

**Cleveland County Board of Commissioners**  
**June 4, 2019**

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:**       Ronnie Whetstine, Vice-Chair  
                  Johnny Hutchins, Commissioner  
                  Doug Bridges, Commissioner  
                  Deb Hardin, Commissioner  
                  Brian Epley, County Manager  
                  Tim Moore, County Attorney  
                  Phyllis Nowlen, Clerk to the Board  
                  Kerri Melton, Assistant County Manager  
                  Chris Green, Tax Administrator  
                  Elliot Engstrom, Senior Staff Attorney  
                  Allison Mauney, Human Resources Director  
                  Perry Davis, Emergency Management Director/Fire Marshal  
                  Lorie Poston, E-911 Communications Director  
                  Ryan Wilmoth, Emergency Medical Services Director  
                  Marty Gold, Information Technology Director  
                  Jane Shooter, Interim Social Services Director  
                  Greg Traywick, Ag Extension Director  
                  Scott Bowman, Maintenance Director  
                  Jason Falls, LeGrand Center Director  
                  Sandra Orvig, Range Director  
                  Betsy Harnage, Register of Deeds

**ABSENT:**       Susan Allen, Chairman

**CALL TO ORDER**

Vice-Chairman Whetstine called the meeting to order and Commissioner Bridges provided the invocation and led the audience in the Pledge of Allegiance.

**AGENDA ADOPTION**

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

**SPECIAL PRESENTATION**

**2018 EXTENSION AND COMMUNITY ASSOCIATION UPDATE**

Vice-Chairman Whetstine called Pat Farley, Extension and Community Association (ECA) County Council President to the podium to present the ECA update. Mrs. Farley stated there are three ECA clubs in Cleveland County located in Belwood, Boiling Springs and Lawndale with a total of twenty-eight members. Cleveland County's ECA chapter has recently completed their North Carolina Annual Report for 2018 which reviews the numerous events held in Cleveland County and documents the volunteer hours given by the ECA members. In 2018, the local ECA chapter had 3,470 volunteer ECA hours and 4,267 hours in other community service which totals 7,737 in volunteer hours. Mrs. Farley detailed the various projects and programs ECA members participate in throughout the county such as promoting safety and healthy environments, building healthy and strong families and fostering community and family resilience. She introduced several members from ECA who were present. The Board thanked the ECA members for all they continue to do for the citizens of Cleveland County.

## **CITIZEN RECOGNITION**

**Dr. Alden Sproull, Shelby** – spoke about his concerns of firearm safety in Cleveland County. He spoke of his experiences as a doctor and several patients who were victims of firearms. Dr. Sproull discussed a recent incident in the Pebble Creek area where he resides. Dr. Sproull was standing in his back yard and heard two loud bangs which sounded like a firearm being discharged. Several weeks later, he was in his backyard and heard a volley of what sounded like firearms. Dr. Sproull contacted the Sheriff's Office and was advised there is no county ordinance regarding this matter. He concluded by stating he is not speaking about gun control but rather gun safety with respect to the proximity of homes and schools to gun ranges.

**Lois Smith, 202 W. Zion Church Road, Unit 3, Shelby** – spoke about issues at Cleveland County Animal Services shelter where she volunteers. Ms. Smith discussed the large number of animals that are being held in the shelter until their cases are processed through the court system. These holds are contributing to the over population of unadoptable animals at the shelter. Ms. Smith asked the Board for their assistance and guidance in having these and future court cases processed more quickly through the system.

## **CONSENT AGENDA**

### **MONTHLY MANAGER'S REPORT**

Cleveland County has been selected by the Office of the State Auditor to have an additional attest engagement performed on our participation in the Local Government Employees Retirement System. The County auditors, Thompson, Price, Scott, and Adams (TPSA), will examine the information requested along with reviewing the census data of Cleveland County as of December 31, 2018. The objectives of the examination are to (1) obtain reasonable assurance about whether the census data that was entered into the State retirement system is free from material misstatement based on information provided by the Office of the State Auditor; and (2) to express an opinion as to whether the census data is presented, in all material respects, in accordance with criteria set by the Retirement System's Handbook revised January 2018. TPSA should have this engagement completed by October 1, 2019. Below are a list of budget transfers included in the report.

BUDGET TRANSFERS LEGEND: D = DEPARTMENTAL; L = LATERAL

BUD #	BUDGET TYPE	DATE SUBMITTED BY DEPT	DEPT NAME TO	DEPT NAME FROM	EXPLANATION	BUDGET AMOUNT
231	D	5/1/2019	Adolescent Preg Prev Family Planning Nurse Family Partnership CAII CC4C PCM CODAP		To cover travel/training; contracted services; telecommunications	\$ 2,403
232	D	5/1/2019	Employee Wellness		To cover departmental supplies	\$ 500
233	D	5/1/2019	Electronic Maint		To cover inspection, maintenance, repairs - County Radio Towers - TIA Compliance	\$ 16,000
234	L	5/6/2019	Register of Deeds	Finance	To cover part time salaries for position moved fm Finance to ROD	\$ 5,000
235	NOT USED					
236	D	5/7/2019	Employee Wellness		To cover drug expense	\$ 10,000
237	D	5/9/2019	Register of Deeds		To cover redact services, notary fee and refund	\$ 561
238	D	5/10/2019	Maintenance		To cover travel/training & moisture assessment @ SIU Bldg	\$ 910
239	D	5/10/2019	Env Health		To cover dept supplies needed thru EOY	\$ 620
240	D	5/13/2019	Commissioners		To cover auto supplies; travel/training; telecommunications; prof servs; Clev Cup	\$ 18,646
241	D	5/13/2019	Manager's Office		To cover motor fuels; dept supplies; licenses/permits/certs; prof serv; Capital Eq	\$ 12,254
242	D	5/13/2019	Travel & Tourism		To cover dues/subscriptions & Microsoft Project Software	\$ 1,331
243	D	5/13/2019	Facilities Janitorial		To cover travel/training for usage of fleet vehicle	\$ 54
244	D	5/13/2019	JCPC Admin		To cover travel/training for usage of fleet vehicle	\$ 15
245	D	5/13/2019	Public Safety Grant		To cover license plate fee for eq1874	\$ 6
246	D	5/13/2019	Emergency Mgmt		To cover controlled assets exp	\$ 31
247	D	5/13/2019	Building Inspections		To cover dept supplies	\$ 400
248	D	5/13/2019	Coronor		To cover motor fuels; salaries/fringes thru Jan 31st payroll	\$ 11,243
249	D	5/13/2019	Public Shooting Range		To cover penalty exp thru June (NC DOR Tax Payments Fees)	\$ 211
250	D	5/13/2019	Planning/Zoning		To cover dept supply; contracted servs; maint contracts; board mtg exp and addl fds needed for GIS Server due to price change	\$ 1,510
251	D	5/13/2019	Mental Health (Partners)		To cover mental hlth transports thru June; cvr Boys & Girls Club Contribution	\$ 26,364
252	D	5/13/2019	Veteran Services		To cover add on sharp copier lease and increase in dues/subscriptions	\$ 373

