

Cleveland County Board of Commissioners
April 6, 2021

The Cleveland County Board of Commissioners met in a regular session on this date, at the hour of 6:00 p.m. at the LeGrand Center located at 1800 E. Marion Street, Shelby.

PRESENT: Doug Bridges, Chairman
Deb Hardin, Vice-Chair
Johnny Hutchins, Commissioner
Ronnie Whetstine, Commissioner
Kevin Gordon, Commissioner
Tim Moore, County Attorney via electronic
Brian Epley, County Manager
Phyllis Nowlen, Clerk to the Board
Kerri Melton, Assistant County Manager
Tommy McNeilly, Emergency Medical Services Director
Tiffany Hansen, Health Department Director
Sherry Lavender, Tax Assessor
Jason Falls, LeGrand Center Director
Stori McIntyre, E911 Communications Director
Perry Davis, Emergency Management Director/Fire Marshal
Colt, Farrington, Building Inspections Lead
Martha Thompson, Deputy County Attorney

CALL TO ORDER

Chairman Bridges called the meeting to order and invited anyone from the audience to lead the Pledge of Allegiance and provide the invocation.

Steve Padgett, Small Business Center Director, provided the invocation and led the audience in the Pledge of Allegiance.

AGENDA ADOPTION

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

SPECIAL PRESENTATION

NATIONAL PUBLIC HEALTH WEEK 2021

Chairman Bridges called Tiffany Hansen, Health Department Director, to the front to speak about National Public Health Week. Mrs. Hansen stated over the course of the last 150 years, public health has been impacting community health through the country. This year it is important to celebrate public health week's focus on resiliency and commitment to the community due to the COVID-19 pandemic. Mrs. Hansen was shared the "Healthy NC 2030 Scorecard for Cleveland County," which was given to each Commissioner. Board members thanked Mrs. Hansen for the information and the continued hard work she and her department continue to do for the citizens of Cleveland County. The following proclamation was presented to Mrs. Hansen.



Proclamation

03-2021

Resolution in Support of National Public Health Week 2021

Whereas, the week of April 1 - 7, 2021, is National Public Health Week, and the theme is "Creating the Healthiest Nation: For science, For action, For health"; and

Whereas, since 1995, the American Public Health Association, through its sponsorship of National Public Health Week, has educated the public, policymakers and public health professionals about issues important to improving the public's health; and

Whereas, the Cleveland County Public Health Center's mission is to assure, enhance and protect the health of Cleveland County citizens through education and prevention; implementing local policies that prioritize health helps to ensure conditions where everyone has the opportunity to be healthy; and

Whereas, the science is clear: People's health, longevity and well-being are connected to their communities and smart local policies that prioritize health can make a difference; and

Whereas, rural communities face a range of health disparities, from higher burdens of chronic disease to limited access to primary care and prevention services however, new technologies are quickly transforming the public health landscape through telemedicine, disease surveillance and social media to educate local communities; and

Whereas, climate change is expected to have serious impact on people's health and well-being, it is linked to more frequent and extreme natural disasters, such as hurricanes, flooding and drought; is expected to negatively impact food security, water and air quality; and exacerbates the risks of vector-borne diseases, such as West Nile virus and Lyme disease; and

NOW, THEREFORE, BE IT RESOLVED, that the Cleveland County Board of Commissioners do hereby proclaim the week of April 1 - 7, 2021, as National Public Health Week 2021. We call upon all of the citizens of Cleveland County to start new conversations with families, friends, neighbors, co-workers and leaders to become advocates for positive change. By working together, we can build healthier communities, a healthier county, a healthier state and a healthier nation.

Adopted this the 6th Day of April 2021.


Doug Bridges, Chairman


Deb Hardin, Vice-Chairman


Johnny Hutchins, Commissioner


J. Ronnie Whetstine, Commissioner


Kevin Gordon, Commissioner



NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK 2021

Chairman Bridges recognized Stori McIntyre, E911 Communications Director, to talk about National Public Safety Telecommunicators Week. The week of April 11 - 17, 2021 is National Public Safety Telecommunicators Week. This is an important week for telecommunicators as they are the unseen first responders. Board members thank Mrs. McIntyre and her staff, who were in attendance, for their dedication and commitment to the safety of Cleveland County's residents and first responders. The following proclamation was presented to the E911 Communications staff.



