

Cleveland County Board of Commissioners
March 19, 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: Susan Allen, Chairman
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
Lorie Poston, E-911 Communications Director
Allison Mauney, Human Resources Director
Perry Davis, Emergency Management Director/Fire Marshal
Jason Falls, LeGrand Center Executive Director
Jane Shooter, Interim Social Services Director
Daryl Sando, Electronic Maintenance Director
Marty Gold, Information Technology Director
Clifton Philbeck, Elections Director

CALL TO ORDER

Chairman Allen 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

Chairman Allen recognized Jocelyn Christenbury, Director of Community Development for the Cleveland County Rescue Mission to update the Board on the homelessness in Cleveland County and the efforts the Rescue Mission is doing to help the citizens in need. Ms. Christenbury introduced Michael Gullatte, Executive Director of the Rescue Mission who reviewed the following information:





Our mission is to
fix the most broken things

by providing food, shelter, and hope as well as recovery classes, supportive services, and life-transformation programs while proclaiming the gospel of Jesus Christ.

Since 2015

We began offering 24/7 services in 2015 and remain open year-round to men, women, and children.




- >100,000 meals served to the hungry
- 30,000 warm beds to the homeless
- \$30M dollars saved by county taxpayers
- > 500 people completed educational training
- 85% of residents found safe, affordable housing



OUR PROGRAMS

- EDUCATION
- WORKFORCE DEVELOPMENT
- CAREER PATHWAYS
- INNER HEALING
- HEALTH
- HEALTH IMPACT




Education

- Adult Basic Education
- College Accreditation
- GED



North Carolina State Board of Community Colleges
High School Equivalency Diploma

Ronald J. Ooster



Workforce Development



- Interview | Resume | Job Search
- Work Ready Certification
- Computers 101 & 201
- Investing
- Personal Finance




Furniture
Robotics
Pharmacy Tech
Lineworker
Auto Mechanics
Welding
Machining

Career Pathways

Group Therapy
Relapse Prevention
Individual Counseling



INNER HEALING

"Who Switched off my Brain?" study

- Small groups
- Genesis Process



Healthcare/Healthy Living



- Clinic
- Access to healthcare/case management
- Educational Programs



Healthcare/Healthy Living

According to a January, 2017 study by Housing First Charlotte and UNC-Charlotte, the estimated cost for housing and healthcare for a homeless individual is nearly \$40,000 annually. Largely due to medical expenses such as repeat emergency room visits.

Source: BY BRUCE HENDERSON bhenderson@charlotteobserver.com



BECAUSE WE EXIST...

- Cleveland County Saved over \$16M in homeless supportive services to
- Loitering, theft, and panhandling has been reduced in Uptown Shelby
- The Gospel has been shared 500+ times annually to those we serve

Last Fiscal Year (July 1, 2017 – June 30, 2018)

OUR MISSION

To fix the most broken things by providing food, shelter, and hope, as well as recovery classes, supportive services, and total life transformation by proclaiming the gospel of Jesus.

WE BELIEVE...

We believe in redemption, second chances, and that grace changes *everything*

- 78,017 MEALS TO THE HUNGRY
- 13,600 NIGHTS OF SHELTER
- 75% STARTED EARNING INCOME
- 36 FAMILIES SECURED HOUSING
- 410 PEOPLE RECEIVED SERVICES

24/7 FOOD, SHELTER, AND HOPE
CLEVELAND COUNTY RESCUE MISSION | MyCCRM.org

P.O. Box 1272 Shelby, NC 28151 | 1100 Buffalo Street Shelby, NC 28150

We love a good comeback story!



Terry
Investment Skills Certification



Matilda
GED
Genesis Process Grad



Christopher
Career Pathways Certification

TESTIMONIALS



Alicia
Reunited mom of two

“ I was turned down by 82 other places for "after-care" from an in-patient facility in Virginia before finding Heart2Heart Place. This place has saved my life! ”

TESTIMONIALS



“ I had nowhere to go when I got out of prison a year and a half ago. The Rescue Mission has helped me find a job and a place of my own. ”

David
Gainfully employed

The Board thanked Ms. Christenbury and Mr. Gullatte for the information and for the continued work and commitment the Rescue Mission does every day to help those citizens in Cleveland County who are in need.