BUDGET TRANSFERS LEGEND: D = DEPARTMENTAL; L = LATERAL

BUD #	BUDGET TYPE	DATE SUBMITTED BY DEPT	DEPT NAME TO	DEPT NAME FROM	EXPLANATION	BUDGET AMOUNT
253	D	5/13/2019	Debt Service		To cover lease pur payments for te year	\$ 22,287
254	L	5/13/2019	ic Courthouse (Earl Scrugg	Contingency	To cover purchase of historic artifacts supplies	\$ 151
255	D	5/13/2019	County Fire		To cover vaccines	\$ 121
256	D	5/13/2019	Cap Proj-EMS Polkville		To cover building exps	\$ 882
257	D	5/14/2019	Public Shooting Range		Corr b#249 posted to 422 acct instead of 442	\$ 211
258	D	5/14/2019	Health Dept Admin		To cover travel/training	\$ 500
259	D	5/13/2019	Board of Elections		To cover dues/subscriptions (MiF's)	\$ 332
260	D	5/15/2019	Employee Wellness		To cover prescription drugs order	\$ 10,000
261	L	5/15/2019	Municipal Grants	Contingency	To cover addl funding needed to cover Municipal Grants Parks/Recs Grants	\$ 2,860
262	L	5/17/2019	Emergency Mgmt	Contingency	To cover City of KM Fire Pymt missed from prev yrs	\$ 11,502
263	D	5/16/2019	WIC		To cover Medela order and contracted labor	\$ 10,467
264	D	5/16/2019	Child Health		To cover audiometers	\$ 332
265	D	5/16/2019	Employee Wellness		To cover addl funds needed for YE prescription drug orders	\$ 5,000
266	D	5/17/2019	WIC		To cover dept supplies and purch later file cabinets	\$ 1,522
267	D	5/17/2019	CODAP		To cover travel & training	\$ 971
268	D	5/20/2019	Health Dept Admin		To cover travel & training	\$ 1,600
269	D	5/20/2019	WIC		To cover invoices for promotional items purchased for giveaways	\$ 3,423
270	D	5/20/2019	WIC		To cover addl invoices for promotional items purchased for giveaways	\$ 566
271	D	5/21/2019	WIC		To cover funds needed to complete purch of breastpumps	\$ 46
272	D	5/20/2019	DSS-Admin		To cover computer eq purch and DSS director position ads	\$ 26,996
273	L	5/20/2019	Special Assist / Smart Start	Income Maint	To cover additional payroll	\$ 2,852
274	L	5/16/2019	EMS / Vol Rescue	EMS/Vol Rescue	To cover controlled assets & capital assets equipment purchases; advertising/rental	\$ 25,517
275	D	5/16/2019	Human Resources		To cover Travel & training and bank fees	\$ 2,022
276	L	5/20/2019	DSS Admin	Income Maint / Public Assist	To cover purchase of computer equipment	\$ 54,500
277	L	5/20/2019	DSS Admin / Outside Poor	Public Assist	To cover purchase fleet vehicles (\$53,022) and room & board exps for clients (\$129,470)	\$ 182,492
278	D	5/21/2019	Electronic Maint		To cover purch new computers	\$ 7,900

BUDGET TRANSFERS LEGEND: D = DEPARTMENTAL; L = LATERAL

BUD #	BUDGET TYPE	DATE SUBMITTED BY DEPT	DEPT NAME TO	DEPT NAME FROM	EXPLANATION	BUDGET AMOUNT
279	D	5/22/2019	WIC		To cover WIC EOY purchases	\$ 1,389
280	D	5/22/2019	Health Promotions		To cover Hlth Promotions EOY purchases	\$ 2,400
281	D	5/21/2019	Emergency Mgmt		To cover weather station for ARC Bldg	\$ 668
282	D	5/21/2019	Courts		To cover tvs and equipment for courtrooms	\$ 2,828
283	D	5/22/2019	Information Technology		To cover (2) laptops, NAS and Hard Drive Destructor	\$ 24,560
284	D	5/22/2019	Hlth Admin/Adult Hlth/Hlth Promos/APP/WIC/EH/NF P/CODAP/ACO/Dental		To cover YE purchases and account deficits	\$ 33,360
285	D	5/22/2019	Employee Wellness		To cover pharmacy fees	\$ 1,642
286	D	5/23/2019	Manned Sites		To cover purchase of snow plow	\$ 6,658
287	D	5/24/2019	WIC		To cover YE purchases	\$ 10,202
288	D	5/22/2019	Library		To cover YE departmental supply purchases	\$ 1,300

**SERVICE WEAPON REMOVAL FOR RETIRING DEPUTY DAVID BRAMLETT**

Sheriff Alan Norman requested retiring Deputy David Bramlett be presented his departmental service weapon. Deputy Bramlett will retire on June 30, 2019 after 21 years of full-time law enforcement service with the Cleveland County Sheriff's Office. The service weapon requested to be removed from inventory is a Glock 9mm, Model 17, serial number BDKT-869 and County asset number 201158.

**ACTION:** Commissioner Hutchins made the motion, seconded by Commissioner Bridges, and unanimously adopted by the Board, *to approve the request to remove the service weapon from County inventory and issue to Deputy David Bramlett.*

**SERVICE WEAPON REMOVAL FOR RETIRING DEPUTY RICK SHUFORD**

Sheriff Alan Norman requested retiring Deputy Rick Shuford be presented his departmental service weapon. Deputy Shuford will retire on June 30, 2019 after 20 years of full-time law enforcement service with the Cleveland County Sheriff's Office. The service weapon requested to be removed from inventory is a Glock 9mm, Model 17, serial number BDKT-779 and County asset number 201255.

**ACTION:** Commissioner Hutchins made the motion, seconded by Commissioner Bridges, and unanimously adopted by the Board, *to approve the request to remove the service weapon from County inventory and issue to Deputy Rick Shuford.*

**SERVICE WEAPON REMOVAL FOR RETIRING CAPTAIN RICHARD ACUFF**

Sheriff Alan Norman requested retiring Captain Richard Acuff be presented his departmental service weapon. Captain Acuff will retire on July 15, 2019 after 28 years of full-time law enforcement service with the Cleveland County Sheriff's Office. The service weapon requested to be removed from inventory is a Glock 9mm, Model 17, serial number BBDTK-902 and County asset number 201149.

**ACTION:** Commissioner Hutchins made the motion, seconded by Commissioner Bridges, and unanimously adopted by the Board, *to approve the request to remove the service weapon from County inventory and issue to Captain Richard Acuff.*

**HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #042)**

**ACTION:** Commissioner Hutchins made a motion, seconded by Commissioner Bridges, 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>
012.539.4.800.00		Fam Planning/Misc Revenue	\$600.00	
012.539.5.420.00		Fam Planning/Contracted Services	\$600.00	

*Explanation of Revisions: Budget allocation for \$600 the Health Department has received from Gardner-Webb University for providing a clinical rotation for their students in the Family Planning Clinic. The money will be used to support additional expenses for the Family Planning Program.*

**SHERIFF'S OFFICE: BUDGET AMENDMENT (BNA #043)**

**ACTION:** Commissioner Hutchins made a motion, seconded by Commissioner Bridges, 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>
010.438.4.310.00	16607-P438	Sheriff's Office Grants/Fed Gov't Grants	\$5,497.00	
010.438.5.211.00	16607-P438	Sheriff's Office Grants/Controlled Equipment	\$5,497.00	

Explanation of Revisions: Budget allocation for \$5,497 in funds received from the 2018 Bulletproof Vest Partnership grant.

