

Cleveland County Board of Commissioners
November 7, 2023

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
Ronnie Whetstine, Vice-Chair
Johnny Hutchins, Commissioner
Doug Bridges, Commissioner
Deb Hardin Commissioner
Tim Moore, County Attorney
David Cotton, County Manager
Phyllis Nowlen, Clerk to the Board
Kerri Melton, Assistant County Manager
Chris Martin, Planning Director
Scott Bowman, Maintenance Department Director
Rebecca Johnson, Interim Social Services Director
Jason Falls, Business Development Director
Tiffany Hansen, Health Department Director
Perry Davis, Emergency Management Director/Fire Marshal
Sherry Lavender, Tax Assessor

CALL TO ORDER

Chairman Gordon called the meeting to order. Two Veteran's Advisory Board members, Marty Pendergraft and Vallery McCoy, led the audience in the Pledge of Allegiance and provided the invocation.

AGENDA ADOPTION

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

SPECIAL PRESENTATION


OPERATION GREEN LIGHT FOR VETERANS

The National Association of Counties (NACo) and the National Association of County Veteran Service Officers (NACVSO) invite the nation's 3,069 counties, parishes, and boroughs to join Operation Green Light and show support for veterans by lighting buildings green the week of Veteran's Day. The initiative is designed to raise awareness about veterans' unique challenges and the resources available to assist them and their families at the county, state, and federal levels.

In conjunction with Operation Green Light, Cleveland County is hosting a Veterans Resource Connection on Wednesday, November 8, 2023, from 9:00 a.m. to 4:00 p.m. at the LeGrand Center located at 1800 E. Marion Street in Shelby.

North Carolina is home to around 700,000 veterans, the eighth-largest veteran population in the nation and the fourth-largest active-duty military presence nationwide. Cleveland County is home to 8,000 of those veterans. This event is free to attend and open to veterans, spouses, their caregivers, and the public. Local non-profits and businesses, veteran health and wellness services, and state-wide organizations will be on-site to answer questions and share information. During the Veterans Resource Connection, the film "*The Veteran's Battlefield: A Story of*

North Carolina's Veterans" will be shown several times. 100 Strong Productions produced this film, which showcases the hardships and challenges veterans face when they transition to civilian life.



Resolution

22-2023

Support for Operation Green Light for Veterans

WHEREAS, the residents of Cleveland County have great respect, admiration, and the utmost gratitude for all the men and women who have selflessly served our country and this community in the Armed Forces; and

WHEREAS, the contributions and sacrifices of those who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, Cleveland County seeks to honor individuals who have made countless sacrifices for freedom by placing themselves in harm's way for the good of all; and

WHEREAS, veterans continue to serve our community in the American Legion, Veterans of Foreign Wars, religious groups, civil service, and by functioning as County Veterans Service Officers in 29 states to help fellow former service members access more than \$52 billion in federal health, disability and compensation benefits each year; and

WHEREAS, Approximately 200,000 service members transition to civilian communities annually; and

WHEREAS, an estimated 20 percent increase of service members will transition to civilian life in the near future; and

WHEREAS, studies indicate that 44-72 percent of service members experience high levels of stress during transition from military to civilian life; and

WHEREAS, active military service members transitioning from military service are at a high risk for suicide during their first year after military service; and

WHEREAS, the National Association of Counties encourages all counties, parishes and boroughs to recognize Operation Green Light for Veterans; and

WHEREAS, Cleveland County appreciates the sacrifices of our United States military personnel and believes specific recognition should be granted

NOW THEREFORE BE IT RESOLVED, with designation as a Green Light for Veterans County, Cleveland County hereby declares from October through Veterans Day, November 11th 2023 a time to salute and honor the service and sacrifices of our men and women in uniform transitioning from active service; therefore, be it further

RESOLVED, that in observance of Operation Green Light, Cleveland County encourages its citizens in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying green lights in a window of their place of business or residence from November 6th through the 12th, 2023.

Adopted this, the 7th day of November 2023.


Kevin Gordon, Chairman


J. Ronnie Whetstine, Vice-Chairman


Johnny Hutchins, Commissioner


Doug Bridges, Commissioner


Deb Hardin, Commissioner



PUBLIC COMMENT

Deanna Kristen, 215 Eagle Cove Drive, Cherryville – spoke about her concerns with Animal Services and the number of loose stray dogs in Cleveland County. Ms. Kristen gave positive data from other communities with low-cost spay and neuter clinics in their area, stressing the need for a clinic in the county.

Robert Williams, 814 E. Stagecoach Trl, Lawndale – spoke about the Fallston – Casar Fire District agenda item. He asked several questions regarding the proposed fire district such as who is paying for the redistricting and should the governing body be involved in the process and decision.

CONSENT AGENDA

APPROVAL OF MINUTES

The Clerk to the Board included the Minutes from the **October 17, 2023 regular meeting** in Board members' packets.

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

TAX COLLECTOR'S MONTHLY REPORT

Pursuant to North Carolina General Statute §105-350.7, the Tax Collector shall submit to the governing body, at each of its regular meetings, a report to include the amount collected on each year's taxes with which she is charged, the amount remaining uncollected, and the steps being taking to encourage payment of uncollected

taxes. The Tax Collector provided Commissioners with a detailed written report regarding taxes collected during **October 2023**.

