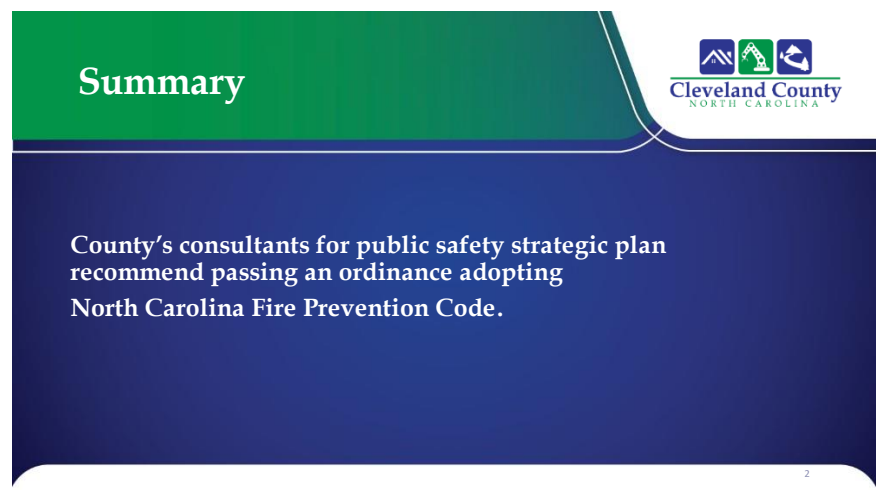
Phyllis Nowlen, Clerk To The Board
Cleveland County Board of Commissioners



PUBLIC HEARING

FIRE PREVENTION CODE ORDINANCE (SECOND READING)

Chairman Gordon called Chief Deputy County Attorney Martha Thompson to the podium to present the second reading of the Fire Prevention Code Ordinance. The first reading took place at the April 5, 2022 Commissioners Meeting. As part of the County’s public safety strategic plan, the County’s consultants have recommended consideration of an ordinance adopting the North Carolina Fire Prevention Code and empowering the Fire Marshal to enforce that code within the County. Staff proposes an ordinance providing that the Fire Marshal is appointed and removed by the County Manager, similarly to other County personnel. The proposed ordinance also sets forth the duties of the Fire Marshal, interfacing with local fire departments, and making certain fire-related building inspections. The proposed ordinance also adopts the North Carolina Fire Prevention Code and empowers the Fire Marshal to enforce it within the County. The County is not adopting its own local fire prevention code, which would be subject to the approval of the state’s Building Code Council pursuant to North Carolina General Statute § 143-138(e). Rather, the County would simply be adopting the state’s fire prevention code, as amended. The code could be enforced by a civil penalty, with an escalating scale of penalties for more severe or repeated violations. The proposed ordinance also contains criminal penalties and is subject to North Carolina General Statute § 153A-123(b), which provides that an ordinance specifying criminal penalties may not be enacted at the first meeting at which it is introduced. The following information and PowerPoint were presented to Commissioners.



Adopt proposed ordinance

Chairman Gordon opened the Public Hearing at 6:08 pm for anyone wanting to speak for or against the Fire Prevention Code Ordinance (*Legal Notice was published in the Shelby Star on Friday, April 8 and Friday, April 15, 2022.*)

Robert Williams, 814 E. Stagecoach Trl, Fallston – spoke in opposition to the proposed ordinance.

Hearing no additional comments, Chairman Gordon closed the Public Hearing at 6:10 pm.

ACTION: Commissioner Whetstine made a motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board to, ***approve the Fire Prevention Code Ordinance.***

ORDINANCE NO. 2022-05

AN ORDINANCE CONCERNING THE FIRE MARSHAL, FIRE PREVENTION, AND FIRE CODE

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

WHEREAS, N.C.G.S. § 153A-234 authorizes the County to “appoint a fire marshal and employ persons as his assistants;

WHEREAS, N.C.G.S. § 153A-234 provides that the Board of Commissioners “shall set the duties of the Fire Marshal;”

WHEREAS, N.C.G.S. § 153A-123(c1) provides that the County may by ordinance provide for the recovery of a civil penalty by the County for a violation of the fire prevention code of the North Carolina State Building Code;

WHEREAS, N.C.G.S. § 143-139(b1) provides that the County may levy a civil penalty for violation of the fire prevention code of the North Carolina State Building Code;

WHEREAS, N.C.G.S. § 153A-123(b)(1) authorizes the County to enforce ordinances concerning unsafe buildings by criminal penalty;

NOW, THEREFORE, the following Article IV is hereby added to Chapter 4 of the Cleveland County Code of Ordinances.