**SHERIFF'S OFFICE: BUDGET AMENDMENT (BNA #044)**

**ACTION:** Commissioner Hutchins made a motion, seconded by Commissioner Bridges, 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>
010.438.4.310.00	16607-P438	Sheriff's Office Grants/Fed Gov't Grants	\$8,605.80	
010.438.5.211.00	16607-P438	Sheriff's Office Grants/Controlled Equipment	\$8,605.80	

Explanation of Revisions: Budget allocation for \$8,605.80 in funds received from the 2017 Bulletproof Vest Partnership grant.

**REGISTER OF DEEDS: BUDGET AMENDMENT (BNA #045)**

**ACTION:** Commissioner Hutchins made a motion, seconded by Commissioner Bridges, 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>
010.419.4.510.00		Register of Deeds/State-Other Revenues	\$1,000.00	
010.419.5.322.00		Register of Deeds/Capital Equipment	\$1,000.00	

Explanation of Revisions: Budget allocation for \$1,000 in additional revenues received over budgeted revenue to cover the increase of postage fees due to new passport program.

**LEGAL: EASEMENT FOR SHELBY STREETSCAPE PROJECT**

The County owns a property located at 103 South Lafayette Street in Uptown Shelby, Cleveland County Parcel Number 17081, commonly known as the Courthouse Square. The City of Shelby has requested permanent and construction easements on the corner portions of this piece of property. The purpose of the easements is to facilitate the City of Shelby's continued work to beautify and develop Uptown Shelby. The exact portions of the property are included in the grant of easement.

**ACTION:** Commissioner Hutchins made the motion, seconded by Commissioner Bridges, and unanimously adopted by the Board, ***to approve the easement for the Shelby Streetscape Project.***



**Resolution**

Number 11-2019

**Resolution Approving Grant of Easement to Another Unit of Government in North Carolina Pursuant to G.S. 153A-176, G.S. 160A-273, and 160A-274**

WHEREAS, Cleveland County owns property located at 103 S. Lafayette Street in Shelby, Cleveland County Parcel Number 17081, further described in Exhibit A of the attached Deed of Easement, and further generally described as the "Courthouse Square"; and

WHEREAS, North Carolina General Statute § 153A-176 and North Carolina General Statute § 160A-273 authorize counties to grant easements over, through, under, or across any county property or the right-of-way of any public street or alley that is not a part of the State highway system; and

WHEREAS, North Carolina General Statute § 160A-274 authorizes a governmental unit in this state to exchange with, lease to, lease from, sell to, or purchase from any other governmental unit any interest in real or personal property upon such terms and conditions as the governmental unit deems wise, with or without consideration; and

WHEREAS, Cleveland County has determined that it is in the best interest of Cleveland County to convey the above-mentioned Grant of Easement to the City of Shelby, and deems it wise to do so for no consideration.

**Now Therefore It Be Resolved,** the CLEVELAND COUNTY BOARD OF COMMISSIONERS RESOLVES THAT:

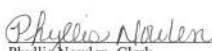
- Cleveland County hereby grants to the City of Shelby the easements described in the attached Deed of Easement.
- The easements described herein shall be granted for no consideration.

3. The Chairman of this Board is authorized to execute the attached Deed of Easement, along with any other documents necessary to convey the Grant of Easement in the manner authorized by this Resolution.

Adopted this the 4<sup>th</sup> day of June, 2019.

By:   
Susan Allen, Chairman  
Cleveland County Board of Commissioners

ATTEST:

  
Phyllis Nowlen, Clerk  
Cleveland County Board of Commissioners



8  
 RECORDING FEE 26 REVENUES 2

NORTH CAROLINA

DEED OF EASEMENT

CLEVELAND COUNTY

THIS DEED OF EASEMENT made this 4th day of June, 2019, by and between Cleveland County GRANTOR(S), hereafter, collectively, "OWNER(S)" and City of Shelby, GRANTEE, hereafter "GRANTEE";

WITNESSETH:

Owner(s) certifies they are all of the owners of certain real estate, hereafter referred to as "permanent easement" described on **Exhibit A** to this instrument; and the Parties have agreed it is in their best interests for Owner to grant and Grantee to accept a permanent easement in the easement premises for the purposes stated herein below;

THEREFORE, in consideration of the foregoing, the mutual covenants contained herein, the parties agree as follows:

- 1. Grant.** Owner hereby grants and conveys to Grantee a permanent easement in and upon the easement premises in the area described on **Exhibit A** to this instrument and attached hereto. Such area is hereafter referred to as the "permanent easement". The following rights are also granted: the right to install and maintain landscaping and hardscaping as shown on Exhibit A. Final landscaping and hardscaping may vary from that shown in Exhibit A and may change over time.
- 2. Purpose.** The Grantee and its assignees, if any, are hereby further granted the right within the easement area to construct, operate, maintain, improve, modify, or replace any landscaping or hardscaping together with rights of ingress and egress across all adjoining lands of Owner as may be necessary to the reasonable exercise of the rights herein granted.
- 3. Construction Easement.** Owner further grants to Grantee a temporary construction easement over the easement premises and outside of the actual or "approximate" location of the easement area as shown on Exhibit A for the purpose of installing, constructing, replacing or removing, as necessary from time to time, the landscaping and hardscaping specified above.

- 4. Owners Rights Reserved.** Owner reserves the right to use the easement area in any manner which will not damage, impair, prevent or interfere with Grantee's installation or its exercise of the rights granted hereunder. Owners will not build or place any structure upon or substantially alter the easement area without the advance consent of the Grantee. Owner will have access to maintain two signs as shown on **Exhibit A** for the Earl Scruggs Center.
- 5. Assignment.** Grantee may fully or partially transfer this easement without consent of or compensation to Owners. In the event of transfer, Owner's interests shall be protected to the same extent as hereunder.
- 6. Appearance.** After completion of installation and construction, the Grantee at its sole expense will restore the appearance of the temporary construction easement area as nearly as reasonably possible to that, which existed immediately prior to such activity. The permanent easement will be constructed reasonably close to that which is shown in **Exhibit A**.
- 7. Maintenance.** After completion of installation and construction of all landscaping and hardscaping, the Grantee at its sole expense will maintain the appearance of the easement area similar to that at the end of the construction and installation. Alterations in landscaping and hardscaping may occur at times, but will achieve a similar appearance.
- 8. Release.** Owner hereby releases Grantee from all claims or rights of action now or hereafter accrued or acquired by them, due to injuries to any part of the **easement premises** or improvements thereon, resulting from Grantee's lawful activities carried out pursuant to this Agreement.
- 9. Binding Effect.** All rights, title and privileges and all benefits and burdens herein granted or imposed shall **run with the land (the easement premises)** and shall be binding upon and inure to the benefit of the named parties, their respective heirs, personal representatives, successors and assigns.
- 10. Attachments.** **Exhibit "A"** to this instrument, if attached, is incorporated herein by this reference as fully as if set out in the body of the text.
- 11. Other Terms.** This writing contains **all** the terms of agreement.

TO HAVE AND HOLD the above described real property interest to the Grantee in perpetuity for the uses and purposes herein described. Owner covenants with Grantee that Owner is seized of the premises in fee simple, has the right to convey the Easement rights contained herein and will warrant and defend this conveyance against the lawful claims of all persons whomsoever, except for the following **EXCEPTIONS** to which Owners' title is subject:  
NONE

IN WITNESS WHEREOF, the Owner(s) have set their hands the date above written.