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

TOTAL TAXES COLLECTED OCTOBER 2023			
YEAR	AMOUNT-REAL	AMOUNT-GAP	COMBINED AMT
DEF REV	\$0.00	\$0.00	\$0.00
2023	\$2,415,212.59	\$3,555.35	\$2,418,767.94
2022	\$87,873.29	\$1,015.77	\$88,889.06
2021	\$16,902.79	\$290.11	\$17,192.90
2020	\$7,656.25	\$356.15	\$8,012.40
2019	\$3,738.96	\$0.00	\$3,738.96
2018	\$1,904.88	\$0.00	\$1,904.88
2017	\$1,933.96	\$0.00	\$1,933.96
2016	\$1,100.10	\$0.00	\$1,100.10
2015	\$1,347.06	\$0.00	\$1,347.06
2014	\$1,192.85	\$0.00	\$1,192.85
2013	\$41.08	\$0.00	\$41.08
			\$2,544,121.19
TOTALS	\$2,538,903.81	\$5,217.38	\$2,544,121.19
DISCOUNT	\$5.55		\$5.55
INTEREST	\$19,028.85	\$277.92	\$19,306.77
TOLERANCE	(\$2.98)	(\$0.42)	(\$3.40)
ADVERTISING	\$395.62		
GARNISHMEN	\$1,066.68	GAP BILL FEES	DEFERRED GAP
NSF/ATTY	\$197.39	\$521.48	\$0.00
LEGAL FEES	\$6,016.94		
TOTALS	\$2,565,611.86	\$6,016.36	
MISC FEE	\$0.00		GRAND TOTAL
TAXES COLL	\$2,565,611.86		\$2,571,628.22
	\$0.00		\$0.00
	\$2,565,611.86		\$2,571,628.22

TOTAL TAXES UNCOLLECTED OCTOBER 2023			
YEAR	AMOUNT-REAL	AMOUNT-GAP	COMBINED AMT
2023	\$45,985,310.14	\$184,759.15	\$46,170,069.29
2022	\$1,427,909.35	\$104,037.87	\$1,531,947.22
2021	\$514,500.29	\$68,385.20	\$582,885.49
2020	\$475,701.56	\$38,104.40	\$513,805.96
2019	\$519,653.21	\$0.00	\$519,653.21
2018	\$272,933.14	\$0.00	\$272,933.14
2017	\$173,052.40	\$0.00	\$173,052.40
2016	\$122,486.43	\$0.00	\$122,486.43
2015	\$101,308.18	\$0.00	\$101,308.18
2014	\$110,002.66	\$0.00	\$110,002.66
2013	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00
TOTAL UNCOLLECTED	\$49,702,857.36	\$395,286.62	\$50,098,143.98

TAX ADMINISTRATION: ABATEMENTS AND SUPPLEMENTS

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

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

SOCIAL SERVICES: BUDGET AMENDMENT (BNA #020)

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

Account Number	Project Code	Department/Account Name	Increase	Decrease
011.508.5.910.00		Income Maintenance/Capital Equipment	\$27,300.00	
011.508.4.310.00		Income Maintenance/Federal Govt Grants	\$27,300.00	

Explanation of Revisions: Budget allocation for \$27,300 in additional SNAP AARPA funds allocated for September 2023 payments; funds will be used on technology needs.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #024)

ACTION: Commissioner Bridges 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>
012.548.4.410.00		CODAP/Local-Other Grants	\$15,000.00	
012.548.5.230.01		CODAP/Prescription Drugs	\$10,000.00	
012.548.5.370.00		CODAP/Advertising-Promotions	\$5,000.00	

Explanation of Revisions: Budget allocation for \$15,000 in grant funds received from Kintegra as part of the Rural Communities Opioid Response Program (RCORP) grant. Funds will be used to support naloxone and educate the community on the opioid epidemic.

BROAD RIVER GREENWAY: BUDGET AMENDMENT (BNA #025)

ACTION: Commissioner Bridges 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>
496.252.4.310.00	20219-BRGW	Cap Proj-BRGW/Federal Govt Grants	\$100,000.00	
496.252.5.990.00	20219-BRGW	Cap Proj-BRGW/CO-Other Improve	\$100,000.00	

Explanation of Revisions: Budget allocation for \$100,000 in grant monies received from the North Carolina Department of Natural Resources for Broad River Greenway Trail Improvement Project. These are federal funds passed through the state. A County match of \$25,000 for the grant is already budgeted in Capital Projects.

SOCIAL SERVICES: BUDGET AMENDMENT (BNA #027)

ACTION: Commissioner Bridges 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>
011.504.4.410.00		Social Work/Local & Other Grants	\$7,500.00	
011.504.5.700.00		Social Work/Grants	\$7,500.00	

Explanation of Revisions: Budget allocation for \$7,500 in Kintegra Health grants for Opioid Awareness and prevention, targeting families presently involved with DSS Child Protective Services.

TAX ADMINISTRATION: REQUEST TO SET A PUBLIC HEARING FOR TUESDAY, DECEMBER 12, 2023 FOR SRI THREE, LLC SMALL BUSINESS INCENTIVE GRANT

SRI Three, LLC has made an application for participation in the Small Business Investment Grant Program. Under the program, a qualifying net new investment of \$50,000 to \$1,000,000 would be eligible for a grant equal to 50% of taxes paid on the new taxable investment for three years. The applicant has met the listing and investment requirements. Taxes have been paid, and there are no unresolved appeals.

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

REGULAR AGENDA

FALLSTON – CASAR FIRE RE-DISTRICTING

Chairman Gordon recognized Emergency Management Director/Fire Marshal Perry Davis to present the Fallston – Casar Fire Re-districting map. Fallston Fire Department chose a parcel of land within the town limits of Belwood to construct a satellite station to provide additional coverage. The revised map would include some previous 6-mile areas of the Casar Fire District and provide additional coverage for the Belwood community and class 10 areas north of Belwood. Several areas encompassed by this expansion were previously within a 6-mile district for the Casar Fire Department, and some were class 10 areas, resulting in higher-than-normal insurance premiums for property owners. Mr. Davis reviewed the background and due diligence that went into the fire redistricting area to the Board.