ARTICLE IV. – FIRE MARSHAL; FIRE PREVENTION AND PROTECTION

Sec. 4-85. Definitions.

“Board of Commissioners” means the Cleveland County Board of Commissioners.

“County” means Cleveland County, North Carolina.

“County Manager” means the Cleveland County Manager.

“Fire Code” means the Fire Prevention Code of the North Carolina State Building Code, as amended.

“Fire Marshal” means the Cleveland County Fire Marshal.

“Sheriff” means the Cleveland County Sheriff.

Sec. 4-86. Enforcement of fire prevention code; appointment and dismissal of Fire Marshal.

- (a) The fire prevention code of the North Carolina State Building Code, as amended and including appendices C, D, and H, is hereby adopted by the County and shall be enforced by the Fire Marshal’s Office, which is established and which shall be operated under the supervision of, or which may be combined with, the Director of Emergency Management. The Fire Marshal is hereby authorized to enforce the Fire Code according to the procedures set forth in this Article.
- (b) The Fire Marshal shall be appointed and dismissed by the County Manager, and he or she shall be subject all applicable personnel policies and rules governing County employees.

Sec. 4-87. Duties of Fire Marshal.

The Board of Commissioners shall set the duties of the Fire Marshal. The Fire Marshal's duties include, but are not limited to, the following:

- (a) Keeping the County Manager and Board of Commissioners informed of the purpose and development of rural fire departments.
- (b) Acting as a liaison between fire departments, the County Manager, and the Board of Commissioners.
- (c) Aiding in the organization and development of new fire departments.
- (d) Acting as advisor to the County Manager and Board of Commissioners concerning the requirements of the North Carolina Department of Insurance (NCDOI).
- (e) When possible, providing assistance with training programs for fire departments, upon request.
- (f) Advising fire departments on the availability of surplus equipment.
- (g) Making periodic inspections of all fire departments within the county to see that they conform to the minimum standards of NCDOI.
- (h) Making fire inspections in schools as required by N.C.G.S. § 115C-525(b)(2) and in day care facilities as required by N.C.G.S. § 110-92.
- (i) Making inspections of public occupancies relative to fire protection and fire prevention codes that may be enforced.
- (j) Investigating, along with other fire and law enforcement officials, fires of a suspicious or unknown nature to determine their cause and origin.
- (k) When possible, assisting fire departments in developing and delivering fire prevention and fire education programs throughout the county, upon request.
- (l) Administering and enforcing the Fire Code, as amended, and any other fire-related safety ordinances adopted by the County.
- (m) Determining the most appropriate fire department to be the primary responder when a property line lies within more than one fire district.
- (n) Performing any other duties required by law of the Fire Marshal.

Sec. 4-88. Special Fees.

The fees for fire inspections and permits shall be set forth by the Board of Commissioners in the county's schedule of fees, which is on file in the finance department.

Sec. 4-89. Parking in fire lanes prohibited.

- (a) The parking of motor vehicles, or otherwise obstructing a required or designated fire lane, shall be prohibited at all times in accordance with the Fire Code. This prohibition does not apply to emergency vehicles while engaged in an emergency response.
- (b) Any person who parks in a fire lane shall be subject to a \$50.00 penalty issued by either the Fire Marshal or a law enforcement officer. Each day's violation shall be a separate and distinct offense. A violation of this section is punishable as a misdemeanor.

Sec. 4-90. Violations.

- (a) Any person shall be subject to all penalties allowed by law if the person:
 - (1) Violates or fails to comply with the provisions of the Fire Code;
 - (2) Violates or fails to comply with any order made under the Fire Code;
 - (3) Builds in violation of any detailed statement of specifications or plans submitted and approved under the Fire Code or any certificate or permit issued thereunder; or
 - (4) Fails to comply with such an order as affirmed or modified by the Fire Marshal or by a court of competent jurisdiction, within the time affixed.
- (b) In addition to any civil penalties or remedies that may apply, any person who commits any violation listed in subsection (a) of this section may be subject to criminal penalties for a misdemeanor pursuant to N.C.G.S. § 14-4(a), to the extent permitted by N.C.G.S. § 153A-123(b1)(1), except for a violation of any adopted appendices.