OWNER(S)

Susan Allen

ATTEST:

Phyllis Narden



- 1 -

STATE OF North Carolina

COUNTY OF Cleveland

I, April N. Croft, a Notary Public of the County of Cleveland and State of North Carolina, do hereby certify that Susan Allen personally appeared before me this day and

acknowledged the due execution of the foregoing Deed of Easement, together with attached Exhibits.

WITNESS my hand and official seal this 4th day of June, 2019.

April N. Croft  
 Notary Public

5-7-20

My Commission Expires:

(SEAL)



NORTH CAROLINA

CLEVELAND COUNTY

EXHIBIT "A" TO DEED OF EASEMENT by and between

Cleveland County AND City of Shelby

Dated June 4th, 2019.

The Easement Area is contained within that real property described in Record/Deed Book A, Page 015 and Plat Book N/A, Page N/A of the Cleveland County Registry.

LEGAL DESCRIPTION OF EASEMENT AREA:

See Exhibit A for easement areas

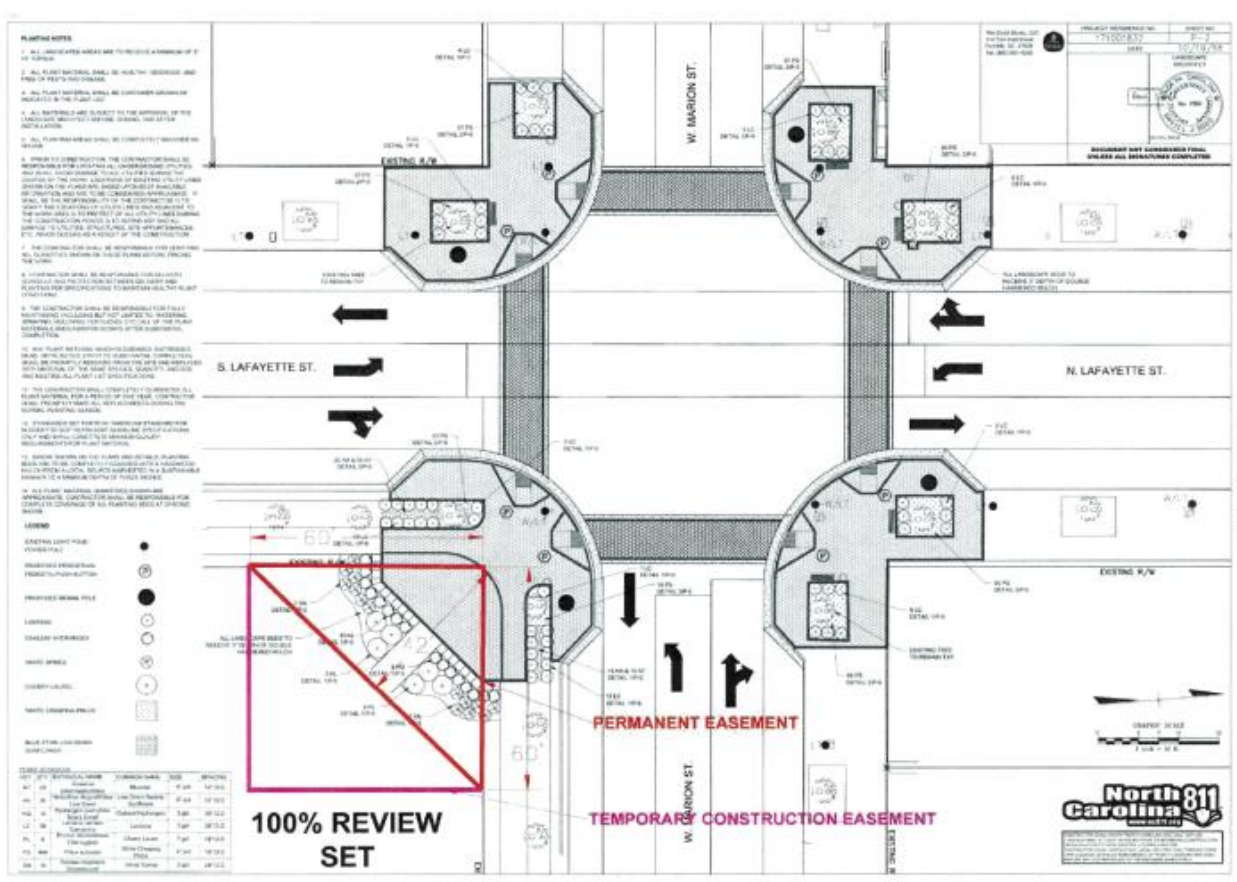


Exhibit A-1





**LEGAL: TRANSFER OF PARCEL 18685 TO THE CITY OF SHELBY**

The County owns a property located at 602 E. Warren Street in Shelby, Cleveland County Parcel Number 18685. This property is of no use to the County and it would be difficult to sell the property for any substantial value, as the property is subject to numerous liens from the City of Shelby. Transferring this property to the City of Shelby for no consideration would avoid a lengthy selling process. Staff from the City of Shelby have suggested that the city may use the property as part of its revitalization efforts.

**ACTION:** Commissioner Hutchins made the motion, seconded by Commissioner Bridges, and unanimously adopted by the Board, *to approve the transfer of parcel 18685 to the City of Shelby.*



**PUBLIC HEARINGS**

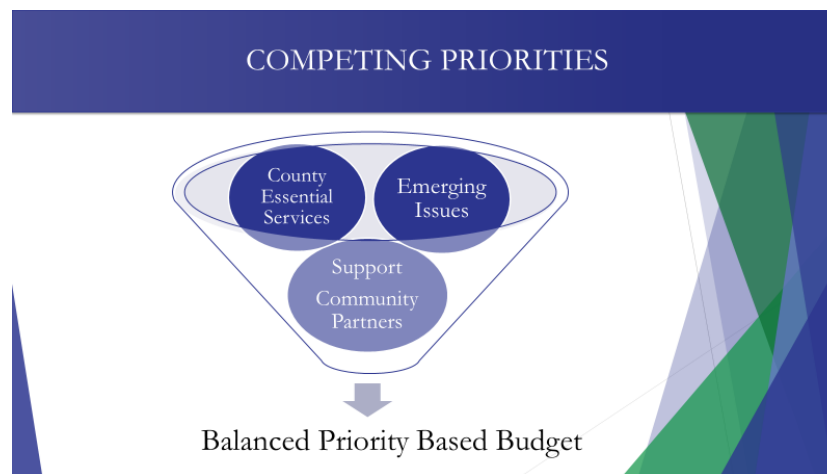
**FY 2019 – 2020 COUNTY MANAGER’S RECOMMENDED BUDGET**

Vice-Chairman Whetstine called County Manager Brian Epley to the podium to present the FY 2019 – 2020 County Manager’s Recommended Budget. Mr. Epley reminded the Board the budget has been available for public review over the last two weeks. The Board continues to maintain a very aggressive strategic plan that is updated each year. Staff’s goal is to have a priority-based budget that aligns with the Commissioner’s strategic plan. It is important to recognize there are competing priorities in the FY 2019 – 2020 budget. A priority setting methodology allows the Board and staff to recognize where we are and where we need to be. In developing a priority-based budget element such as essential services, emerging issues and supporting community partners must be looked at. In doing this, the budget will be balanced and priority based in helping our community move forward. County