CITIZEN RECOGNITION

Alton Beal, Mayor of Lattimore, 104 N. Lee St., Lattimore - spoke in opposition of the federal legislature recently introduced and co-sponsored by Senator Tillis and Senator Burr in regards to the Catawba Indian Nation and feels it could have an adverse effect on the community. Mayor Beal has made contact with Senator Tillis’ office and they indicated there is substantial support among county officials for the legislation. Mayor Beal asked the Commissioners to oppose the efforts that will move the county closer to a casino being built and consider the potential ramifications that a casino will bring to Cleveland County. He reviewed several statistics that show the negative outcomes to communities within a fifty-mile radius of a casino. Mayor Beal commended the efforts of the Board for their continued vision and efforts on building a strong economic development in the county however, they have never before introduced a potential establishment that could have such a harmful affect on the citizens. He is not opposed to the Cherokee or Catawba Indian Nations; he is opposed to an industry that has the potential to bring damaging consequences to Cleveland County and the citizens.

Lorraine Enste, 711 W. Oak St., Shelby - stated her concerns regarding Cleveland County Schools and a recent event at Shelby Middle School on October 30, 2018. Ms. Enste was told a fellow student in her daughter’s classroom pulled out a small weapon and attempted to do self-harm. Since that incident Ms. Enste stated she has received no support from the school, the superintendent or the school board and feels she has been repeatedly lied to regarding the alleged incident. She continued by stating it took months to schedule a hearing with the school board and a month after to receive the results of the hearing. The school’s investigation concluded the allegation was unfounded. Ms. Enste requested the minutes of the hearing and stated when she received them, they were of no use and failed to describe the full context of what transcribed during the meeting. She stated the lack of complete and thorough minutes from the Cleveland County School Board is an ongoing problem. She spoke of another suspected incident at Shelby Middle School involving the abuse of a special needs’ student. Ms. Enste spoke with the principal of Shelby Middle School again who, per Ms. Enste’s account, said if she was unhappy with the school district, she should transfer her daughter somewhere else.

County Attorney Tim Moore thanked Ms. Enste for bringing this to the Commissioners, unfortunately the Board of County Commissioners have no jurisdiction or authority over the Cleveland County School Board.

Brandon Quinn, 131 Gatewood Drive, Lawndale – outlined his frustration about the lack of a leash law in Cleveland County. Several months ago, a neighbor’s dog attacked Mr. Quinn’s dog while it was tethered in its own yard. He called Animal Services right away and praised their department for the way this case has been handled. Mr. Quinn explained to Animal Services the ongoing issue with the neighbor’s dog and was advised there is a restraint law which entails a nuisance animal being reported, Animal Services then puts a restraint order against the nuisance animal, however, there is no monetary or legal repercussion if the order is broken. Not only is a loose dog a danger to itself, it’s also a potential danger to other people and pets in the neighborhood. Mr. Quinn concluded by urging the Board to consider a leash law for Cleveland County.

CONSENT AGENDA

APPROVAL OF MINUTES

The Clerk to the Board included the Minutes from the *February 11, 2019 public hearing* and the *February 19, 2019 regular meeting*, in board members packets.

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

TAX COLLECTOR’S MONTHLY REPORT

The Tax Collector provided Commissioners with the following detailed written report regarding taxes collected during *February 2019.*

TOTAL TAXES COLLECTED FEBRUARY 2019			
YEAR	AMOUNT-REAL	AMOUNT-VEH	
DEF REV	\$0.00	\$0.00	
2018	\$1,875,524.53	\$0.00	\$1,875,524.53
2017	\$55,680.08	\$0.00	\$55,680.08
2016	\$11,866.22	\$0.00	\$11,866.22
2015	\$5,878.27	\$0.00	\$5,878.27
2014	\$20,033.13	\$0.00	\$20,033.13
2013	\$4,255.50	\$91.67	\$4,347.17
2012	\$1,545.07	\$149.01	\$1,694.08
2011	\$1,298.74	\$17.87	\$1,316.61
2010	\$1,482.71	\$12.90	\$1,495.61
2009	\$170.11	\$2.46	\$172.57
2008	\$0.00	\$0.00	\$0.00
TOTALS	\$1,977,734.36	\$273.91	\$1,978,008.27
DISCOUNT	(\$0.75)		
INTEREST	\$82,185.97	\$215.80	\$0.00
TOLERANCE	(\$7.59)	(\$1.56)	
ADVERTISING	\$365.90	\$135.17	
GARNISHMENT	\$2,002.67		
NSF/ATTY	\$0.01		
LEGAL FEES	\$2,559.76		
TOTALS	\$2,064,840.33	\$623.32	\$2,065,463.65
MISC FEE	\$0.00	\$0.00	
TAXES COLL	\$2,064,840.33	\$623.32	\$2,065,463.65
DEF	\$14,951.43	\$15,452.14	\$0.00
DISC	(\$58.01)	\$2,080,292.47	\$623.32
TOL	(\$0.01)		
INT	\$558.73		
TOTAL TAXES UNCOLLECTED FEBRUARY 2019			
	AMOUNT-REAL	AMOUNT-VEH	COMBINED AMT
2018	\$3,673,315.12	\$0.00	\$3,673,315.12
2017	\$745,363.12	\$0.00	\$745,363.12
2016	\$388,329.42	\$0.00	\$388,329.42
2015	\$281,263.51	\$0.00	\$281,263.51
2014	\$239,588.85	\$0.00	\$239,588.85
2013	\$141,608.53	\$65,907.22	\$207,515.75
2012	\$106,050.58	\$74,872.62	\$180,923.20
2011	\$78,464.93	\$56,758.71	\$135,223.64
2010	\$70,623.71	\$53,503.43	\$124,127.14
2009	\$71,015.17	\$50,637.59	\$121,652.76
2008	(\$0.00)	\$0.00	(\$0.00)
	\$5,795,622.94	\$301,679.57	\$6,097,302.51
DEF REV	\$38,052.10		
TOTAL UNCOLLECTED	\$5,833,675.04	\$301,679.57	\$6,135,354.61