Proclamation

04-2021

National Public Safety Telecommunications Week 2021

WHEREAS, each day, thousands of Americans dial 9-1-1 for emergencies; the men and women who answer those calls for help, gather essential information and dispatch the appropriate assistance, which can often make the difference between life and death for persons in need; and

WHEREAS, public safety telecommunicators are more than a calm and reassuring voice at the other end of phone – they are knowledgeable and highly trained professionals who work closely with other police, fire and medical personnel; and

WHEREAS, the work of these "unseen first responders" is invaluable in emergency situations and are the frontline contacts with our citizens and the general public; and

WHEREAS, public safety telecommunicators play a crucial role in the protection of life and property, the preservation of society and its law, and the provision of county and municipal services

NOW THEREFORE BE IT RESOLVED, that the Cleveland County Board of Commissioners do hereby proclaim the week of April 11 – 17, 2021 as National Public Safety Telecommunicators Week and encourages citizens to recognize and honor all of the emergency dispatchers for their ongoing diligence and professionalism in keeping our county and citizens safe.

Adopted this the 6th Day of April 2021.


Doug Bridges, Chairman


Deb Hardin, Vice-Chairman


Johnny Hutchins, Commissioner


J. Ronnie Whetstine, Commissioner


Kevin Gordon, Commissioner



CITIZEN RECOGNITION

No one registered to speak.

CONSENT AGENDA

APPROVAL OF MINUTES

The Clerk to the Board included the Minutes from the *February 2 and March 16, 2021 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 ADMINISTRATION: LATE APPLICATIONS FOR EXEMPTION

Per North Carolina General Statute 105-282.1 every owner of property claiming exemption or exclusion from property taxes under the provisions of this Subchapter has the burden of establishing that the property is entitled to it. Upon a showing of good cause by the applicant for failure to make a timely application, an application for exemption or exclusion filed after the close of the listing period may be approved by the

19 mass vaccination clinics. These funds will be utilized to cover salary/fringe for staff that are assisting with drive-thru clinics to enhance support of COVID-19 vaccination administration to the community.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #055)

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

<i>Account Number</i>	<i>Project Code</i>	<i>Department/Account Name</i>	<i>Increase</i>	<i>Decrease</i>
012.543.4.410.00		Health Dept Grants/Local Grants-Revenue	\$52,772.00	
012.543.5.121.00		Health Dept Grants/Salary-Regular	\$19,440.00	
012.543.5.210.00		Health Dept Grants/Departmental Supplies	\$250.00	
012.543.5.211.00		Health Dept Grants/Controlled Property	\$1,549.00	
012.543.5.370.00		Health Dept Grants/Advertising-Promotions	\$17,084.00	
012.543.5.910.00		Health Dept Grants/Capital Equipment	\$14,449.00	

Explanation of Revisions: Budget allocation for \$52,772 in additional grant funds received through the Hospice Foundation. The grant monies will be used for a comprehensive community education campaign for promotion of vaccine clinics and the importance of vaccines to residents of Cleveland County and will include development of billboards, signage, banners, incentives, podcasts and utility trailer

REGISTER OF DEEDS: BUDGET AMENDMENT (BNA #056)

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

<i>Account Number</i>	<i>Project Code</i>	<i>Department/Account Name</i>	<i>Increase</i>	<i>Decrease</i>
010.419.4.810.00		Register of Deeds/Donations-Contribution	\$30.00	
010.419.5.790.00		Register of Deeds/Donations-Contribution	\$30.00	

Explanation of Revisions: Budget allocation for \$30 in donations received by the Register of Deeds office. Funds will be used towards a luncheon for the Register of Deeds staff.

EMERGENCY MANAGEMENT: BUDGET AMENDMENT (BNA #057)

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

<i>Account Number</i>	<i>Project Code</i>	<i>Department/Account Name</i>	<i>Increase</i>	<i>Decrease</i>
010.495.4.410.00		Cooperative Extension/Local & Other Grants	\$6,100.00	
010.495.5.460.00		Cooperative Extension/Dues-Subscriptions	\$3,600.00	
010.495.5.700.00		Cooperative Extension/Grants	\$2,500.00	

Explanation of Revisions: Budget allocation for \$6,100 in grant funding from the Foothills Farmers Market for Visit NC Farm application and received from the Isothermal Planning and Development Commission for the Broad River Grandparents Raising Grandchildren and Kinship Program.