Sec. 4-91. Penalties.

- (a) The minimum civil penalty for a violation of this article shall be a civil penalty of \$50.00, and the maximum civil penalty shall be \$500.00. Each violation, as well as each day a violation exists, shall constitute a separate and distinct offense.
- (b) If a person has not been cited within the previous twelve (12) months and the violations are corrected within seventy-two (72) hours of him or her being notified of the violations, the fine shall be waived. The citation and penalties shall be in writing, signed

by the Fire Marshal or his representative, and shall be delivered to the violator.

(c) Each day's violation of the Fire Code shall be considered a separate and distinct offense. Civil penalties may be recovered in a civil action in the nature of debt collection if not paid within thirty (30) days after being cited for a violation.

(d) The types of violations and the related civil penalties are as follows. The Fire Marshal shall determine what type of violation applies in a given case.

(1) *Type 1 Violations (\$50.00)*. These violations generally increase the likelihood of a fire or injury. They include, but are not limited to, failure to:

- a. Obtain proper permits for required uses as listed under the permit fees.
- b. Maintained properly operating exist or emergency lights.
- c. Maintain a clear, unobstructed access to fire protection equipment.
- d. Properly cover or close electrical junction boxes.
- e. Limit or restrict use of electrical extension cords improperly used.

(2) *Type 2 Violations (\$100.00)*. These violations represent a general threat to property. They include, but are not limited to, failure to:

- a. Safely maintain proper storage of combustibles outside of a business.
- b. Maintain a clear, unobstructed access to electric panels.
- c. Properly maintain automatic closing fire and smoke doors.
- d. Properly maintain and inspect portable fire extinguishers.
- e. Properly maintain unobstructed accesses to hydrants, risers, and fire department connections.

(3) *Type 3 Violations (\$250.00)*. These violations directly affect the safety of persons within an occupancy or the probability of heavy property loss if a fire occurs. They include, but are not limited to, failure to:

- a. Maintain a clear, unobstructed access to and from exist doors, both inside and outside.
- b. Install, test, or properly maintain required smoke and fire alarm systems.
- c. Install or properly maintain or test existing/required automatic sprinkler systems and extinguishing systems.
- d. Properly store or use flammable, combustible, or hazardous materials.
- e. Limit the number of persons in a place of assembly to the maximum posted number allowed.
- f. Comply with Fire Code provisions concerning open burning, recreational fires, portable outdoor fireplaces, or burning of non-vegetative materials.

(4) *Type 4 violations (\$500.00)*. These violations are where, despite prior notice, corrections have not been made and/or previous fines have not been paid.

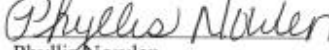
(e) The application of penalties in subsection (d) shall not be held to prevent the enforcement of or removal of the prohibited conditions. In addition to the penalties listed in subsection (d), the Fire Code may be enforced by any of the following:

- (1) An appropriate equitable remedy issuing from a court of competent jurisdiction.
- (2) An injunction and order of abatement.
- (3) Criminal punishment as a misdemeanor, to the extent permitted by N.C.G.S. § 153A-123(b1)(1), except for the provisions of any adopted appendices.

--END OF ADDITIONS TO CODE--

Adopted this the 19th day of April, 2022.

By: 
Kevin Gordon
Chairman
Cleveland County Board of Commissioners


ATTEST: 
Phyllis Nowlen
Clerk to the Cleveland County
Board of Commissioners



REGULAR AGENDA

COMMISSION FOR WOMEN

Chairman Gordon called Betsy Wells, Commission for Women Chairman, to the podium to give the board report for the Commission for Women Advisory Board. Ms. Wells recognized several Commission for Women board members who were in attendance. She reviewed the history of the Commission for Women, current activities, the Miss Cleveland County Fair pageant and the Distinguished Women's Banquet. The following information and PowerPoint were presented to Commissioners.