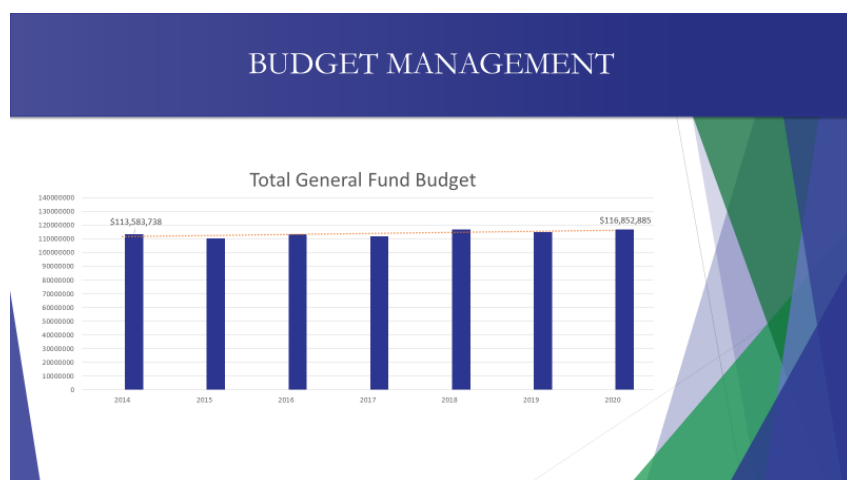
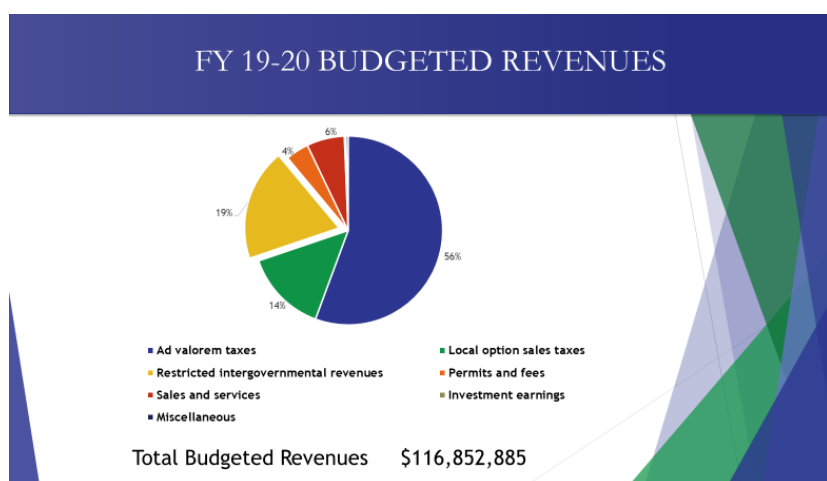
Manager Epley presented a more detailed budget at the May 21, 2019 Commissioners Meeting. Mr. Epley reviewed the following PowerPoint to the Board.

## Budget Summary FY 19-20



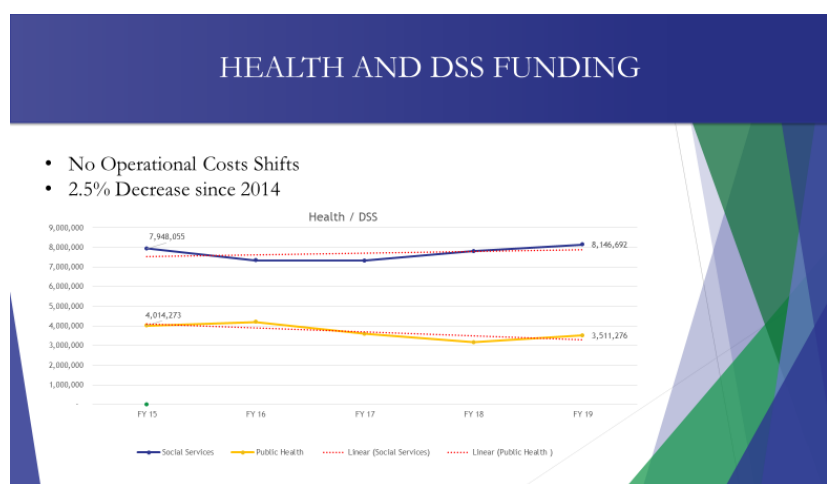
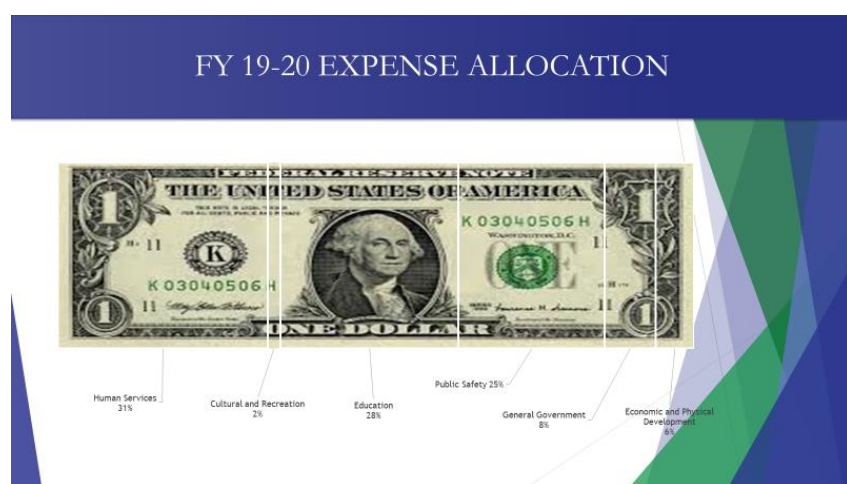
## Essential County Functions

General Fund



### BUDGETED REVENUE SUMMARY

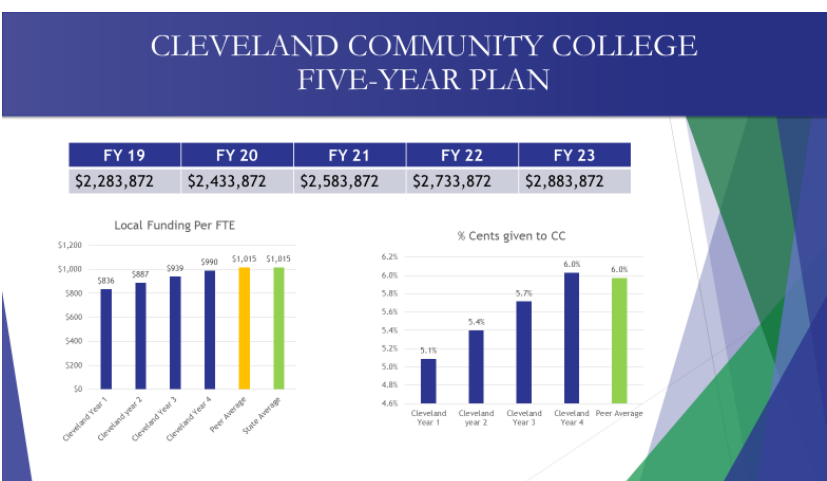
Tax Base Growth –	A) Clearwater Effect	(3.42%)	\$ 1,402,000
	B) Natural Growth	(1.69%)	848,000
Incentive Roll Offs			50,000
Budget Re-Engineering (year 5)			150,000
<b>Total Available Budget for Prioritization</b>			<b>\$ 2,450,000</b>