TAX ABATEMENTS AND SUPPLEMENTS

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during *February 2019*. The monthly grand total of tax abatements was listed as (\$27,146.34) and monthly grand total for tax supplements was listed as \$27,486.18.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #028)

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

<u>Account Number</u>	<u>Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
012.537.5.211.00		Child Health/Controlled Prop	\$1,190.00	
012.537.4.310.00		Child Health/Federal Govt Grants	\$1,190.00	
012.538.4.310.00		Maternal Health/ Federal Govt Grants	\$19,567.00	
012.538.5.310.00		Maternal Health/Travel	\$3,000.00	
012.538.5.211.00		Maternal Health/Controlled Prop	\$1,438.00	
012.538.5.311.00		Maternal Health/Education-Cert-Train	\$5,629.00	
012.538.5.210.00		Maternal Health/Departmental Supplies	\$9,500.00	
012.538.4.800.00		Maternal Health/Misc Revenue	\$300.00	
012.538.5.420.00		Maternal Health/Misc Exp	\$300.00	

Explanation of Revisions: Budget allocation for \$20,757 for mini-grants from the Division of Public Health to be used in the Maternal Health Program. A second budget allocation in the amount of a \$300 donation received from Gardner-Webb University for providing a clinical rotation for their students in the Maternal Health Clinic. Donation funds to be used to support operational expenses of the program.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #029)

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

<u>Account Number</u>	<u>Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
012.533.4.810.00		Adult Health/Donations	\$75.00	
012.533.5.790.00		Adult Health/Prescription Drugs	\$75.00	

Explanation of Revisions: Budget \$75 to accept donation from Emily Ousley who donated her retirement award to buy prescriptions for indigent patients.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #030)

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

<u>Account Number</u>	<u>Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
012.540.4.310.44		WIC/Federal Grants	\$1,545.00	
012.540.5.422.44		WIC/Contracted Labor	\$1,545.00	

Explanation of Revisions: Budget \$1,545 for additional WIC Breastfeeding Peer Counselor services.

REMOVAL OF SERVICE WEAPON FOR RETIRED CAPTAIN RON NEWCOMB

Sheriff Alan Norman requested retiring Captain Ron Newcomb be presented his departmental service weapon. Captain Newcomb will retire on April 1, 2019 after 30 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 BGTA-447 and County asset number 201574.

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

CANCELLATION OF DEED OF TRUST: LEE ANN HOMESLY

In 2002, the County, through the Community Development Program, agreed to provide Lee Alma Homesley up to the sum of \$28,223.00 to renovate and upgrade her home located at 305 Suttle Street, Shelby, North Carolina and a deed of trust was executed. Ms. Homesley did retain ownership of the property but has since passed away. The Deed of Trust needs to be cancelled.

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, ***approve the Cancellation of the Deed of Trust for Lee Ann Homesley.***

SATISFACTION OF SECURITY INSTRUMENT
N.C.G.S. § 45-36.10; N.C.G.S. § 45-37(a)(7)

STATE OF NORTH CAROLINA - COUNTY OF CLEVELAND

The undersigned is the secured creditor in the security instrument identified as follows:

Type of Security Instrument: Deed of Trust

Original Grantors: Lee Alma Homesley

Security Party: County of Cleveland

Recording Data: The security instrument is recorded in Book 1335 at page 1886 in the office of the Register of Deeds for Cleveland County, North Carolina.

This satisfaction terminates the effectiveness of the security instrument.

This 19th day of March, 2019.

Cleveland County
By and through its Board of Commissioners

By: Susan K. Allen
Susan K. Allen, Chair

ATTEST:

Phyllis Nowlen
Phyllis Nowlen, Clerk to the Board

STATE OF NORTH CAROLINA - COUNTY OF CLEVELAND

I, April W. Crofts, Notary Public, certify that Susan K. Allen personally came before me this day and acknowledged that she is the chair of the Cleveland County Board of Commissioners and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Chair person.