*Cleveland County
Commission For Women*


The Commission for Women started the Abuse Prevention Council in the early 1980's

History

- June 19, 1978 was the date that the Cleveland County Commissioners established the Cleveland County Council on the Status of Women (now the Commission for Women).
- This group has been involved in many activities throughout its history to spotlight the service of women and to improve their lives.

Current Activities

- Miss Cleveland County Fair*
- Distinguished Women's Banquet*
- Women's History Month*
- Women's Health Facebook Posts*



Took over responsibility for Miss Cleveland County Fair in 2010



Distinguished Women's Banquet

The Commission for Women began the Distinguished Women's Banquet in 1992.

We will host a special event to celebrate 30 years of Distinguished Women in 2022

Our past honorees are:

- #### Distinguished Women 1992--2021
- (1992) *NC Senator Helen Rhyne Marvin, *Joyce CashNC Representative Edith Lutz, *Martha Lee Scrogg, *Doris Borders, Patty Dorian, *Dorothy EdwardsAileen Ford, *Eileen Powell, Dot Roark
 - (1993) ChinettaBrooks, *Arrie Ellis, * Virginia Raymer
 - (1994) Marietta Floyd, Jacqueline Lavender, * ThelmaMcVae
 - (1995) Nancy Abasiokong Suzi Kennedy, Linda Thirl
 - (1996) AnganetteHamsley *Dr. Lonnie Proctor, Elizabeth Shipley
 - (1997) Dr. Dottie McIntyre, *Esther Plummer, Kay Archer Price, * Betty Withrow
 - (1998) *Julia Banks, * Adelaide Craver, Anne Short
 - (1999) Barbara Brock, * Erma Drum, *Madge Wray
 - (2000) *Rosaline Hunt, EmilyQuisley, * JackiRountree
 - (2001) Commissioner Mary Accor, the late Fay Webb Gardner, *Katie Norris, Page Sherer
 - (2002) Beverly Shuford, * Kathleen Hamrick, * Ezra Bridges
 - (2003) Karla Haynes, Brenda Page, *Betty Roberts
 - (2004) LouVerneMcCray, Jane Bryson Blake, the late Bess GardnerMoey
 - (2005) Betty Jean Mauney *Aloyse Jones, * Annie Farley Dawkins
 - (2006) Margie Christopher, Shirley Lail, Phyllis Sims
 - (2007) Dr. Nellie Aspel, *Lucille Evans, MaryNeisler
 - (2008) Shirley Brutko *Daeira Roberts, *Evelyn West
 - (2009) Jo Boggs, Lillie Hinton, Zita Roberts
 - (2010) *Sibyl Dixon, Jeanne Patterson, Suzette Ross, Elizabeth "Lib" Stewart
 - (2011) *Lou Ballew, Helen Barrow, Elizabeth "Lib" Revels, Ruth Wilson
 - (2012) the late Annie Ross "Guyneil" Beam, Dr. Colleeney
 - Patti Ellis Norman, StellNeislerPutnam
 - (2013) Dr. Laura Bingham, Jane Cooke, Mary Degree, Dr. Jane King
 - (2014) Libbey Lavender, Dr. Linda Hopper, Betsy Wells
 - (2015) Dr. Shannon Kennedy, Sharon Martin, Marguente Mebane
 - (2016) Gaye DeVoe, Shearra Miller, Macy Stinchcomb, Rev. Frances Webber
 - (2017) Doris H. DeGimon, Ramona Gash, Kathryn Hamrick, Kathy Wilson
 - (2018) Tropicia W. McCluney, Bess Alice H. Phifer, Venita A. Roberts
 - (2019) Susan Allen, Betty Gamble, B. J. Zamora
 - (2020) No Distinguished Women's Banquet due to COVID
 - (2021) Lisa Proctor, Carol Ann Hoard, Terricia Wingo



Women's History Month

APC recognizes Women's History Month Each Year through our facebook page. This year the theme was **Women – Providing Healing Promoting Hope**

We were able to spotlight women health care providers in our community.

Women's Health Awareness

No You Know About... Breast Cancer in Cleveland County

October is Breast Cancer Awareness Month

Breast Cancer begins when cells in the breast begin to grow out of control and form a mass called a tumor. The tumor may be made up of fat or fibrous tissue. The tumor is considered abnormal (dysplastic) if it can grow into nearby tissues or spread (metastasize) to other parts of the body (American Cancer Society).