COMMISSIONERS: CALL BEFORE YOU DIG PROCLAMATION

Proclamation in support for "April Safe Digging Month." NC811 is trying to get the message out to the community to Call 811 before you dig as more and more utilities are going into the ground every day.



Proclamation

02-2021

811 Safe Digging Month

WHEREAS, as utility owners, excavators, designers, and homeowners work to keep pace with North Carolina's economic development, it is important to minimize damages to underground utility lines, danger to workers and the general public, environmental impact, and loss of utility services to the citizens of North Carolina; and

WHEREAS, North Carolina 811, a utility service notification center and leader in education celebrates its 43rd year of continuous service to the State, is key to preventing injuries and damages when excavating; and

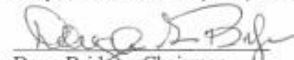
WHEREAS, this unique service provides easy, one-call notification about construction and excavation projects that may endanger workers and jeopardize utility lines while promoting workplace and public safety, reducing underground utility damage, minimizing utility service interruptions and protecting the environment; and

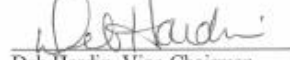
WHEREAS, this vital service, which began in 1978 serves the citizens of North Carolina from the mountains to the coast, educates stakeholders about the need for excavation safety whether the project is as small as planting a tree to designing and beginning construction on a new interstate; and

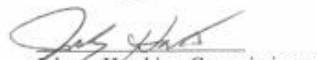
WHEREAS, in 2020, the North Carolina one call system received 2.1 million notification requests and transmitted over 12.2 million requests, providing protection to utility companies infrastructure, their employees, excavators, and customers;


NOW, THEREFORE, BE IT RESOLVED, That the Cleveland County Board of Commissioners have designated the month of April 2021 as "North Carolina 811 Safe Digging Month" to encourage all excavators and homeowners of Cleveland County to contact 8-1-1 either by dialing 8-1-1 or contacting NC811 via the webpage of NC811.org at least three working days prior to digging in order to "Know What's Below," avoid injury, protect the environment, prevent millions of dollars in damages and to remind excavators that three working days' notice is the law, for safe digging is no accident, and that more information may be obtained by visiting www.nc811.org.

Adopted this the 6th Day of April 2021.


Doug Bridges, Chairman


Deb Hardin, Vice-Chairman


Johnny Hutchins, Commissioner


J. Ronnie Whetstine, Commissioner


Kevin Gordon, Commissioner



LEGAL: BUILDING INSPECTOR'S JOINT RESOLUTION

There is a 16 acres area of land that has been put in trust with a proposed building inside a project site and the surrounding property in the Kings Mountain ETJ. It will be the responsibility of Cleveland County to provide services in that area including building inspections. Under normal circumstances, Cleveland County would inspect the area inside while the City of Kings Mountain would inspect the area outside. Because this will be one building with the majority being inside of our jurisdiction, county staff has worked with city staff and determined that it would make more sense for Cleveland County to inspect the entire building. Kings Mountain City Council approved the joint resolution at their March 30, 2021 meeting.

ACTION: Commissioner Gordon made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board, *to approve the building inspector's joint resolution with the City of Kings Mountain.*

A JOINT RESOLUTION BETWEEN THE CITY OF KINGS MOUNTAIN AND
CLEVELAND COUNTY CONCERNING BUILDING INSPECTORS

WHEREAS, the City of Kings Mountain and Cleveland County Government have maintained cooperative relationships in a number of areas over the past several years; and,

WHEREAS, the County Manager has made the Board of Commissioners and the City Manager has made the Mayor and City Council aware of a development project that will extend into the Kings Mountain ETJ; and,

WHEREAS, this Resolution will provide consistency in permitting and inspections if such are done by one governmental body;

WHEREAS, North Carolina General Statute 160D-1107, et seq states in part as follows: That a City and County may enter into a contract for a County to provide for permitting, inspecting as required under the North Carolina State Building Code; and

WHEREAS, the City Council of The City of Kings Mountain desires to authorize the City Manager to designate one or more inspectors from Cleveland County to serve as the inspector of record under the jurisdiction of Cleveland County but within the City of Kings Mountain's ETJ ending on March 30, 2026 for the properties adjacent and encroaching from the Land in Trust to The Catawba Tribe and only facilities/areas pre-approved and agreed upon for permitting and inspections by both parties; and,

WHEREAS, the Board of Commissioners of Cleveland County desires to approve said designation for the term stated.