Witness my hand and official seal, this 19th day of March, 2019.

My Commission Expires: 3/25/19

April W. Crofts
Notary Public

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UPDATE TO SOCIAL SERVICES ADVISORY BOARD BY-LAWS

The Social Services Advisory Board's bylaws need to be updated to provide for a stipend for board members and updated rules of procedure. Advisory Board bylaws provide that members will serve "without compensation." In the past, the DSS board received a stipend of \$20.00 per meeting, and staff requests that this continue. The Advisory Board bylaws provide that the board will follow Roberts Rules of Order. Staff requests that, in place of this language, the bylaws provide that the Advisory Board will use the same rules of procedure that are adopted by the Board of Commissioners.


ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, ***approve the updates to the Social Services Advisory Board By-laws.***

JUVENILE CRIME PREVENTION COUNCIL (JCPC)

The state Community Programs Section are asking local JCPC's across the state to engage their Chairman of the Board of Commissioners in a conversation to garner support for the JCPC expansion funding request to the

legislature in preparation for Raise the Age. The legislation will increase the need for immediate and age appropriate sanctions and diversion services for juvenile offenders and those at-risk of delinquency.

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Bridges, and unanimously adopted by the Board to, ***approve the proclamation supporting the Juvenile Crime Prevention Council Allocation Expansion.***



Proclamation

Number 05-2019

Supporting the Juvenile Crime Prevention Council Allocation Expansion

Whereas, Juvenile Crime Prevention Council (JCPC) funding is a partnership between the State of North Carolina and the County to ensure a local continuum of services for court involved and at-risk juveniles; and

Whereas, the Juvenile Crime Prevention Council, under the authority of NCGS§143B-851, and within the scope of its powers and duties, "Each County Council shall annually review the needs of juveniles in the county who are at risk of delinquency or who have been adjudicated undisciplined or delinquent and the resources available to address those needs. In particular, each County Council shall assess the needs of juveniles in the county who are at risk or who have been associated with gangs or gang activity, and the local resources that are established to address those needs," and

Whereas, the Juvenile Justice Reinvestment Act passed in 2017, also referenced as North Carolina's Raise the Age legislation, expands the age of juvenile jurisdiction, increasing it to include juveniles ages 16 and 17 years of age effective December 1, 2019; and

Whereas, Raise the Age legislation will increase the need for immediate and age-appropriate sanctions and diversion services for juvenile offenders and those at-risk of delinquency; and,

Whereas, JCPC funding has seen no increase in more than nine years; and

Whereas, the effort to immediately and effectively address juvenile offending behavior is an evidence-based investment in North Carolina's future; and

Whereas, effective intervention and programming reduces detention and youth development commitments as a cost savings to the state and county;

Now Therefore, Be It Resolved that Cleveland County fully supports an adequate and timely increase of local Juvenile Crime Prevention funding to ensure program expansion and successful implementation of the Juvenile Justice Reinvestment Act Raise the Age Legislation, set for December 1, 2019.

Adopted this the 19th day of March, 2019.


Susan Allen, Chair


J. Ronnie Whetstine, Vice-Chairman


Johnny Hutchins, Commissioner


Douglas Bridges, Commissioner


Deb Hardin, Commissioner



BUILDING REUSE GRANT REOLUTION

Cleveland County has applied for a Building Reuse Grant for Project Choice. This grant would include installation of rooftop HVAC units dedicated outside air units and control packages. The total cost is \$1,332,100. The project would require five percent of the grant amount from Cleveland County. This will be an in-kind match.

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, ***approve the resolution in support of the Project Choice Building reuse Grant.***



Resolution

06-2019

Resolution in Support of the Project Choice Building Reuse Grant

WHEREAS, it has been determined by the Board, that **PROJECT CHOICE**, intends to create over the next four (4) years, approximately four hundred three (403) new, permanent full-time jobs with an annual average wage of Forty-Three Thousand Two Hundred Ninety-Four Dollars (\$43,294);

WHEREAS, **PROJECT CHOICE**, anticipates creating approximately Fifty-Nine Million Dollars (\$59,000,000) in net new investment; which will increase the population, taxable property base and business prospects for the County;

WHEREAS, with the aforementioned expansions, Cleveland County qualifies for the North Carolina Department of Commerce, Rural Economic Development Division, Building Reuse Grant Program in which Project Choice is eligible to receive up to Five Hundred Thousand Dollars (\$500,000.00) upon approval of a 5% grant match. This amount would be paid with in-kind funds; and

WHEREAS, the project in the grant application includes improvements to the HVAC system consisting of installation of rooftop HVAC units, dedicated outside air units, complete controls package, and steel joist stiffeners for an estimated cost of \$1,332,100.