Did You Know?

- 1 out of 8 women in the United States will get breast cancer at the time of their death.
- This year more than 282,000 women of breast cancer will be diagnosed in the United States.
- There are more than 2.2 million breast cancer survivors in the United States.

Cleveland County Breast Cancer # of Deaths 2010-2018:

Women 4,882

Signs & Symptoms:

- A lump or mass on the breast or breast area.
- Swelling of all or part of the breast.
- Redness, scaling, or dimpling of the skin over the breast.
- Nipple or areola pain.

Screening:

The CDC Breast and Cervical Health Promotion Act (BCHP) provides low-cost mammograms for women 40-64 years old.

Resources:

- American Cancer Society: www.cancer.org
- National Cancer Institute: www.nationalcancer.org
- Cleveland County Health Department: www.clevelandcounty.org

Someone you care about is likely experiencing domestic violence

WHETHER YOU ARE...

EVERY

Resources:

- National Domestic Violence Hotline: www.thehotline.org
- Cleveland County Health Department: www.clevelandcounty.org
- American Cancer Society: www.cancer.org
- National Cancer Institute: www.nationalcancer.org

Online Information Clinic:
Chat with a lawyer about custody and domestic violence

WomensLaw.org/OIC

Tuesday, May 25, 2021
12:00-4:00 PM ET

WomensLaw.org **EVERY** **CLEVELAND COUNTY**
Cleveland County Public Health Center

After her presentation, Ms. Wells spoke about the recent member modification made for the Commission for Women at the Commissioner's August 27, 2021 work session. During that meeting, the Board voted to lower the allotted seats on the Commission for Women Board from fourteen to nine. The approved changes are not immediate and would take effect as board members' terms end.

I. Cleveland County Commission for Women

There shall be ten seats on the Commission for Women, which shall be filled by members who meet the following qualifications:

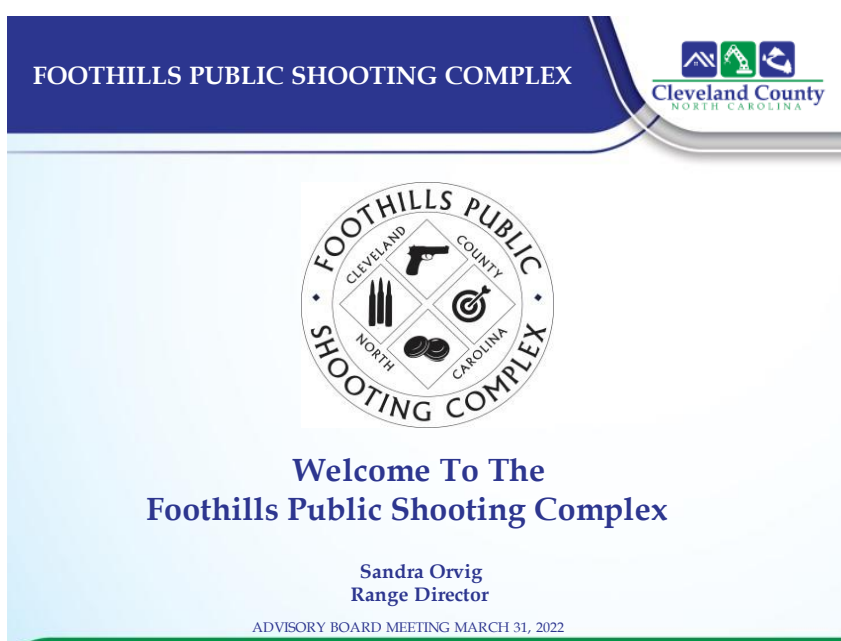
- Seat 1: A county commissioner.
- Seat 2: A current or retired education professional.
- Seat 3: A business professional.
- Seat 4: A business professional.
- Seat 5: At-large.
- Seat 6: At-large.
- Seat 7: At-large.
- Seat 8: At-large.
- Seat 9: At-large.

This board shall increase public awareness and understanding of the problems, needs, and abilities of women in Cleveland County.