NOW, THEREFORE, be it resolved as follows:

1. The Board of Commissioners of Cleveland County hereby approves said designation of the County's inspectors to serve, assist, permit, inspect and other related activities so related to the area(s) mentioned above.
2. The City of Kings Mountain hereby approves said designation of the County's inspectors to serve, assist, permit, inspect and other related activities so related to the area(s) mentioned above.

3. That Cleveland County shall have authority to bill and collect (from owner/developer) payments associated with County permitting and inspection services for work performed during the scope of this agreement. In the designated areas of permitting and inspections performed by Cleveland County, invoices of or collections of shall go directly to owner/developer.
4. This agreement pertains to permitting and inspecting services only, and within the areas containing structures that have been identified and agreed upon by both the City and the County, which extend from the Catawba Indian Land in Trust by physical connection. That it is understood that before any permitting for construction to occur in the ETJ that a zoning permit must be issued by the City.
5. That the City of Kings Mountain shall have no liability or responsibility as to any claims or causes of action which might result from any permitting and/or inspections by the County's inspectors. That if any do arise the County will hold harmless the City, with the County defending any claims and/or causes of action which might arise for itself and the City.

This Resolution shall become effective upon its adoption and approval by both the City Council of the City of Kings Mountain and the Board of Commissioners of Cleveland County.

Adopted and approved by the City Council of the City of Kings Mountain on this the 30th day of March, 2021.


Scott Neisler
Mayor




ATTEST:


Karen Tucker, City Clerk for the City of Kings Mountain, North Carolina

Adopted and approved by the Board of Commissioners of Cleveland County on this the 10th of April, 2021.


Doug Bridges, Chair
Cleveland County Board of Commissioners

ATTEST:


Phyllis Ngwen, Clerk
Cleveland County Board of Commissioners



LEGAL: EMS FRANCHISE AGREEMENT AMENDMENTS

Cleveland County grants franchises to local rescue squads that authorize them to provide ambulance services in the County. Staff are currently working with each of the local rescue squads to update the existing franchise agreements. While this process is underway, staff propose executing an amendment to the franchise agreements. The proposed amendment clarifies that the rescue squads are authorized to provide Advanced Life Support (ALS) level care. The amendment will expire on December 31, 2021 before which the County and the rescue squads expect to have new franchise agreements in place. (copy found on page(s) _____, Minute Book _____).

ACTION: Commissioner Gordon made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board, *to approve the Emergency Medical Services franchise agreement amendments.*

PUBLIC HEARINGS

PLANNING DEPARTMENT: CASE 20-08; REZONE MULTIPLE PARCELS FROM RESIDENTIAL (R) TO RESTRICTED RESIDENTIAL (RR) CONTINUATION