- May 2022 Construction completed on Belwood Substation
- July 2022 Fallston applied for inspection by North Carolina Office of State Fire Marshal of the new station
- January 2023 Office of State Fire Marshal issues letter recognizing Fallston’s new station as a certified fire station
- October 2, 2023 Meeting held between Fallston and Casar to discuss district re-alignment
- October 26, 2023 Both departments agree on new district boundaries.

The station has been inspected and approved by the Department of Insurance. This expanded district will allow for a significant reduction of insurance premiums for a number of the property owners of these areas. The following PowerPoint was presented to the Board.




Cleveland County
NORTH CAROLINA

Fallston/Casar/Belwood Fire District Adjustment

NOVEMBER 7, 2023

Background



- May 2022 Construction completed on Belwood Substation
- July 2022 Fallston Applied for Inspection by NC Office of State Fire Marshal of new station
- January 2023 Office of State Fire Marshal issues letter recognizing Fallstons new station as a certified fire station
- October 2,2023 Meeting held between Fallston and Casar to discuss district re -alignment
- October 26, 2023 Both Departments Agree on new district boundaries.

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District Map



- Pink Current Casar 6 Mile will stay
- Green areas previously Casar 6 Mile now Fallston 5 Mile
- Three shades of blue will be Fallston 5 Mile
- North Aqua section is currently contracted with South Mountain Through Automatic Aid Agreements within 5 Miles of their Station



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Process



- Once Districts are approved by this board, Submitted to OSFM for review and approval
- Maps are sent to ISO (Insurance Services Office) for final approval process takes approx. 90 days.

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Action



- N.C.G.S. 69 -25.11 Requires the Board of Commissioners to approve Fire District Boundaries
- Staff Recommends Approval of New Fallston/ Casar Fire District Boundaries
- Approve or Deny New District

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Chairman Gordon opened the floor to the Board for questions and discussion. Commissioners thanked Mr. Davis for the information presented and the hard work that went into the fire redistricting project. They also commented on the positive impact this will have on insurance costs for the residents in that boundary.

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Bridges, and unanimously approved by the Board to, *approve the new Fallston – Casar Fire District Boundaries as presented.*

KINSHIP PROVIDER PAYMENTS

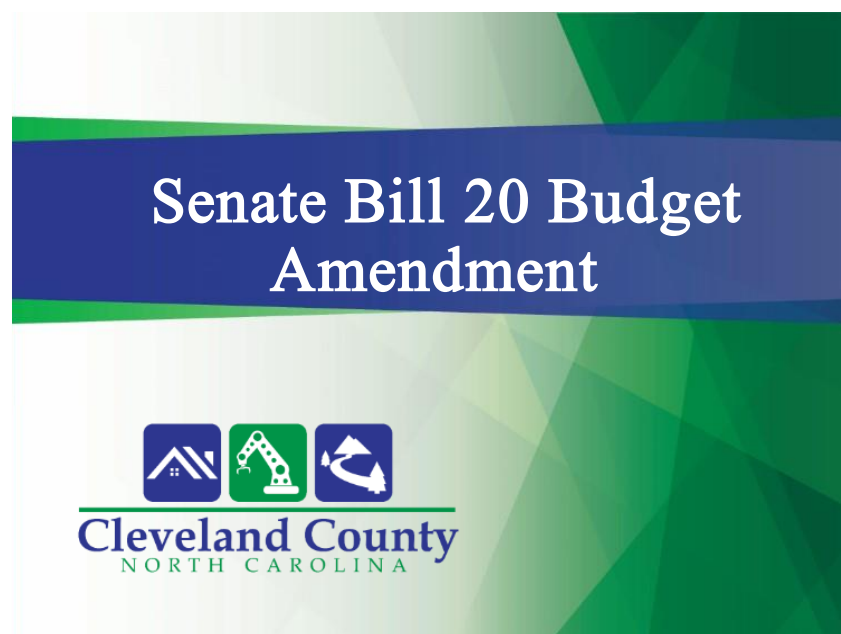
Chairman Gordon recognized Interim Social Services Director Rebecca Johnson to present the Kinship provider payments. On July 1, 2023, Senate Bill 20 was approved and enacted to increase the standard board rate for licensed foster care providers. In the same legislative session, the General Assembly also established a reimbursement fund to support unlicensed kinship care providers related by blood marriage or adoption and who provide care to children in Social Services custody. This bill was approved in May 2023. Because of this, Social Services did not include the cost responsibility in the FY 2023-2024 budget, instead a budget amendment will need to be approved. Ms. Johnson reviewed the prior foster care and adoption assistance rates, compared to the new rates as well as the kinship board rates that were effective July 1, 2023.

Age group	Prior Standard Board Rate prior to 7/1/2023:	Licensed Standard Board Rate- rate	Kinship Board Rate (1/2 of licensed)- 6 months
Birth to 5	\$514 per month	\$702 per month	\$351 per month
6 – 12	\$654 per month	\$742 per month	\$371 per month
13 and up	\$698 per month	\$810 per month	\$405 per month

The proposed budget amendment presented was for \$800,000; \$400,000 will be paid from state funds and the other \$400,000 will be county funds. The amount requested is estimated based on the number of children currently in custody and the children that could come into custody for the remainder of the fiscal year based on eight months, November 2023 – June 2024. Although very positive, there is some concern regarding kinship payments. First, Social Services cannot project how many children may come into care, as this can fluctuate. The law requires kinship providers to be related by blood, marriage, or adoption to the fifth degree. Fictive kin will not be eligible. Fictive kin, for example, is a person a child might call an aunt or uncle, but there is no relation; it could be a family friend or neighbor. There are some children currently placed with fictive kin. Lastly, an increase in the licensing of kinship provider licensees will cause an additional workload on the Child Permanency division, which is already understaffed. Kinship providers must set up vendor agreements with Cleveland County to receive payment benefits.