Commissioners had an open discussion with Ms. Wells regarding the board changes and the upcoming needs for the Commission for Women. Chairman Gordon gave direction to staff to collect data from other counties that have a Commission for Women Advisory Board and report back with the information gathered. The Board tabled the discussion until the requested data had been collected and evaluated.


FOOTHILLS SHOOTING COMPLEX

Chairman Gordon called Shooting Range Director Sandra Orvig to the podium to present an update on the Foothills Shooting Complex. Ms. Orvig went over the new summer hours at the Foothills Public Shooting Complex, an archery update, possible range improvements, and the upcoming GLOCK Sport Shooting Foundation (GSSF) matches. Ms. Orvig has worked hard to bring the GSSF matches to Cleveland County, advising their values aligns with the county. The GSSF is a safe, fun, family-oriented organization devoted to the responsible use of GLOCK firearms and encouraging participation in shooting sports. The following information and PowerPoint were presented to Board members.



FOOTHILLS PUBLIC SHOOTING COMPLEX





**Welcome To The
Foothills Public Shooting Complex**

Sandra Orvig
Range Director

ADVISORY BOARD MEETING MARCH 31, 2022



FOOTHILLS PUBLIC SHOOTING COMPLEX



NEW SUMMER HOURS

Summer Hours March 1st-October 31st

Tuesday 9:30am	- 6:30pm
Wednesday 9:30am	- 6:30pm
Thursday 9:30am	- 6:30pm
Friday 9:30am	- 6:30pm
Saturday 9:30am	- 6:30pm
Sunday 1:30pm	- 5:30pm



WHAT EFFECTS WILL THIS HAVE ON RANGE?

- Decrease number of summer hours range was previously opened by 1 hour per day (Wed-Sat)
- Will increase total number of hours opened weekly by 5 hours
- Meet demands of patrons for additional availability



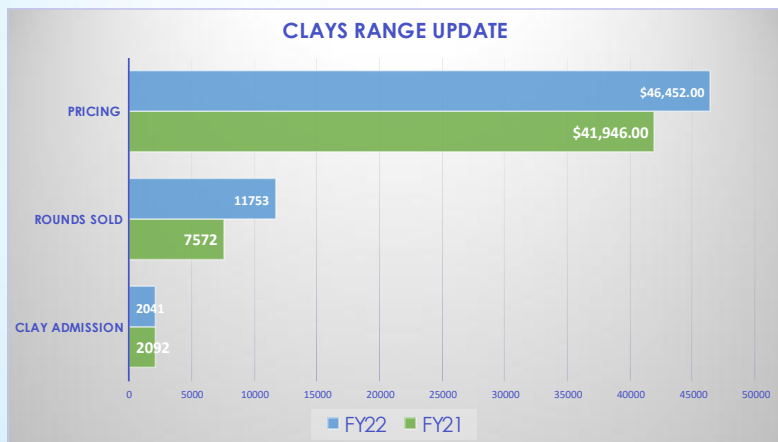
SPECTATOR FEE

Omit the \$1.00 Spectator Fee

Most parents are coming to watch their child to participate in shooting events.

Spouses/Grandparents come to spectate but usually will remain in the car

4 Year Average of Fees Received: \$397.00



PROJECTED FY22 Totals

Clays Admissions:	2,491
Rounds Sold:	14,029
Total Value:	\$54,170.00

PROJECTED SALES FOR REMAINING QUARTER

Based on sales from FY21 for April 2021 - June 30, 2021

Clays Admission: 450	\$1,347.00
Rounds Sold: 2,276	\$7,718.00

• Archery Update

Lanes have been cut in

3-D Targets have arrived

Practice Range is being updated

Sample Design For New Practice Range



PENDING PROJECTS FOR ARCHERY

Working on Sponsorship

Host an Open House/Invite the area High Schools

Host a Tournament/Competition

Get on Schedule to host competitions

Save The Date : **November 19 -20, 2022**

GLOCK PERFECTION IS COMING TO CLEVELAND COUNTY

ADVISORY BOARD MEETING MARCH 2022

GSSF

- "The GLOCK Sport Shooting Foundation (GSSF) is a safe, fun, family-oriented organization devoted to the responsible use of GLOCK firearms and encouraging participation in shooting sports. Competitions across the United States provide opportunities for shooters of all skill levels and experience to compete together in simple, but challenging courses of fire.
- Started in 1991, GSSF has grown to include over 22,000 active members. The only requirements are that you must be a member and compete with a GLOCK pistol.
- There are 3 Stages : Glock'M , Five To Glock, and Glock To Plates .
- You can sign up for multiple divisions .