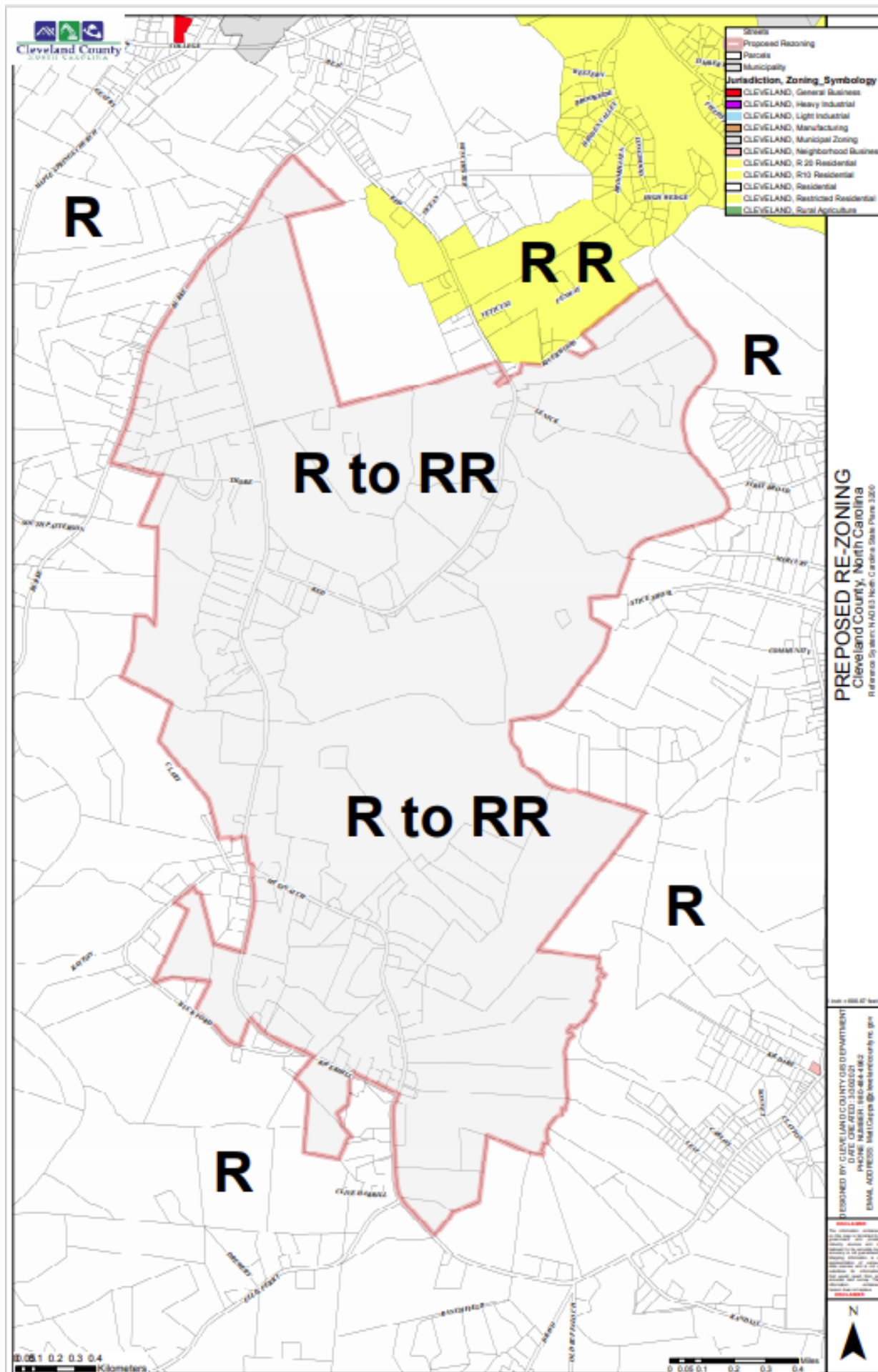
Chairman Bridges called Chris Martin, Senior Planner, to the podium to present Planning Case 20-08; Rezone multiple parcels from Residential (R) to Restricted Residential (RR) continuation from the December 15, 2020 regular Commissioners meeting. Mr. Martin reintroduced a request Planning staff received to rezone multiple

parcels, totaling 2,200 acres, from Residential (R) to Restricted Residential (RR). The petitioner is asking the Board of County Commissioners to consider rezoning 176 continuous parcels totaling 2,200 acres to Restricted Residential (RR). This area is located in Riverhill Road, between Burke Road and Buck Ford Road. The petition contains 131 parcels signing the request, for a 74% signature rate. At the December 15, 2020 Commissioner meeting, the Board was reminded they heard Planning staff's presentation, held a public hearing for landowner's comments and voted to continue the hearing until the April 6, 2021 Commissioner meeting so the petition could be more thoroughly evaluated. North Carolina General Statute 153A-341 requires that local government boards adopt a consistency statement showing that the decision it makes fits in with the land use plan or if not, is reasonable and has a public interest.