WHEREAS, it is in the public interest to provide assistance as authorized by North Carolina General Statute 158-7.1;

NOW, THEREFORE BE IT RESOLVED, for the reasons recited above that the Cleveland County Board of Commissioners shall authorize the County Manager to submit a Building Reuse Program grant application and provide a 5% grant match to qualify the Project for the North Carolina Department of Commerce, Rural Economic Development Division, Building Reuse Grant Program.

Adopted this the 19th day of March, 2019.

By: Susan Allen
Susan Allen, Chairman
Board of Commissioners of Cleveland County

ATTEST:

Phyllis Nowlen
Phyllis Nowlen, Clerk
Cleveland County Board of Commissioners



PUBLIC HEARINGS

PLANNING DEPARTMENT: CASE 19-05; REZONE PROPERTY AT 1201 SOUTH POST ROAD FROM RESTRICTED RESIDENTIAL TO GENERAL BUSINESS

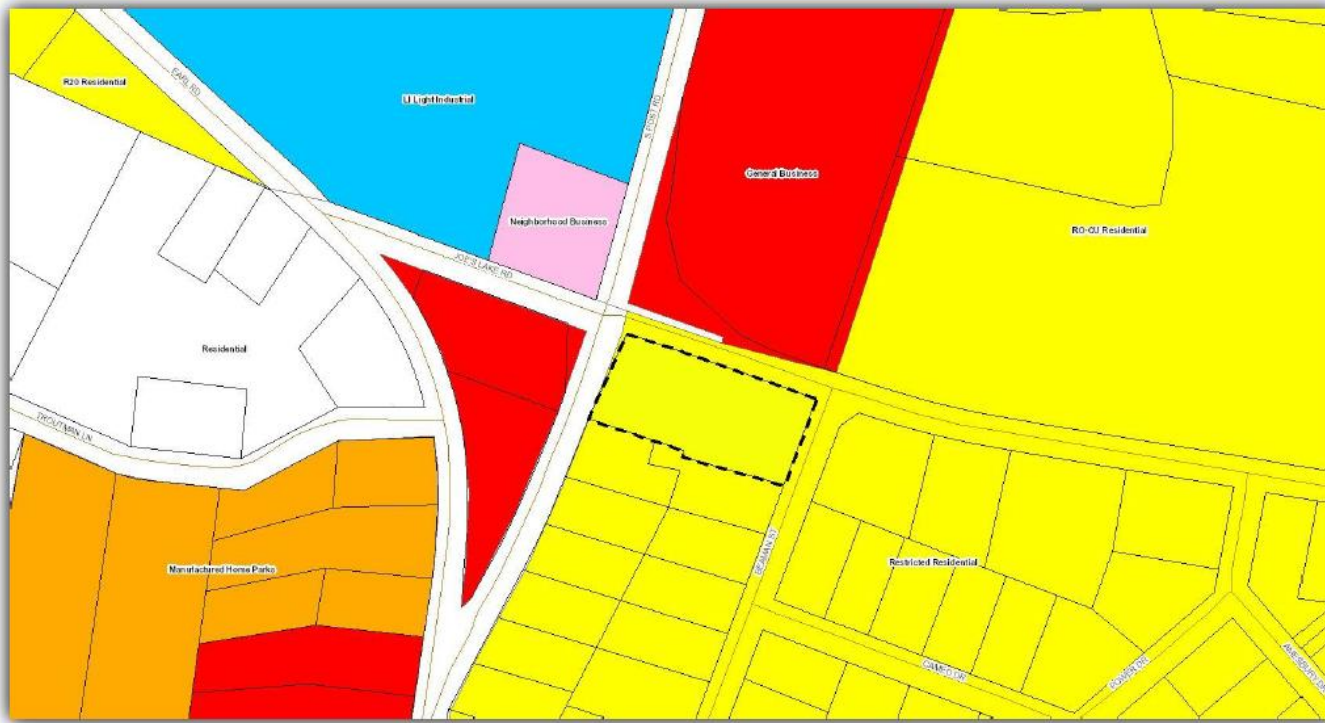
Chairman Allen called Henry Earle, Zoning Administrator, to the podium to present the re-zoning request for property at 1201 South Post Road from Restricted Residential (RR) to General Business (GB). South Post LLC is requesting to rezone the 1.93 acres located on the corner of South Post and Joe's Lake Roads. The property is zoned Restricted Residential (RR), is covered by the Highway Corridor Overlay and has been used since 1999 as a Commercial building with tenants covering multiple business uses allowed in the Corridor. The surrounding zoning is Restricted Residential (RR) to the immediate South and East, General Business (GB) to the North, Neighborhood Business (NB) and Light Industrial (LI) to the immediate North West across Joe's Lake Road, and General Business (GB) across South Post Road to the East. Surrounding uses include residential houses to the south and east along Joe's Lake Road. There is a gas station and food mart further south along Post Road, a solar facility to the north east and a tee shirt printing shop to the east. The Land Use Plan designates the proposed parcel as Future Commercial, denoting that this rezoning would be in compliance with the Land Use Plan.