Currently, there is no funding tied to kinship placement. If a child is brought into custody and the court orders placement, it could cause a financial burden on the family. This kinship payment will provide half of the standard board rates for up to six months while family members become licensed foster parents. Ms. Johnson noted that most of the kinship providers live in Cleveland County. Placement with kinship providers that the children

know is much less traumatic than placement in a foster home with people they don't know or have never met. Children have already gone through the traumatic event of being removed from their homes, and it is a great benefit for these kids to be placed with kinship providers. Social Services staff has determined the number of children eligible for kinship placements and are working with the families to set up the required vendor agreements. There are an estimated 38 unlicensed kinship provider agreements. The first payments will be made in December, with partial payments for November, then payments for six months during the licensing process. The following PowerPoint was presented to the Commissioners.



What is Senate Bill 20

- The Standard Board Rate amount for licensed providers increased effective July 1, 2023.
- During the 2023 legislative session, the General Assembly established a reimbursement fund to assist in supporting **unlicensed** kinship care providers who are related by blood, marriage or adoption and are providing care to children in DSS custody.
- Due to the fact the law was enacted May 16, 2023 the Department of Social Services did not include this cost responsibility in the 2023 -2024 budget.

Foster Care and Adoption Assistance Rates

NEW RATES EFFECTIVE JULY 1, 2023

Age group	Prior Standard Board Rate prior to 7/1/2023:	Licensed Standard Board Rate - rate	Kinship Board Rate (1/2 of licensed)- 6 months
Birth to 5	\$514 per month	\$702 per month	\$351 per month
6 – 12	\$654 per month	\$742 per month	\$371 per month
13 and up	\$698 per month	\$810 per month	\$405 per month

*County responsible for 50% of Board rates

Senate Bill 20 Budget Impacts

Budget Amendment - \$800,000

- \$400K State Funding
- \$400K County Funding

*Amount requested based on estimation of current children in custody and children that could come into custody this fiscal year.
*Based on 8 months (November-June)

- Increase in the Standard Board Rate for licensed providers, and
- Additional Rate for unlicensed kinship providers (1/2 of licensed board rate)

Possible Concerns with Kinship Payment

- We can project the number of children who may come into care, however, this amount can fluctuate.
- Kinship provider must be related by blood, marriage or adoption to the fifth degree. "Fictive kin" not eligible.
- Increase in licensing of kinship providers will cause higher workload for Child Permanency staff in an area already understaffed.
- Kinship providers must set up vendor agreements with the County to receive the payment.

Benefits of Kinship Payments


- Currently, no funding tied to kinship placement causes a financial burden on the family
- Kinship providers receive ½ the Standard Board Rate while completing the licensing process (up to six months)
- A majority of our kinship providers live in Cleveland County putting those funds back in to our community
- Placement with kinship providers is less traumatic for children coming into care

Timeline



- September-November 2023 • Determine number of children eligible in kinship placements. Set up vendor agreements.
- November 7, 2023 • Presentation to Board of Commissioners
- November 16, 2023 • Date kinship payments become effective
- December 2023 • First partial payment to kinship provider (paid November 16 – November 30)


Action



- Motion to approve budget amendment
- Motion to deny budget amendment

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Questions?



Chairman Gordon opened the floor to the Board for questions and discussion. Commissioner Bridges commented on the unfunded mandate on the county by the North Carolina General Assembly but stated this is a benefit the children and families in the foster care system need.

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

SOCIAL SERVICES: BUDGET AMENDMENT (BNA #026)

<u>Account Number</u>	<u>Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
011.507.5.512.00		Public Assistance/Public Assistance	\$800,000.00	
011.507.4.310.00		Public Assistance/Federal Govt Grants	\$300,000.00	
011.507.4.350.00		Public Assistance/State Govt Grants	\$100,000.00	
011.507.4.465.00		Public Assistance/Admin Services Allocation	\$400,000.00	
010.981.5.465.00		Fund Transfers/Administrative Services	\$400,000.00	
010.410.4.991.00		General Revenues/Fund Balance Appropriated	\$400,000.00	

Explanation of Revisions: Budget allocation for \$800,000 for increased funding for Foster Board Rates per the September 29, 2023, dated letter and reimbursements for unlicensed kinship providers (1/4 of standard board rate) per the September 1, 2023, dated letter from the North Carolina Department of Health and Human Services. Cleveland County is required to fund 50% of the total anticipated funding.

PUBLIC HEARINGS

PROJECT POWER

Chairman Gordon recognized Associate Economic Development Director Brandon Ruppe to present Project Power. Project Power is a prospective power generation company looking to locate its operation in the Broad River Assets property in Lawndale, formally known as Cleveland Mills. The company proposes creating 34 new jobs with an average yearly wage of \$51,636 and \$19,437,925 in tax revenue with \$1,850,000 in real property and

\$17,587,925 in personal property. New tax revenue for Lawndale and Cleveland County and jobs would be created at a substantially higher average wage than the county median household income, which is currently \$45,646. Lawndale is a smaller municipality in the county that is more economically distressed and will benefit greatly from the economic impact of this company. Project Power would also put a building that has been largely vacant for over 20 years into operation. Another key consideration with this project is that the company will not utilize the entire building. The company intends to work with the Cleveland County Economic Development Partnership (CCEDP) to allow other manufacturers to move into the remaining space, catalyzing future capital investment and jobs.

Staff is proposing an incentive grant to Project Power based upon 0.95 percent (.95 of 1 percent) of the estimated taxable value of the building renovations and personal property to be placed in service in connection with the project. The County estimates that after completion of the renovation and upfit, the annual cash grant will be approximately \$42,500. It's expected that the first-year grant will be less due to the full investment not being completed and listed with the tax assessor until the second year. The county will fund the payments with available revenues from the county's general fund. Projected tax revenues will offset the cost of the grant to the county. The grant amounts to approximately 40% of the taxes generated from the new taxable investment. The proposed grant would reimburse the company a total sum not to exceed \$184,660.28 over five years.