The surrounding uses are mostly single-family dwellings. The zoning district in this area is mostly Residential (R) with Restricted Residential (RR) abutting the northeast section of the requested parcels. The Land Use Plan calls this area Future Residential. Restricted Residential allows for stick built and modular homes, as well as some other nonresidential uses like churches. Residents have expressed an interest in keeping this area for single family residential uses.

- Acreage of those who signed: 1,796 acres, 82% of total
- Stick Built Homes: 65, 53 owned by those who signed, 82% total
- Manufactured Homes: 5, all owned by non-supporters
- Vacant Land: 113 total parcels, 88 signed, 78% of total
- Restricted Residential (RR) uses reflect the current land use of the area
- Rezoning to Restricted Residential allows the landowners to maintain the area's use as single family residential.

The Cleveland County Planning Board voted 4-1 to recommend approving the rezoning request from Residential (R) to Restricted Residential (RR). The Board felt that the proposed rezoning would be an extension of an already existing zone and the proposed rezoning was compatible with existing property uses in the area.



Chairman Bridges opened the floor to the Board for questions and discussion. Commissioner Hutchins asked, “How many parcels in the rezoning request would be out of zoning compliance if approved?” Mr. Martin advised there were not very many. Commissioner Hardin asked Mr. Martin to explain the differences in zoning restrictions between Residential (R) and Restricted Residential (RR). The following information was reviewed to the Board.

Residential and Restricted Residential Allowances:

Residential:	Restricted Residential:
<ul style="list-style-type: none"> • Housing <ul style="list-style-type: none"> ○ Single Family Dwellings ○ Modular Homes ○ Manufactured Homes ○ Manufactured Home Parks (C) ○ Two Family (Duplex) ○ Multi-Family Housing ○ Exempted Agricultural Uses ○ Rural Home Occupations • Utilities <ul style="list-style-type: none"> ○ Solar Electric Power Generation (C) ○ Water and Sewer Treatment (Minor) • Information <ul style="list-style-type: none"> ○ Amateur Radio Tower (C) ○ Library • Educational Services <ul style="list-style-type: none"> ○ Elementary and Secondary Schools • Health Care and Social Assistance <ul style="list-style-type: none"> ○ Nursing Care Facility ○ Family Care Home ○ Assisted Living Facility ○ Group Home (C) ○ Temporary Dependent Care Facility (C) ○ Child Day Care • Arts, Entertainment and Recreation <ul style="list-style-type: none"> ○ Museum ○ Zoo/Botanical Gardens (C) ○ Nature Park • Amusement and Recreation Industries <ul style="list-style-type: none"> ○ Golf Course and Country Club (C) ○ Marina (C) ○ Private Airpark (C) ○ Other Amusement and Recreation • Accommodation and Food Services <ul style="list-style-type: none"> ○ Bed and Breakfast Inn ○ RV Parks (C) ○ Room and Boarding House • Other Services <ul style="list-style-type: none"> ○ Religious Organizations/Churches ○ Civic and Social Organization (C) • Public Administration <ul style="list-style-type: none"> ○ Public Safety Facilities 	<ul style="list-style-type: none"> • Housing <ul style="list-style-type: none"> ○ Single Family Dwellings ○ Modular Homes ○ Exempted Agricultural Uses • Utilities <ul style="list-style-type: none"> ○ Solar Electric Power Generation (C) ○ Water and Sewer Treatment (Minor) • Information <ul style="list-style-type: none"> ○ Amateur Radio Tower (C) • Educational Services <ul style="list-style-type: none"> ○ Elementary and Secondary Schools • Health Care and Social Assistance <ul style="list-style-type: none"> ○ Family Care Home ○ Group Home (C) ○ Temporary Dependent Care Facility (C) ○ Child Day Care • Arts, Entertainment and Recreation <ul style="list-style-type: none"> ○ Museum ○ Zoo/Botanical Gardens (C) ○ Nature Park • Amusement and Recreation Industries <ul style="list-style-type: none"> ○ Golf Course and Country Club (C) ○ Marina (C) ○ Private Airpark (C) ○ Other Amusement and Recreation • Accommodation and Food Services <ul style="list-style-type: none"> ○ Bed and Breakfast Inn • Other Services <ul style="list-style-type: none"> ○ Religious Organizations/Churches ○ Civic and Social Organization (C) • Public Administration <ul style="list-style-type: none"> ○ Public Safety Facilities

Commissioner Gordon stated, for clarification, that RV Parks and Mobile Home Parks were not allowed in Restricted Residential (RR) areas; Mr. Martin replied that was correct, they are not. Commissioner Gordon continued by asking, “are RV Parks and Mobile Home Parks are allowed in Residential (R) districts as long as there is an approved Conditional Use Permit (CUP) issued by the Board of Adjustment?” Mr. Martin stated, “that was also correct. Any additional rezoning such as changing a district to an RV Parks and Mobile Home Parks would need approval from the Board of Adjustment.”