The Planning Board voted unanimously to recommend approving the rezoning request from Restricted Residential (RR) to General Business (GB). The proposed rezoning is compliant with the Future Land Use Plan's

designation of Future Commercial in this area. The surrounding area is a mix of commercial, industrial and residential uses. The property has been used in a commercial capacity since its creation and a rezoning would create a zoning district that would reflect its usage.

Chairman Allen opened the floor to the Board for discussion and questions. Commissioners commented the proposed the re-zoning of the property falls in line with the surrounding and abutting property uses.

Case # 19-05 Re-Zoning for 1201 South Post Road RR to GB
Zoning Map, Parcel # 3108 1.93 acres



Case # 19-05 Re-Zoning for 1201 South Post Road RR to GB
Land Use Map, Parcel # 3108 1.93 acres



Case # 19-05 Re-Zoning for 1201 South Post Road RR to GB
Aerial Map, Parcel # 3108 1.93 acres



Chairman Allen opened the Public Hearing at 6:33 pm for anyone wanting to speak for or against rezoning case 19-05; rezone property at 1201 South Post Road from Restricted Residential (RR) to General Business (GB). (*Legal Notice was published in the Shelby Star on Friday, March 8, 2019 and Friday, March 15, 2019.*)

Hearing no comments, Chairman Allen closed the Public Hearing at 6:34 pm.

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Bridges, and passed unanimously by the Board to, ***approve rezoning case 19-05; rezone property at 1201 South Post Road from Restricted Residential (RR) to General Business (GB) as it is consistent with the Land Use Plan.***

County Attorney Tim Moore excused himself from the remainder of the meeting and Senior Staff Attorney Elliot Engstrom replaced substituted in his place.

REGULAR AGENDA

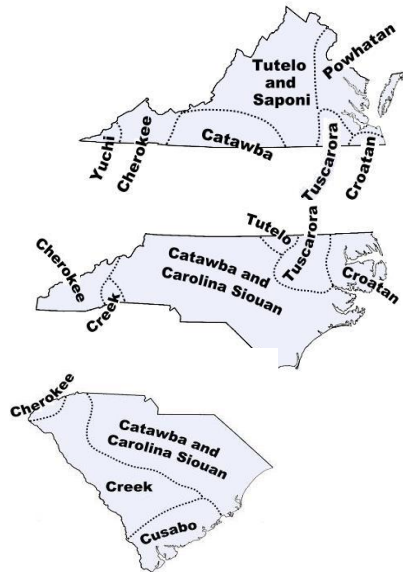
CATAWABA SCOPING PRESENTATION

Chairman Allen recognized Leonard Fletcher with TGS Engineering to present the Catawba Scoping Presentation. TGS Engineering is preparing an environmental assessment (EA) for the Catawba Indian Nation regarding a multi-use entertainment complex. The EA will be turned into the Bureau of Indian Affairs for review. The site is located on Dixon School Road in Kings Mountain ETJ, will not be ready for construction until the EA is approved. Mr. Fletcher reviewed the following presentation:



The Catawba Indian Nation

- The Catawba Indian Nation is a federally recognized Indian Tribe located in eastern York County, South Carolina.
- The tribe's reservation is situated along the Catawba River on land where their ancestors were living when the Europeans first arrived.
- Known as the "people of the river," there are about 2,800 tribal members nationwide. The majority of them still live in York County.



Original Catawba territory spanned into Southern Virginia, through a large part of North Carolina, as well as the upper half of South Carolina.

Source: Native Languages of the Americas

Project Location

The approximately 16.57 +/- acre project site is in the extraterritorial jurisdiction (ETJ) of the City of Kings Mountain, in Cleveland County, North Carolina, on Dixon School Road off I-85, Exit 5



Purpose

Place 16.57 +/- Acres in to Trust for the Catawba Indian Nation

FEE to TRUST SITE AND VICINITY MAP



NEED

Proposed Action would assist the Nation in meeting the following objectives:

- Strengthen the socioeconomic status of the Catawba Indian
- Fund local governmental agencies, programs, and services.
- Allow Nation members to become economically self-sufficient, to eventually remove Nation members from public-assistance programs.
- Allow the Catawba Indian Nation to diversify its economic development and investment opportunities over time, so that it is no longer dependent upon the Federal or State governments or even upon gaming to survive and prosper.