<https://gssf.pro>

ADVISORY BOARD MEETING MARCH 2022

Historical Data

(source GSSF Host Application)

MATCH	2019	2018	2017
Talladega, AL GAS	1061	1059	1167
Dawsonville, GA	980	1025	1145
Savannah, GA	824	914	---
New Smyrna Beach, FL	782	743	---
Morganton, NC	724	727	772

ADVISORY BOARD MEETING MARCH 2022

POSSIBLE RANGE IMPROVEMNETS

- Cut in new bays
- Add Safe Areas at base of berms
- Add additional parking
- Finish the pavilion on the Clays Range

ADVISORY BOARD MEETING MARCH 2022



ADVISORY BOARD MEETING MARCH 2022

Safe Area Example



ADVISORY BOARD MEETING MARCH 2022

HOW CAN WE BE SUCCESSFUL

Get involved -Promote the event

Encourage Participation

Organize Committee Teams :

Logo* must be approved by Glock

T-Shirt Design

Parking

Food

Registration

Emergency Services

Maintenance

Mix/Mingle Event

Co-Sponsors (NCWL, local stores/businesses)

Sanitation

Publicity

ADVISORY BOARD MEETING MARCH 2022

We're Doing It Again!!!!

Save The Date : **April 15 -16, 2023**



ADVISORY BOARD MEETING MARCH 2022

BUT WAIT, THERE'S MORE!



I am currently working to BID on the World Speed Shoot Challenge!

Talladega currently has the contract which expires 2023.

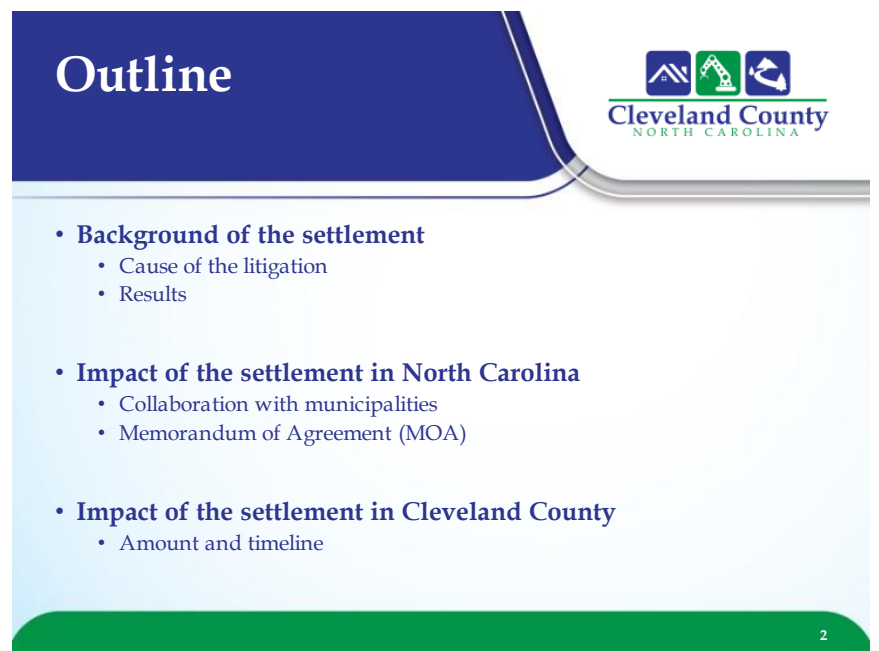
Steel Challenge Shooting Association is currently taking bids. Colorado is the only bid currently pending for the 2024 World Speed Shoot Challenge .