The second item for consideration is a building reuse grant for Project Power. If approved, the grant would allow for improvements to the facility. Cleveland County would serve as the local government applicant for the reuse grant through the North Carolina Department of Commerce's Rural Economic Division. The state will grant up to \$250,000 for building improvements. Cleveland County will act as the fiduciary agent for those dollars. The grant requires a five percent match from the county that will be satisfied with the grant management services provided by the county. The following PowerPoint was presented to the Commissioners.

Project Scope

- Project Power represents a renewable engineered fuels power company looking to locate in the Broad River Assets building in Lawndale, NC
- Company is planning on creating 34 new jobs at an average wage of \$51,636
- Invest \$19,437,925 in real and personal property

Project Power
CLEVELAND COUNTY
ECONOMIC DEVELOPMENT PARTNERSHIP

Proposed Support – Local Incentive Grant

CCEDP recommends supporting Project Power with the following:

- Local incentive grant based upon 0.0095 of the taxable investment estimated to be approximately \$19,450,000.
- This would be paid out over 5 years and is not to exceed \$184,660.28.

YEARS	# NEW JOBS	NEW INVESTMENT	Projected Ad Valorem Tax Revenue	Projected Grant Amount
1	14	\$ 5,350,000.00	\$29,291.25	\$11,716.50
2	18	\$ 19,437,925.00	\$106,422.64	\$42,569.06
3	2	\$ 19,437,925.00	\$106,422.64	\$42,569.06
4	0	\$ 19,437,925.00	\$106,422.64	\$42,569.06
5	0	\$ 19,437,925.00	\$106,422.64	\$42,569.06
TOTAL	34	\$ 19,437,925.00	\$454,981.81	\$181,992.724

Based upon current County tax rate of \$0.5475 per \$100 of assessed valuation. Hypothetical projection, does not factor in depreciation.

Proposed Support – Building Reuse Grant

CCEDP recommends supporting Project Power with the following:

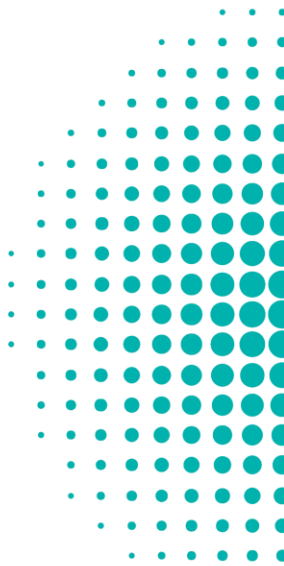
- Serve as the local government applicant for the NC Department of Commerce's Rural Economic Development Division's Building Reuse Grant.
- The Rural Division has approved Project Power for up to \$250,000 for upfits to the building.
- Grant requires a 5% match which has historically been satisfied by grant management services provided by the county.



Requested Board Action

After Public Hearing:

- Adopt or Deny Resolution Authorizing Economic Development Incentive
- Adopt or Deny Resolution in Support of the Project Power Building Reuse Grant



Chairman Gordon opened the Public Hearing at 6:37 pm for anyone wanting to speak for or against Project Power. (*Legal Notice was published in the Shelby Star on Sunday, October 29, 2023*).

Ray Padgett, 127 Elam St., Lawndale –Mayor of Lawndale, spoke in support of Project Power. He reviewed the positive effects and economic growth Project Power could bring to the residents and the Town of Lawndale.

Robert Williams, 814 E. Stagecoach Trl, Fallston – spoke in opposition to Project Power, stating insufficient information was presented. He inquired about renewable energy sources and how they are converted. He advised the Commissioners not to approve the incentives proposal presented.

Hearing no further comments, Chairman Gordon closed the Public Hearing at 6:43 pm.

Chairman Gordon opened the floor to the Board for comments and questions. Commissioner Hutchins asked about the number of jobs expected to be created. Mr. Ruppe explained the company will create 34 new jobs in the first three years of operation.

ACTION: Commissioner Whetstine made a motion, seconded by Commissioner Bridges, and unanimously approved by the Board to, *approve the resolution authorizing economic development incentives.*

ACTION: Commissioner Bridges made a motion, seconded by Commissioner Whetstine, and unanimously approved by the Board to, *approve the resolution supporting the Project Power Building Reuse Grant.*



PLANNING CASE 23-21: REQUEST TO REZONE PARCELS ON DOVE COVE LANE FROM RESTRICTED RESIDENTIAL (RR) TO RESIDENTIAL (R)

Chairman Gordon called Planning Director Chris Martin to the podium to present Planning Case 23-21; a request to rezone parcels on Dove Cove Lane from Restricted Residential (RR) to Residential (R). Parcels 66493, 61286, and 16372, containing 25 acres, are located on Dove Cove Lane, off Stony Point Road, near New Camp Creek Church Road in Kings Mountain. The applicants, Tyler and Heidi Bowling, request to rezone the property from Restricted Residential (RR) to Residential (R). The surrounding zoning is Residential (R) to the south and east and Restricted Residential (RR) to the north and west along Moss Lake. Surrounding uses are mostly residential, with a commercial intersection on Stony Point and New Camp Creek Church Road.