Commissioner Gordon continued, “the BOA is a quasi-judicial board where cases presented are black or white, they are a judiciary type board, there is no political opinions or hypothetical proposals; they only hear facts about a case.” Mr. Martin responded, “that was correct. The BOA is a quasi-judicial board and they are given criteria from a state guideline on what they can base their decisions on. They have to hear comments and facts about a proposed request and they can only base their decision on what evidence they’ve heard and seen in that hearing.”

Chairman Bridges opened public comment at 6:30 pm for anyone wanting to continue to speak for or against Planning Case 20-08; Rezone multiple parcels from Residential (R) to Restricted Residential (RR) (*Original Legal Notice was published in the Shelby Star on Friday, December 4 and Friday, December 11, 2020*).

Peggy Baker, 1624 Riverhill Drive, Shelby – spoke in support of rezoning request. She and her family have lived in the area her entire life. She voiced her concerns regarding the preservation and safety of the

community if a mobile home park were to be built in the neighborhood. Ms. Baker stated there are 22 people from the neighborhood in attendance to show their support for the rezoning request.

Phil Piercy, no address given – spoke in support of the rezoning request. He stated there has been much discussion in the community about this rezoning request. The request is not to target any one individual but to preserve the community they live in. The neighbors do not want businesses or an RV park in the neighborhood.

Chris Turner, 1419 Mount Zion Church Rd., Shelby – spoke in support of the rezoning petition. He stated he likes the community the way it is and echoed the previous comments of those in support of rezoning the area to Restricted Residential (RR). He thanked Commissioners for listening to everyone’s opinion concerning the rezoning case and the work they do to preserve the county.

Hearing no further comments, Chairman Bridges closed the Public Hearing at 6:42 pm.

Chairman Bridges opened the floor to the Board for questions and discussion. Commissioner Hardin asked Mr. Martin to review the standards of what is and isn’t allowed in mobile home parks. Mr. Martin explained the County has in place a Manufactured Home Ordinance and any CUPs for a mobile home park would be issued by the BOA and do require a public hearing. There are also development standards for mobile home parks such as access in and out of the park and only three mobile homes are allowed on a one-acre parcel of land. Cleveland County also has a Minimum Housing Ordinance that would address any home, whether it be a stick built or mobile home, on dilapidations conditions or safety concerns. If a permit is granted for a mobile home park, the owner would then have to have proper permits issued and inspections completed before any homes go on site. Once a home is placed on the property, the owner must keep the dwelling up to minimum housing codes.

Chairman Bridges asked about mobile homes that are over 25 years old. Mr. Martin stated as long as the home meets the Minimum Housing Code and passing building inspections, they would be allowed. Each home has standards that must be met and kept. If there is a home that is older than 25 years and is being lived in, that home is “grand-fathered” in, the ordinance allows those homes to be relocated as long as they are being occupied. If a home is older than 25 years and is abandoned for more than 180 days, the owner loses the “grand-father” status. Commissioner Whetstine commented on the non-conforming units that are already in the rezoning request area who are “grand-fathered” in. Commissioners continued their discussion regarding the various permits, guidelines and standards that are required for a mobile home to be placed on a piece of property.