Mixed-use entertainment complex

The mixed-use entertainment complex would include a total enclosed area of approximately 194,996 square feet and approximately 702,450 square feet of parking lot for staff and guests, and a parking structure for guests.

Mixed-use entertainment complex



Chairman Allen opened the floor to the Board for questions and discussion. Commissioner Hutchins commented on what this project could mean for Cleveland and Gaston County. The multipurpose complex will bring 2,000 – 3,000 jobs to the area that will need to be filled. As with any large economic development project there are good aspects and potential challenges that will need to be addressed. Commissioner Hutchins stated the advantages outweigh the potential trials tremendously. He concluded by stating, “I have supported this project from the very beginning and I still continue to support it.”

APPALACHIAN REGIONAL COMMISSION SUPPORT RESOLUTION

Chairman Allen called Assistant County Manager Kerri Melton to the podium to present the Appalachian Regional Commission (ARC) Resolution of Support. The county has been working for several years to become members of the ARC which was established as an act of Congress in 1965 to address persistent poverty and growing economic despair in the Appalachian Region. Their mission is to innovate, partner and invest to build community capacity and strengthen economic growth in Appalachia. Cleveland County is surrounded by counties who are members of the ARC and although Cleveland County is a member of the Isothermal Planning Region, it is the only county who is not a member of the ARC. Cleveland County share many socio-economic characteristics with the Appalachian Region which include:

- Median Household Income
 - Counties in the ARC - \$45,967
 - Cleveland County - \$39,134
- Community Members Below the Poverty Rate
 - Counties in the ARC – 6.7%
 - Cleveland County – 19.6%

Several benefits of the ARC membership include federal funding for business development, education, job training, infrastructure, telecommunication and it will strengthen partnership within the region; which will open additional opportunities for future economic development opportunities in Cleveland County.

Appalachian Regional Commission (ARC)



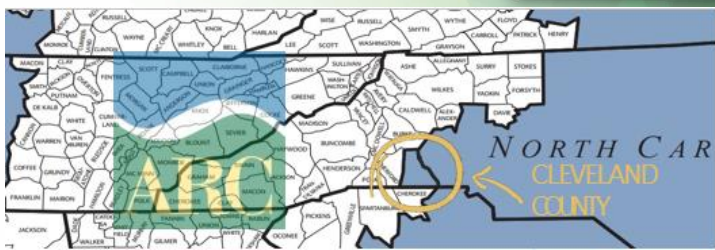
What is ARC



ARC's mission is to innovate, partner, and invest to build community capacity and strengthen economic growth in Appalachia.

- Goal 1: Economic Opportunities
- Goal 2: Ready Workforce
- Goal 3: Critical Infrastructure
- Goal 4: Natural and Cultural Assets
- Goal 5: Leadership and Community Capacity

Why should we be included?



Cleveland County shares many socio-economic characteristics with surrounding counties and the Appalachian Region.

All counties who are part of Isothermal Planning Region are ARC Members

Benefits



- Federal funding for business development, education, job training, infrastructure, telecommunications, housing, community development, and transportation.
- Strengthen partnerships in the region and open up additional economic development opportunities, such as access road or water and sewer infrastructure.

QUESTIONS??

Chairman Allen opened the floor to the Board for questions and discussion. The Board thanked Mrs. Melton for the information and each agreed the county would benefit by joining the ARC.

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Bridges, and unanimously adopted by the Board to, *approve the resolution supporting the Appalachian Regional Commission.*



Resolution

Number 07-2019

Resolution in Support of Cleveland County's Inclusion in the Appalachian Regional Commission

Whereas, the ARC was established by an act of Congress in 1965 to address the persistent poverty and growing economic despair of the Appalachian Region. The ARC is composed of the governors of the 13 Appalachian states, including North Carolina. Today, a total of 420 counties make up the ARC.

Whereas, the ARC invests in activities that address economic opportunities, ready workforce, critical infrastructure, natural and cultural assets, and leadership and community capacity and provides funding to member counties for investments in areas such as business development, education and job training, telecommunications, infrastructure, community development, housing, and transportation.

Whereas, Rutherford, Polk, and McDowell counties are all members of the ARC, and make up the local workforce development region with Cleveland County.

Whereas, Cleveland County mirrors the economic status of neighboring ARC counties, is located at the foothills of the Appalachian Mountains.

Whereas, Cleveland County sits contiguous to ARC counties in North Carolina (Burke and Rutherford) and South Carolina (Cherokee).

Whereas, Cleveland County's inclusion in the ARC will provide access to additional resources to support and strengthen the local economy.