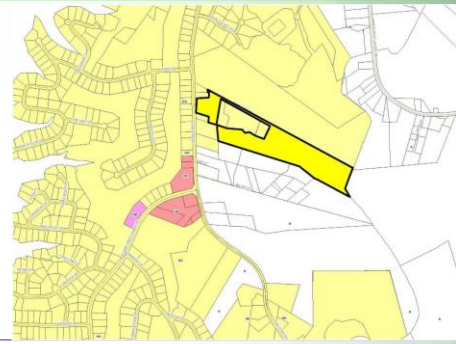
Restricted Residential (RR) zoning district permits single-family dwellings such as site-built and modular homes. It is the most restrictive residential-type zoning district. The Residential (R) zoning district permits single-family dwellings such as site-built, modular, and manufactured homes. It also permits multifamily housing like duplexes and apartments and nonresidential uses like churches and schools.

The Planning Board voted unanimously to recommend approval of the requested amendment, stating the request is an expansion of an existing Residential (R) district, is compatible with surrounding uses, and conforms with the Land Use Plan. The following PowerPoint was presented to the Commissioners.

Rezoning Case 23-21 Dove Cove Lane Restrict Residential to Residential



Zoning Map



Rezoning Request



- **Current Zoning District: Restricted Residential**
 - Allows for single family dwellings like stickbuilt homes and modular homes.
 - Other uses include churches and schools.
- **Requested Zoning District: Residential**
 - Allows for stick-built homes, modular homes and manufactured homes.
 - Other uses include multifamily housing, libraries, and museums.

Aerial Map



Land Use Map



Planning Board



- **Unanimously recommended approval of the rezoning request.**
- **Expansion of an existing Residential district.**
- **Conforms with Land Use Plan.**
- **Compatible with surrounding uses.**

Requested Board Action



- **Hold public hearing**
- **Approve or deny rezoning request**

Chairman Gordon opened the Public Hearing at 6:49 pm for anyone wanting to speak for or against Planning Case 23-21; a request to rezone parcels on Dove Cove Lane from Restricted Residential (RR) to Residential (R). (*Legal Notice was published in the Shelby Star on Friday, October 27, 2023, and Friday, November 3, 2023.*)

Robert Williams, 814 E. Stagecoach Trl., Fallston – spoke in opposition to the rezoning request. He advised denying the request as he didn't see enough information presented to approve the rezoning request.

Hearing no further comments, Chairman Gordon closed the Public Hearing at 6:53 pm.

ACTION: Commissioner Bridges made a motion, seconded by Commissioner Hardin, and unanimously approved by the Board to, *approve the rezoning of parcels 66493, 61286, and 16372 from Restricted Residential (RR) to Residential (R), citing compatibility with the surrounding zoning and the Land Use Plan.*

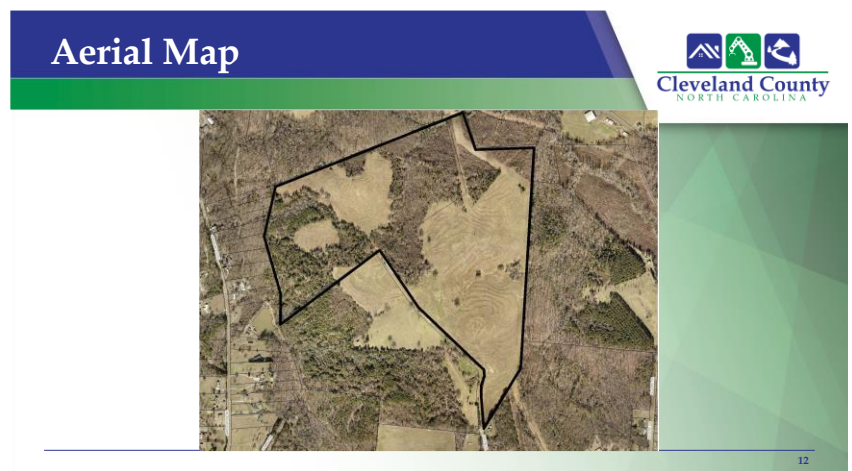
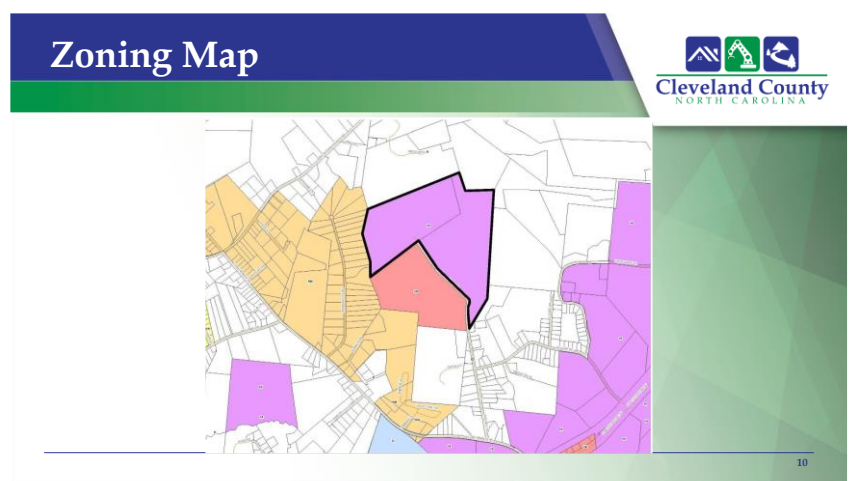
PLANNING CASE 23-22: REQUEST TO REZONE 122 OVEDA DRIVE FROM HEAVY INDUSTRIAL (HI) TO RESIDENTIAL MANUFACTURED HOMES AND PARKS (RM)

Planning Director Chris Martin remained at the podium to present Planning Case 23-22; a request to rezone 122 Oveda Drive from Heavy Industrial (HI) to Residential Manufactured Homes and Parks (RM). Parcels 10613 and 65332, containing 134 acres, are located at 122 Oveda Drive near the end of the road, off Long Branch, between Grover and Kings Mountain. The property owners, Barbara Jenkins, Pam Walkowiak, Abbie Michael, Lisa Whitener, et al., are applying to change the zoning of the adjoining parcels from Heavy Industrial (HI) to Residential Manufactured Homes and Parks (RM). The surrounding zoning is Residential (R) to the north and east, Residential Manufactured Homes and Parks (RM) to the west, and General Business-Conditional Use (GB-CU) to the south to develop a Recreational Vehicle Park. The surrounding uses are mostly agricultural and residential. The adopted Land Use Plan calls this area Secondary Growth, consistent with the Residential Manufactured Homes and Parks (RM) zoning district.