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Whetstine, and passed (4 -1, Commissioner Gordon opposed) by the Board to, ***deny the request to rezone multiple parcels from Residential (R) to Restricted Residential (RR).***

REGULAR AGENDA

CASAR ELEMENTARY LEASE

Chairman Bridges called Tommy McNeilly, Emergency Medical Services Director, to the podium to present the Casar Elementary Lease. Cleveland County Schools has proposed to lease property to Cleveland County near

Casar Elementary School for use as an Emergency Medical Services (EMS) base. Pursuant to the agreement, the County would lease property for such a base from the schools for one dollar per year for an initial term of ten years. At the end of this initial term, if the lease is not terminated, it will automatically renew for periods of one year. Either party can terminate the lease at any time on 90 days' prior notice to the other party. The lease contains a number of standard terms found in most leases of similar real property, but the main point is that the County would be able to use the property for an EMS base. This lease is authorized by North Carolina General Statute §160A-274, which allows counties, public schools, and other units of North Carolina government to lease property to one another on terms that they deem wise. The following information and PowerPoint were present to the Board.

Cleveland County EMS Casar Base



Why Casar?

- Largest Unprotected land mass in County Outside of 8-minute drive time
- Population ~ 2500 Citizens
- Located on the grounds of Casar Elementary School
- Gives the County a footprint in the extreme north of the County.
- ~ 250 citizens will remain outside of 8-minute drivetime once Casar Base is established.



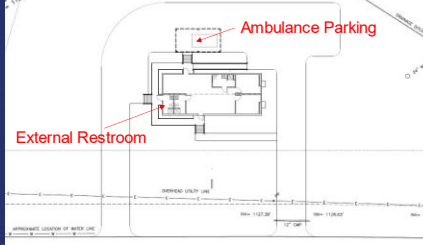


Project Details....

- No additional budget funding
 - Financed with current year capital capacity created by delayed outflow from rolling stock lease
 - Proposed modular construction – similar to Polkville EMS Base
- Co-Located on Casar Elementary Campus
 - Site location contingent on 10 year operating lease
- Potential project completion timeline – Summer 2021



The Structure


- 24'x44'- Modular Structure like current Polkville Base
- External Restroom w/Shower
 - Can be utilized by other County Departments, i.e. Sheriff, Animal Control, etc.

Estimated Line-Item Costs

• Building/Delivery/Installation	\$86,275.00
• Site Prep/Septic/Water	\$15,000.00
• Architectural Services/Survey/Furniture	\$19,400.00
• Vehicle Ports/Sign	<u>\$ 5,000.00</u>
Estimated Total	\$125,675.00

2018 Polkville Capitalized \$137,828.00
Estimated Yearly Cost to Maintain Utility: ~ \$3600.00



Board Considerations

- 1.) Approve or Deny Casar EMS Capital Expansion Project
- 2.) Approve or Deny Location on Casar Elementary and proposed operating lease with CCS.



ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Gordon, and unanimously adopted by the Board to, ***approve the Casar EMS Capital Expansion Project.***

ACTION: Commissioner Gordon made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board to, ***approve the location on Casar Elementary and proposed operating lease with Cleveland County Schools.*** (copy found on page(s) _____, Minute Book _____).

BOARD APPOINTMENTS

CLEVELAND COUNTY VETERAN'S ADVISORY BOARD

ACTION: Commissioner Whetstine made the motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board, *to appoint Brandon Ruppe to serve as a member of this board*, filling the unexpired term of Noah Saldo whose term is set to conclude December 31, 2022.

REGION C WORKFORCE DEVELOPMENT BOARD

ACTION: Commissioner Gordon made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board, *to appoint Brandon Ruppe to serve as a member of this board*, for a period of three-years, scheduled to conclude July 1, 2024.

CLOSED SESSION

ACTION: Commissioner Whetstine made the motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board, *to go into closed session per North Carolina General Statute § 143-318.11(a)(3) to preserve the attorney-client privilege to discuss the lawsuits of Kline versus Cleveland County and Winter versus Norman with its attorneys.* (Copy of closed session minutes are sealed and found in Closed Session Minute Book).

RECONVENE IN REGULAR SESSION

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

Chairman Bridges stated the following, *“the Board has conferred with its attorneys as to the litigation matters of Kline versus Cleveland County and Winter versus Norman and the Board has provided instructions to its attorneys.”*

ADJOURN

There being no further business to come before the Board at this time, Commissioner Gordon made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board, *to adjourn the meeting.* The next meeting of the Commission is scheduled for *Tuesday, April 20, 2021 at 6:00 p.m. in the Commissioners Chambers.*

*Doug Bridges, Chairman
Cleveland County Board of Commissioners*

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