Now therefore, be it resolved, the Cleveland County Board of Commissioners hereby supports the inclusion of Cleveland County into the Appalachian Regional Commission.

Adopted this the 19th day of March, 2019.

By: Susan Allen
Susan Allen, Chairman
Board of Commissioners of Cleveland County

ATTEST:

Phyllis Newlen
Phyllis Newlen, Clerk
Cleveland County Board of Commissioners



RESOLUTION IN SUPPORT OF CHANGES TO WILDLIFE LAWS

Chairman Allen recognized Elliot Engstrom, Senior Staff Attorney, to review a resolution in support of changes to wildlife laws. The North Carolina Wildlife Resources Commission has approached the County about updating local laws regarding hunting and wildlife. While these laws are passed by the Legislature in Raleigh, local support is requested. The proposed law, which has been filed as a bill in Raleigh makes changes to several local laws concerning Cleveland County. Any repeals mentioned below simply eliminate the local law and bring the County in-line with the laws in neighboring counties. These changes are summarized as follows:

Public Laws 1907 Chapter 388 makes it a misdemeanor to hunt or kill any fox in Cleveland County between March 1 and December 1. H.B. 324 would repeal this law.

Session Laws 1951 Chapter 1101 makes it a misdemeanor to hunt or kill a red fox in Cleveland County. H.B. 324 would repeal this law.

Session Laws 1979 Chapter 587. This law regulates the use of firearms and the hunting of deer in Cleveland County. Anytime the law mentions a "centerfire rifle," this will be changes to "firearm." Further H.B. 324 would repeal several other sections of this law such as:

Section 1 makes it a misdemeanor to possess a centerfire rifle on another person's land or to hunt on another person's land without securing written permission to do so from the person. Such written permission expires after 10 days. H.B. 324 would repeal this section.

Section 3 makes it unlawful for any person to hunt, take, or kill deer at any time without first securing the express written permission of the owner or lessee or the land upon which he is doing so. Such written permission expires after 10 days. H.B. 324 would repeal this section.

Section 6 states that the local law regarding of hunting of deer in Cleveland County is effective only as to those lands lying north of U.S. Highway 74 and south of secondary road 1361 and N.C. Highway 182. H.B. 324 would repeal this section.

Session Law 2018-10 provides for an open season for taking foxes with weapons and for taking foxes and coyotes by trapping during the season set by the Wildlife Resources Commission each year, with no tagging requirements prior to or after sale. The law currently applies in Cabarrus, Gaston, McDowell, Mitchell, Montgomery, Rutherford, and Stokes Counties. H.B. 324 would make this law also apply in Cleveland County.

Chairman Allen opened the floor to the Board for questions and discussion. Commissioner Bridges stated, for clarification, changing the local law presented will put Cleveland County in-line with the surrounding counties; Mr. Engstrom stated that was correct.

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Hardin, and unanimously adopted by the Board to, ***approve the resolution supporting House Bill 324 (2019).***



BOARD APPOINTMENTS

ISOTHERMAL PLANNING AND DEVELOPMENT BOARD

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Bridges, and unanimously adopted by the Board, ***to re-appoint Larry Dooley and Ronnie Whetstine to serve as members of this board,*** for a period of three-years, scheduled to conclude March 31, 2022.

CLEVELAND COUNTY SOCIAL SERVICES ADVISORY BOARD

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Bridges, and unanimously adopted by the Board, ***to appoint Danny Blanton and Denise Wright to serve as members of this board,*** for a period of four-years, scheduled to conclude June 30, 2023.

CLOSED SESSION

ACTION: Commissioner Hardin made the motion, seconded by Commissioner Bridges, and unanimously adopted by the Board, *to go into closed session per N.C.G.S. 143-318.11(a)(3), (a)(5), and (a)(6) to consult with an attorney in order to preserve the attorney-client privilege, to consider a personnel matter, and to establish the terms of an employment contract.* (Copy of closed session minutes are sealed and found in Closed Session Minute Book).

RECONVENE IN REGULAR SESSION

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, *reconvene in open session.*

Chairman Allen announced the Board took action in closed session to approve, in principal, an agreement with the Catawba Indian Nation concerning issues that impact county operations and other environmental issues. (Copy of the agreement is sealed and found in the Closed Session Minute Book).

ADJOURN

There being no further business to come before the Board at this time, Commissioner Hutchins made a motion, seconded by Commissioner Bridges, and unanimously adopted by the Board, *to adjourn.* The next meeting of the Commission is scheduled for *Tuesday, April 2, 2019 at 6:00 p.m. in the Commissioners Chambers located at 311 E. Marion St., Shelby.*

*Susan Allen, Chairman
Cleveland County Board of Commissioners*

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