### PUBLIC SCHOOL FUNDING

Property Tax Revenue	\$ 13,467,648
Sales Tax Revenue	\$ 3,700,000
Local Operational Appropriation	\$ 10,250,000
Local Capital Appropriation	\$ 1,400,000
Sales Tax Capital Appropriation	\$ 1,450,000
<b>Total</b>	<b>\$ 30,267,648</b>

Public School System	2016	2017	2018	2019	2020
Per Pupil Funding	\$1,822	\$1,904	\$1,923	\$1,975	\$2,017



## PUBLIC SAFETY FUNDING

Department	FY 14-15	FY 19-20	% Change
Detention Center	\$4,333,156	\$6,081,606	40%
Sheriff's Department	\$7,011,636	\$9,318,546	33%
Emergency Medical Services	\$6,462,508	\$7,385,043	10%
Emergency Management	\$400,341	\$395,538	-1%
E-911/Communications	\$1,400,409	\$1,267,075	-9.5%
Total Public Safety Budget	\$19,608,050	\$24,447,808	

## Strategic Goals Focus Areas



## FY 19-20 FISCAL SUSTAINABILITY

### Fiscal Sustainability

- Finalize implementation of software system upgrade and identify improved business intelligence, efficiencies and customer service ✓
- Continued redevelopment of Personnel Ordinance to align with OSP ✓
- Position Cleveland County as employer of choice w/ sustainable competitive pay and employee wellness fund. ✓
- Fund Balance of at least 18% ✓
- Re-engineering Innovation & Implementation ✓
- Facility Master Plan Process & Long Term Capital Planning ✓

## ECONOMIC DEVELOPMENT



- Maintain momentum and success in growing the County's tax base by: ✓
  - Expanding Workforce Development / Readiness
  - Analyze current property, prepare site due diligence and product development
  - Support CCEDP & existing industry
- Determine ways to assist the Agriculture community in their efforts to promote Agriculture as an economic development opportunity. ✓
- Dover Mill - Highest & Best Use ✓
- Develop a strategic plan for Travel and Tourism to market and promote Cleveland County as destination location. ✓
- Analyze current retail environment and develop retail recruitment strategies. ✓

## PUBLIC SAFETY



- Development of options for a jail expansion which would improve efficiencies by co-location, manage increased capacity and consider other long-term capital needs in the County. ✓
- Continued focus on Animal Services to increase the number of unwanted births of animals. Review existing ordinance and current enforcement practices. ✓
- Continuation of goals from VFD Strategic Plan. ✓
- Evaluate Options for expanding broadband services to areas of the County which are not served ✓

## COMMUNITY WELLNESS



- Focus on community health by engaging community partners aimed at lowering health rankings ✓
- Identify innovative placemaking strategies that enhance residents quality of life and position Cleveland County as a great place to live, work & play ✓
- Intentional focus on actively engaging in the fight against the opioid epidemic ✓
- Continued support of Partnering for Community Prosperity Project ✓

## CITIZEN ENGAGEMENT



- Continue support of youth programs which provide life coaching, career assistance and education that insures our youth become productive adults. ✓
- Increase citizen engagement & communication through sharing of information about programs and services offered by Cleveland County. ✓
- Identify ways to increase Veterans support services by collaborating with Veterans support agencies in the County. ✓
- Support municipal collaboration and dialogue through Mayor's Roundtable. ✓
- Expansion and continuation of programs and educational materials to encourage a cleaner community. ✓

## Community Partners FY 19-20

## COMMUNITY PARTNERS



## Emerging Issues

### EMERGING ISSUES

- Major Capital Improvement Planning
  - Jail Expansion
  - ERP Completion
  - Court Building
  - Social Services Building
- Medicaid Transformation
  - Reduction of Force
  - Further Service Consolidation
  - Un-Funded Mandates
- Risk Management
  - Operational/Legal Liability
- 2021 Revaluation
- Potential of Cooling Economy
  - State Board Valuations

## Budget Summary

### BUDGETED REVENUE/EXPENSE HIGHLIGHTS

<b>REVENUE</b>			
Tax Base Growth –	A) Clearwater Effect	(3.42%)	\$ 1,402,000
	B) Natural Growth	(1.69%)	848,000
Incentive Roll Offs			50,000
Budget Re-Engineering (year 5)			150,000
<b>Total Available Budget for Prioritization</b>			<b>\$ 2,450,000</b>
<b>EXPENSES</b>			
Employee Compensation			\$ 1,315,000
Employee Wellness			700,000
Road Paving Reserve			200,000
3 New FTE – Detention			138,000
Feasibility Analysis			67,000
Telemedicine Expansion			30,000
<b>Total Prioritization Highlights</b>			<b>\$ 2,450,000</b>

## Solid Waste Fund



### SOLID WASTE BUDGET SUMMARY

Fee Schedule - Phase III Implementation

Total Revenue - \$ 8,931,755

Total Expense - \$8,931,755

## Questions?

The general fund is budgeted at \$116.8 million dollars. Fifty-six percent of the county’s total revenue in the FY 2019-2020 budget comes from ad valorem property taxes; that percentage compares favorably to peer counties. Additional revenues are generated from restricted intergovernmental revenues (19%) and 14% from local option sales tax. The budget is balanced on a .57 cent property tax rate with no recommendation for a tax rate increase. Health and Human Services continues to be the largest expense allocation in the budget. Approximately .31 cents out of every dollar spent goes to Health and Human Services. Mr. Epley reported there has been a 2.5% decrease in the overall Human Services budget since 2014. Education and Public Safety are the other top expense allocations in Cleveland County as they are in every other county in the state.

Public school funding maintains a .15 cent tax rate which generates \$13.4 million dollars in revenue with roughly 14,500 students in the county’s public-school system. Currently, there are 118 local education authorities in North Carolina; Cleveland County is ranked in the top fifty in local funding when compared to other counties across the state. The total FY 2019 – 2020 budget for Cleveland County Public Schools will be roughly \$30.2 million dollars, equaling to an average of \$2,000 per student. Mr. Epley then reviewed the local funding for Cleveland Community College and the proposed five-year funding plan to the Board which includes operational

money for the Advanced Manufacturing Center and new curriculums that will be onboarded over the next few years.

Commissioner's Strategic Goal focus areas Fiscal Sustainability, Economic Development, Citizen Engagement, Community Wellness and Public Safety overlap and inter connect with one other.

In the area of **Fiscal Sustainability** the County will focus on:

- Finalize implementation of software system upgrade and identify improved business intelligence, efficiencies and customer service
- Continued redevelopment of Personnel Ordinance
- Position Cleveland County as employer of choice w/ sustainable competitive pay and employee wellness fund
- Fund Balance of at least 18%
- Re-engineering Innovation & Implementation
- Facility Master Plan Process & Long-Term Capital Planning

Fiscal Sustainability is measured by four metrics; re-engineering, personnel requests, employee compensation and employee wellness. Three recommendations for re-engineering include an employee wellness dependent audit, LeGrand Center Culinary Program and automation and redesign (FTE Management). The first recommendation is an employee wellness dependent audit. Cleveland County is self-insured for the employee wellness fund. A lot of time, money and effort are invested into building a culture of wellness in the organization to include case management and wellness strategies to assist people make better health choices. A dependent audit is recommended to ensure the people on the county's health plan are eligible to be on the plan thus protecting the integrity of the health care plan and ultimately saving the county money.