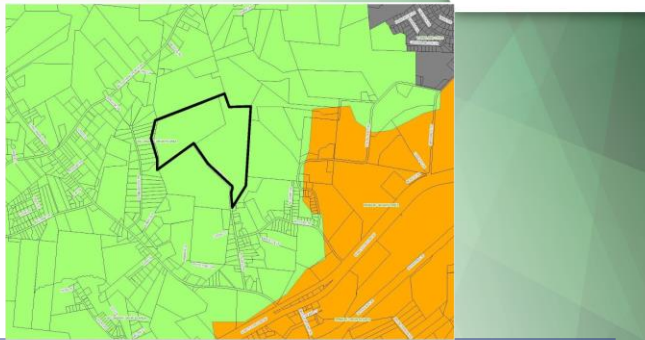
The Heavy Industrial (HI) district accommodates various assembling, fabricating and manufacturing uses, and supports retail services. The district is established to provide appropriate locations and development regulations for uses that may require special measures to ensure compatibility with adjoining residential or business properties.

The Residential Manufactured Homes and Parks (RM) zoning district accommodates the widest variety of residential uses, including low-density single-family detached dwellings, modular homes, manufactured homes, and manufactured home parks.

The Planning Board voted 3-1 to recommend approval of the requested amendment, advising it is an expansion of an existing Residential Manufactured Homes and Parks (RM) district, is compatible with surrounding uses, and conforms with the Land Use Plan. The following PowerPoint was presented to the Commissioners.



Land Use Map



Planning Board



- Recommended approval of the rezoning request 3-1.
- Expansion of an existing RM district.
- Conforms with Land Use Plan.
- Compatible with surrounding uses.

Requested Board Action



- Hold public hearing
- Approve or deny rezoning request

Chairman Gordon opened the floor to the Board for questions and discussion. Commissioner Bridges asked how many mobile homes the property would accommodate if the request were approved. Mr. Martin advised two per acre if there is no public sewer and three per acre if there is public sewer. Mr. Martin added there is a sewer in the general area but did not know the property's accessibility to the sewer system. Commissioner Hutchins inquired if a traffic impact study had been done on the area and if a site plan had been submitted with the rezoning request. Mr. Martin explained no site plan was included in the request. He continued stating that if the rezoning request was approved and a site plan for a mobile home park was submitted, the Planning staff would share the information with the North Carolina Department of Transportation (NCDOT). The NCDOT would be the determiner if a traffic impact study were needed. Mr. Martin added that the county has an ordinance requiring specific road designs, for example, a figure eight road design, to meet fire codes, which would eliminate first responder vehicles from being stuck in a subdivision. Commissioner Hardin asked how many roads led into the property; Mr. Martin stated that there is currently only one road leading onto the property. Commissioner Bridges commented on the already approved mobile home parks in that area.

Chairman Gordon opened the Public Hearing at 7:01 pm for anyone wanting to speak for or against Planning Case 23-22; a request to rezone 122 Oveda Drive from Heavy Industrial (HI) to Residential Manufactured Homes and Parks (RM). (*Legal Notice was published in the Shelby Star on Friday, October 27, 2023, and Friday, November 3, 2023.*)

Vera Passmore, 130 Penny Dr., Kings Mountain – spoke in opposition to the rezoning request. She cited concerns about increased traffic and population density.

Herbert Reed, 553 Kilgore Rd., Kings Mountain - spoke in opposition to the rezoning request, echoing increased and heavy traffic worries.

Scott Glidden, 130 Medelin Rd., Grover – spoke in opposition to the rezoning request. He expressed his concerns regarding crime, trash/waste, traffic hazards, population density, and drain on local resources if the mobile home park request were approved.

Cynthia Glidden, 130 Medellin Rd., Grover – spoke in opposition to the rezoning request explaining a mobile home park is not conducive to the rural agriculture landscape in that area or neighborhood.

Matt Bell, 206 Dixon Dairy Rd., Kings Mountain – spoke in opposition to the rezoning request, echoing comments about increased population density and the negative impacts on the surrounding neighborhoods and family farms.

Kelly Bell, 206 Dixon Dairy Rd., Kings Mountain – spoke in opposition to the rezoning request, challenging the Planning Board’s recommendation that the mobile home park is comparable with surrounding properties. Mrs. Bell explained the type of housing and rural agriculture established in that area.

Robert Williams, 814 E. Stagecoach Trl., Fallston – spoke in opposition to the rezoning request, echoing previous comments.

Robert Henderson, 952 Bethlehem Church Rd., Grover – spoke in opposition to the rezoning request, citing increased population density and harm to the area.

Robert Brooks, 114 Oveda Drive, Kings Mountain – spoke in opposition to the rezoning request, echoing previous comments.

John Fairey, 1451 E. Main St., Spartanburg, SC – is the manufactured home park project developer. He explained to the Commissioners their goal of offering affordable housing in the community.

Hearing no further comments, Chairman Gordon closed the Public Hearing at 7:25 pm. Chairman Gordon gave each Commissioner and the Clerk a copy of a letter from JD and Frances Simmons stating they opposed the rezoning of 122 Oveda Drive. A copy of the letter is on file in the Clerk’s Office.