ADVISORY BOARD MEETING

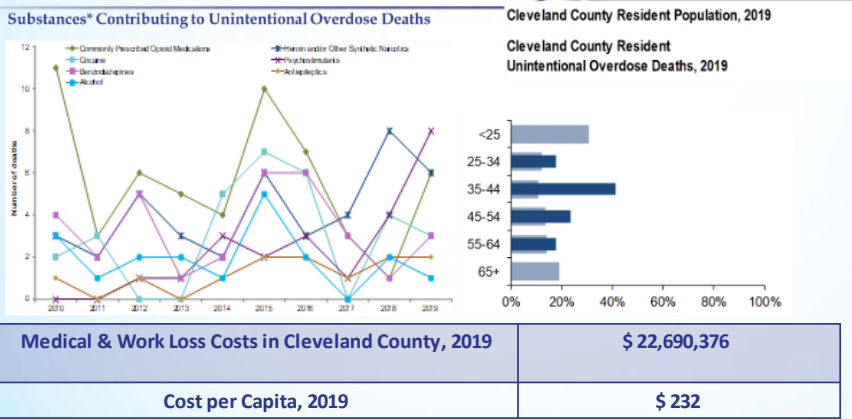
Chairman Gordon opened the floor to the Board for questions and discussion. Commissioner Hardin inquired about the upcoming GSSF match. Ms. Orvig reviewed the details of the match, including participation divisions, volunteers and prizes. The Board thanked Ms. Orvig for the presentation and the hard work she has put in to bring improvements and national attention to the Foothills Public Shooting Complex.

OPIOID SETTLEMENT

Chairman Gordon recognized Strategic Initiative Manager Jeff Sedlacek to present an update on the opioid settlement. The opioid settlement has been announced along with compensation to states and counties across the nation. Five people die in North Carolina every day from an opioid overdose. Since 2019, just in EMS, there was an average of at least 847 calls for overdoses in Cleveland County. In 2020, 20% of county citizens were prescribed opioids. At \$232 cost per capita, this costs more than any department funded when broken to a per capita basis. The next steps in combating the opioid crisis in the county include crisis intervention in a collaboration with Partners Behavioral Health and Atrium Health to implement preventative measures through rehabilitation by pairing patients with community resources and the use of a community paramedic to be used for high EMS system utilizers. Mr. Sedlacek outlined the background of the settlement and the impacts of the settlement In North Carolina and Cleveland County. The following information and PowerPoint were presented to Commissioners.



The Opioid Crisis



3

Litigation



- **Class -action Lawsuit of over 3,000 plaintiffs**
 - Gross misrepresentation of long-term opioid use for chronic pain
 - Failure to properly monitor suspicious orders of prescriptions
- **\$26 billion settlement nationally**
- **Distributed based on impact of the crisis and population**

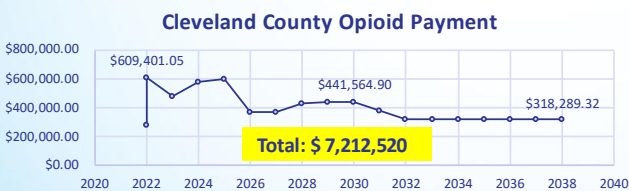


4

NC Collaboration



- NC DOJ and NCACC
- **Memorandum of Agreement**
 - 100 NC Counties
 - 47 municipalities
- **Over \$757 million to NC**



5

Funding Uses



MOA

- **Strategies**
 - Option A: High Impact Abatement
 - Option B: Additional Remediation
 - Treatment
 - Prevention
 - Other strategies

- **Peer Collaboration**



6

Next Steps

PROJECT IDENTIFICATION



- **Managing Departments**
 - Managers' Office
 - Health Department
 - Finance
 - Legal
- **Possible Funding Uses:**
 - Crisis Intervention Center
 - Community Paramedic- Co-Responder Model

7

Chairman Gordon opened the floor to the Board for questions and discussion. He asked Mr. Sedlacek about the use of Narcan and would it be distributed to just paramedics or all first responders, Mr. Sedlacek advised the plan is to give it to all of the county's first responders. Commissioner Whetstine and Commissioner Bridges spoke of the importance of mental health and crisis intervention. The Board thanked Mr. Sedlacek for the information.

ADJOURN

There being no further business to come before the Board at this time, Commissioner Hardin made a motion, seconded by Commissioner Hutchins and unanimously adopted by the Board, *to adjourn*. The next meeting of the Commission is scheduled for *Tuesday, May 3, 2022, at 6:00 p.m.* in the *Commissioners Chambers*.

*Kevin Gordon, Chairman
Cleveland County Board of Commissioners*

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