Twelve new full-time employee requests (FTE) were received from the Sheriff's Office for the FY 2019 – 2020 budget. Included in the budget is three FTE Detention Officers at a cost of \$138,000 per year. Mr. Epley reminded the Board this is year two of a staffing analysis in the Detention Center. If the three new positions are approved, this will make a total of eleven new positions in that department over the last twelve months. The Board's commitment to multi-year strategies for the growth of Public Safety has increased the funding to 25% of the county's budget.

Employee compensation is included in the budget. A 2% increase (1.5% COLA, a .5% compression relief) across the organization is recommended. Also included in the budget is a 3% market adjustment for the Sheriff's Office. These increases will help keep Cleveland County competitive in the employment market.

The health fund is approaching \$10 million dollars. Medical inflation in this region continues to be in the double digits. Moving into the FY 2019 – 2020 budget year, an 8% increase is recommended which will take the monthly premiums from \$835 to \$900 per employee. The County will maintain a 100% employer contribution and dependent rates will remain flat, dependent rates, HSA contribution rates and an 80/20 health care plan.

The strategic goal of **Economic Development** continues to be important to the Board. A key focus is to maintain the momentum built in this area over the last several years with a specific focus on workforce development and readiness. Other avenues to keep the drive going include:

- Analyze current property, prepare site due diligence and product development
- Support CCEDP & existing industry
- Determine ways to assist the agriculture community in their efforts to promote agriculture as an economic development opportunity
- Dover Mill - Highest & Best Use
- Develop a strategic plan for Travel and Tourism to market and promote Cleveland County as destination location
- Analyze current retail environment and develop retail recruitment strategies

Avenues to achieve the strategic goal of the Board is **Public Safety** include:

- Development of options for a jail expansion which would improve efficiencies by co-location, manage increased capacity and consider other long-term capital needs in the County.
- Continued focus on Animal Services to increase the number of unwanted births of animals. Review existing ordinance and current enforcement practices.
- Continuation of goals from VFD Strategic Plan.
- Evaluate Options for expanding broadband services to areas of the County which are not served

**Community Wellness** is a new focus area for the Commissioners. Staff and Board members have worked hard to develop opportunities focusing on community health to lower Cleveland County's health ranking and identify innovative placemaking strategies that enhance resident's quality of life. The Board has intentional focus on actively engaging in the fight against the opioid epidemic and continues support of the Partnering for Community Prosperity Project.

The last focus area is **Citizen Engagement**. More effort is being made to engage and educate the people in the community. Other techniques for citizen engagement include:

- Continued support of youth programs which provide life coaching, career assistance and education that ensures our youth become productive adults.
- Increase communication through sharing of information about programs and services offered by Cleveland County.
- Identify ways to increase Veterans support services by collaborating with Veterans support agencies in the County.
- Support municipal collaboration and dialogue through Mayor's Roundtable.
- Expansion and continuation of programs and educational materials to encourage a cleaner community

In next year's budget, there is continuation of the municipal grant program. It is the intention of the Board to continue working with the county's municipalities for citizen engagement and promoting a healthy county.

The county is entering into Phase III of the solid waste fee schedule which was originally approved in the 2013 budget year. Phase III increases the tipping fees and the household fees. The solid waste department operates on a \$8.9 million-dollar revenue/expense budget. Several convenience center site improvements are in the budget including lighting, safety features and parking lots. The landfill is undergoing an expansion on Airport Road which will add an additional twenty to thirty years of life to the facility. This will save the county money long term as new sites will not need to be created.

	CURRENT PRICE		15% Increase in FY 19-20	
Solid Waste	\$41.00/Ton +\$2.00 Tax	\$43.00	\$47.15/Ton +\$2.00 Tax	\$49.15
C & D	\$22.48/Ton +\$2.00 Tax	\$24.48	\$25.85/Ton +\$2.00 Tax	\$27.85
Wooden Pallets		\$25.13		\$28.90
Fiberglass	\$17.00/Ton + \$2.00 Tax	\$19.00	\$17.00/Ton + \$2.00 Tax	\$19.00
Sludge/Alum Sludge	\$41.00/Ton +\$2.00 Sludge Fee	\$43.00	\$47.15/Ton +\$2.00 Sludge Fee	\$49.15
SLUDGE FEE	\$2.00 per ton	\$2.00	\$2.00 per ton	\$2.00
Mobile Homes		\$264.50		\$304.18
Yard Waste/Leaves		\$19.84		\$22.82
Mulch		\$10.00		\$10.00
Stumps		\$25.13		\$28.90
Friable Asbestos	\$41.00/Ton +\$2.00 Tax	\$43.00	\$47.15/Ton +\$2.00 Tax	\$49.15
Surcharge/Asbestos		\$150.00		\$150.00
Non-Friable Asbestos (Solid)	\$22.48/Ton +\$2.00 Tax	\$24.48	\$25.85/Ton +\$2.00 Tax	\$27.85
Dead Animals		\$1.32		\$1.52
Fowl		\$41.00		\$47.15
Livestock		\$6.61		\$7.60
Tires (Normal Course of Business)		\$0.00		\$0.00
Non-Documented Tires		\$132.25		\$152.09
PPG AFTER HOURS	\$117.00/hour	\$117.00	\$117.00/hour	\$117.00
Above and Beyond hours	\$30.00 per 15 minute increment	\$30.00	\$30.00 per 15 minute increment	\$30.00
Unsecured Load	\$200.00 per unsecured load	\$ 200.00	\$200.00 per unsecured load	\$ 200.00
Handle Fee (special waste)	\$150.00 per load	\$150.00	\$150.00 per load	\$150.00
S/W CVII (E-Waste Discount)	\$27.33/Ton + \$2.00 Tax	\$29.33	\$31.43/ton + \$2.00 Tax	\$33.43

Vice-Chairman Whetstine opened the floor to the Board for questions and comments. Commissioner Bridges thanked Mr. Epley and his staff for the many hours and hard work that went into creating the FY 2019 – 2020 budget.

Vice-Chairman Whetstine opened the Public Hearing at 6:52 pm for anyone wanting to speak for or against the FY 2019 – 2020 County Manager’s Recommended Budget. (*Legal Notice was published in the Shelby Star on Friday, May 24, 2019 and Friday, May 31, 2019.*)

**Lois Smith, 202 W. Zion Church Road, Unit 3, Shelby** – spoke neither for or against the recommended budget but thanked Mr. Epley for the items in the budget pertaining to Animal Services. She inquired if more funds could be added to Animal Services to assist in raising the salaries of the employees, hire more employees, public education and fund additional shelter needs. Ms. Smith expressed her concerns regarding Animal Services and thanked the Commissioners for the consideration in this matter.

Hearing no further comments, Vice-Chairman Whetstine closed the Public Hearing at 6:57 pm.

Vice-Chairman Whetstine opened the floor to the Board for questions and discussion. Commissioner Hutchins remarked about the growth of the County and the future plans and funding intended for departments such as the library, animal services and sheriff’s department. Staff has worked diligently to ensure goals are met and monies are budgeted to achieve these goals.