Chairman Gordon opened the floor to the Board for comments and questions. Commissioners expressed their concerns of population and traffic density the potential manufactured home park could bring to the community and residents in that area.

ACTION: Commissioner Whetstine made a motion, seconded by Commissioner Hutchins, and unanimously approved by the Board to, *deny rezoning parcels 10613 and 65332 at 122 Oveda Drive from Heavy Industrial (HI) to Residential Manufactured Homes and Parks (RM).*

PLANNING CASE 23-24: REQUEST TO REZONE 2603 SOUTH LAFAYETTE STREET FROM GENERAL BUSINESS (GB) TO RESIDENTIAL (R)


Planning Director Chris Martin remained at the podium to present Planning Case 23-24; request to rezone 2603 South Lafayette Street from General Business (GB) to Residential (R). Parcels 5675 and 5681, containing 4.72 acres, are located at 2603 South Lafayette Street, south of Shelby, near the intersection with South Post Road. The applicant, Scott Bradshaw, requests to rezone the parcels from General Business (GB) to Residential (R). The

surrounding zoning is mostly Residential (R), with some General and Neighborhood Businesses (G & NB) along Lafayette Street. The commercial corridor overlay runs along South Lafayette St.

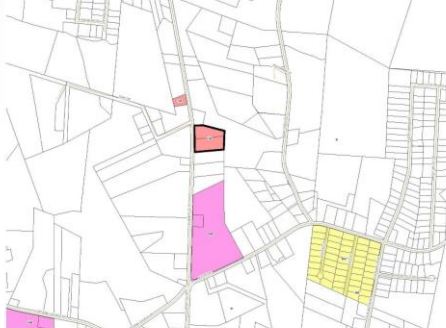

General Business (GB) zoning district accommodates a wide range of retail, business, professional, and personal services and office and limited wholesale and warehousing uses. These uses are generally located on arterial streets with a capacity for additional commercial traffic. The Land Use Plan calls this area Secondary Growth, which supports uses such as residential. Residential (R) zoning districts accommodate low-density single-family detached dwellings, modular homes, and manufactured homes. Multifamily housing is also permitted in this district.

The Planning Board unanimously recommended approval of the rezoning request citing it is an expansion of an existing Residential (R) district, compatible with surrounding uses and conforms with the Land Use Plan. The following PowerPoint was presented to the Commissioners.


Rezoning Case 23-24
S Lafayette Street
General Business to Residential



Zoning Map





Rezoning Request

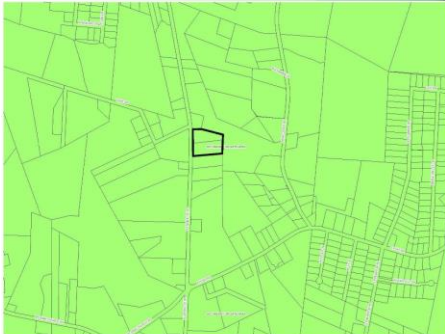



- **Current Zoning District: General Business**
 - The purpose of the district is to accommodate a wide range of retail, business, professional, office, and personal services.
 - Generally located on arterial streets.
- **Requested Zoning District: Residential**
 - Permits stick-built homes, modular homes and manufactured homes.
 - Other uses include multifamily housing, libraries, and museums.

Aerial Map




Land Use Map





Planning Board



- **Unanimously recommended approval of the rezoning request.**
- **Expansion of an existing Residential district.**
- **Conforms with Land Use Plan.**
- **Compatible with surrounding uses.**

Requested Board Action



- **Hold public hearing**
- **Approve or deny rezoning request**

Chairman Gordon opened the Public Hearing at 7:32 pm for anyone wanting to speak for or against Planning Case 23-24; request to rezone 2603 South Lafayette Street from General Business (GB) to Residential (R). (*Legal Notice was published in the Shelby Star on Friday, October 27, 2023, and Friday, November 3, 2023.*)

Robert Williams, 814 E. Stagecoach Trl, Fallston – spoke in favor of the rezoning request, stating if the property owner wants to rezone his property, let him.

Scott Bradshaw, 2603 S. Lafayette St., Shelby – is the property owner. He explained a business had not been on the property in over fifteen years. His goal is to put a residential home on the property.

Hearing no further comments, Chairman Gordon closed the Public Hearing at 7:35 pm.

ACTION: Commissioner Bridges made a motion, seconded by Commissioner Hardin, and unanimously approved by the Board to, *approve the rezoning of parcels 5675 and 5681 from General Business (GB) to Residential (R), citing compatibility with the surrounding zoning and the Land Use Plan.*

BOARD APPOINTMENTS

CLEVELAND COUNTY LIBRARY BOARD OF TRUSTEES

ACTION: Commissioner Bridges made the motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board, *to appoint Alton Beal, Elizabeth Grimsley, and Jerrienne Queen* to serve as members of this board *for a three-year term, scheduled to conclude June 30, 2026.*

CLOSED SESSION

ACTION: Commissioner Whetstine made the motion, seconded by Commissioner Bridges and unanimously adopted by the Board, *to go into closed session per North Carolina General Statute §143- 318.11 (a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure and Closed Session per North Carolina General Statute §143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.* (*Copy of closed session Minutes are sealed and found in the Closed Session Minute Book.*)

RECONVENE IN REGULAR SESSION

Chairman Gordon stated, *“The Board is in open session. During the closed session, the Board gave directions to staff. No action was taken.”*

ADJOURN

There being no further business to come before the Board at this time, Commissioner Whetstine made a motion, seconded by Commissioner Hardin and unanimously adopted by the Board, *to adjourn*. The next meeting of the Commission is scheduled for *Monday, December 4, 2023 at 10:00 am* in the Commissioners' Chambers for an Organizational Meeting.

*Kevin Gordon, Chairman
Cleveland County Board of Commissioners*

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