**ACTION:** Commissioner Hardin made a motion, seconded by Commissioner Bridges, and passed unanimously by the Board to, *approve the presented FY 2019 – 2020 County Manager’s Recommended Budget.*

**REGULAR AGENDA**

**CLEVELAND COUNTY FAIR LANDSCAPE AND FENCE ENHANCEMENT PROJECT**

Vice-Chairman Whetstine recognized Kerri Melton, Assistant County Manager, to present the Cleveland County Fair Landscape and Enhancement Project. Mrs. Melton reminded the Board this project was presented to them at their January work session. Staff began working on this endeavor three years ago to ensure funding was in

place. Cleveland County Government has partnered with the Cleveland County Fair Association on a landscape and fencing project on the East Marion Street side of the Fairgrounds property. The Fairgrounds Property is owned by Cleveland County and leased to the Cleveland County Fair Association. The Fair Association received a grant from the State of North Carolina for several projects on the property. One of those projects included replacement of the fence along Marion Street. The LeGrand Center and Cleveland Community College are located directly across from the fairgrounds. As Marion Street is a gateway into our community, it is important that the streetscape be consistent with that area on both sides of the road. The project includes lighting and irrigation, a six-foot fence with rock columns and natural screening. In 2018, Cleveland County contracted with the Dodd Studio to complete design and bidding of the proposed project. Bids were opened on May 29, 2019. Two bids were received on the project:

Shelby Nursery	\$303,506
TC Strickland	\$357,340

Dodd Studio, LLC is recommending the project be awarded to Shelby Nursery in the amount of \$303,506.00. The total project is expected to cost \$303,506. Cleveland County has budgeted \$150,000 for this project and the remaining funds will be provided by the Cleveland County Fair Association. Mrs. Melton reviewed the following PowerPoint to the Board.



## Streetscape Concept Plan

PRECEDENT IMAGES






Shumard Oak      Yellowwood      Redbud

5

## Project Cost



<b>Estimate Project Cost</b>	<b>\$300,000</b>
• Funding Cleveland County	\$150,000
• Funding Cleveland County Fair	\$150,000
 <b>Lowest Responsible Bidder</b>	
Shelby Nursery	<b>\$303,506</b>

PRESENTATION FOOTER


6

## Next Steps



June, 2019	County Commissioners Award Bid Hold Pre-construction meeting Begin construction
Sept, 2019	Expected project completion

7



## QUESTIONS??

8

Vice-Chairman Whetstine opened the floor to the Board for questions and discussion. Commissioners took turns discussing the screening and vegetation that will go around the fair grounds. Mrs. Melton reviewed the guidelines of the upkeep and maintenance of the vegetation outlined in the contract to the Board.

**ACTION:** Commissioner Bridges made the motion, seconded by Commissioner Hardin and unanimously adopted by the Board to, *approve the Fair Landscape and Fence Enhancement Project and award the lowest responsible bid to Shelby Nursery, Inc in the amount of \$303,506.*



AGREEMENT

THE STATE OF NORTH CAROLINA  
COUNTY OF CLEVELAND

KNOW ALL MEN BY THESE PRESENTS:

THIS AGREEMENT is dated as of the 16<sup>th</sup> day of June in the year 2019 by and between

CLEVELAND COUNTY, NC  
(hereinafter called OWNER)

SHELBY NURSERY, INC  
(hereinafter called BIDDER)

OWNER and BIDDER, in consideration of the mutual covenants hereinafter set forth, agree as follows:

Article 1. WORK

BIDDER shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

CLEVELAND COUNTY FAIRGROUNDS  
LANDSCAPE AND FENCE ENHANCEMENT PROJECT

Article 2. LANDSCAPE ARCHITECT

The owner shall designate a representative, hereinafter called LANDSCAPE ARCHITECT and who will assume all duties and responsibilities and will have the rights and authority assigned to LANDSCAPE ARCHITECT in the Contract Documents in connection with completion of the Work in accordance with the Contract Documents.

Article 3. CONTRACT TIME  
120 Consecutive Calendar Days

The Work will be substantially completed as indicated in the instructions to bidders section of this bid. Time period for completion of work to be modified as necessary, by the CLEVELAND COUNTY and/or LANDSCAPE ARCHITECT based upon weather conditions.

Article 4. CONTRACT PRICE  
\$303,506.00 Lump Sum  
(Base Bid and Alternate Total)

OWNER shall make partial and final payments to BIDDER. Partial payments shall be based upon percentage of work completed less retainage. OWNER has ultimate approval of payment amounts.

Article 5. PAYMENT PROCEDURES

Upon final completion and acceptance of all Work, OWNER shall pay any remaining balance of Contract Price.

BIDDER'S REPRESENTATIONS

In order to induce OWNER to enter into this Agreement BIDDER makes the following representations:

- 6.1 BIDDER has familiarized himself with the nature and extent of the Contract Documents, Work, locality and with all local conditions and federal, state and local laws, ordinances, rules and regulations that in any manner may affect cost, progress or performance of the Work.
- 6.2 BIDDER has studied carefully all reports of investigations and tests of subsurface and latent physical conditions at the site which could affect cost, progress or performance of the Work which were relied upon by ENGINEER in the preparation of the Drawings and Specifications.
- 6.3 BIDDER has made or caused to be made examinations, investigations, tests, and studies of such reports and related data as he deems necessary for the performance of the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents; and no additional examinations, investigations, tests, reports or similar data are or will be required by BIDDER for such purposes.
- 6.4 BIDDER has correlated the results of all such observations, examinations, investigations, tests, reports and data with the terms and conditions of the Contract Documents.
- 6.5 BIDDER has given LANDSCAPE ARCHITECT written notice of all conflicts, errors or discrepancies that he has discovered in the Contract Documents and the written resolution thereof by LANDSCAPE ARCHITECT is acceptable to BIDDER.

This Agreement will be effective on June 20, 2019.

CLEVELAND COUNTY  
OWNER

By Susan H. Allen

ATTEST Phyllis Nauden

Address for giving notices

P.O. Box 1210  
Shelby, NC 28150

704-484-4800  
Telephone Number

704-484-4930  
Fax Number

Shelby Nursery, Inc.  
BIDDER

By Scott W. Scott  
(CORPORATE SEAL)

ATTEST April C. Scott

Address for giving notices

108 Berry Dr  
Shelby, NC 28150

(704) 471-1000  
Telephone Number

Scottree@MSD.com  
Fax Number

License No.

Agent for service process

**COMMISSIONERS REPORT**

**Commissioner Hardin** – attended several events in the county such as the Shelby High School Graduation. She also attended the JCPC Board meeting.

**Commissioner Bridges** – commented on the recent job fair that was held at the LeGrand Center. Over one hundred companies were in attendance to accept applications.

**Commissioner Hutchins** – gave an update on the upcoming veteran’s memorial services. He also attended several board meetings in that he serves on; The Council on Aging, MPO, Veteran’s Advisory Board and the Cleveland Community College Board of Trustees. He gave an update on the Foothills Shooting Complex expansion.

**Commissioner Whetstine** – attended the EMS Employee Recognition breakfast with several other Commissioners. Commissioners also visited the Department of Social Services to meet the new Director, Katie Swanson. Ms. Swanson will on board with the county on June 17, 2019. He also commented on the upcoming Distinguished Women’s Banquet hosted by the Commission for Women.

**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 meeting***. The next meeting of the Commission is scheduled for ***Tuesday, June 18, 2019 at 6:00 p.m. in the Commissioners Chambers located at 311 E. Marion St., Shelby.***

---

*Ronnie Whetstine, Vice- Chairman  
Cleveland County Board of Commissioners*

---

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