

**Cleveland County Board of Commissioners**  
**May 4, 2021**

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:** 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  
Marty Gold, Information Technology Director  
Tiffany Hansen, Health Department Director  
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.

Hearing no volunteer, Commissioner Hutchins provided the invocation and led the audience in the Pledge of Allegiance.

**AGENDA ADOPTION**

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

**SPECIAL PRESENTATION**

**MOTORCYCLE AWARENESS MONTH 2021**

Chairman Bridges recognized Commissioner Whetstine who spoke about Motorcycle Awareness Month and the importance of being observant and sharing the road with all motorists. He also pleaded for residents not to blow their grass clippings into the roadway. The clippings cause extremely dangerous road conditions for motorcycle riders. When a rider drives over grass left in the roadway it is equivalent to a car driving over a patch of black ice. Commissioner Whetstine thanked members of the Concerned Biker's Association of Cleveland County who were present to receive the following proclamation which was read by the Clerk:



## Proclamation

06-2021

### Motorcycle Awareness Month 2021

**Whereas**, motorcycles are an increasingly popular means of transportation for commuting, touring and recreational use; and

**Whereas**, with the warmer weather approaching, more motorcycles will be on the highways and the need to be more aware of their presence is of the utmost urgency; and,

**Whereas**, it is especially important the citizens in Cleveland County be aware of motorcycles on the streets and highways and to recognize the importance of motorcycle safety in general and promoting vigilant driving procedures can reduce the occurrence of injuries and fatalities for operators of all motor vehicles including motorcycles; and

**Whereas**, safe motorcycle operation is enhanced through a combination of rider training and experience, good judgement and observance of traffic laws; states and motorcycle organizations across this country will be conducting a variety of activities to promote the importance of motorist awareness and safely sharing the road with motorcycles; and

**Now, Therefore Be It Resolved That** the Cleveland County Board of Commissioners proclaim May 2021 as **Motorcycle Awareness Month** and ask all citizens to join in the effort to keep Cleveland County's roads safe for all.

Adopted this, the 4<sup>th</sup> day of May, 2021.

  
Doug Bridges, Chairman

  
Deb Hardin, Vice-Chairman

  
Johnny Hutchins, Commissioner

  
J. Ronnie Whetstine, Commissioner

  
Kevin Gordon, Commissioner



### CITIZEN RECOGNITION

**Robert Williams, 814 E. Stagecoach Trail, Fallston** – stated that he disliked the use of the timer that is used during citizen recognition. He also spoke about a flyer he received in the mail regarding the Two Kings Casino Resort.

### CONSENT AGENDA

#### APPROVAL OF MINUTES

The Clerk to the Board included the Minutes from the **April 20, 2021 regular meeting**, in board members packets.

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

#### MONTHLY MANAGER'S REPORT

- Beginning in March, the Budget Team held individual meetings with all operational departments to review and discuss budgetary requests for the upcoming fiscal year. The Finance Department and County Manager's Office are currently in the process of finalizing the FY 2021-22 recommended budget for the Board of Commissioners consideration on May 18th.

- The Finance Department is in the process of finalizing the 2020-21 fiscal year in preparation for the County's annual audit. The County contracted with Thompson, Price, Scott, and Adam's an external audit firm to perform the audit.

- The County continues to monitor economic trend data as well as all major capital purchases and projects. Management will continue to closely monitor this trend data and continues to focus on providing community support.

County of Cleveland, North Carolina  
 Manager's Budget Summary  
 Presented at the 5/4/21 Board Meeting  
 Time Period Covered : 10/19/20 to 4/27/21  
 For Fiscal Year Ending June 30, 2021

BUDGET TRANSFERS LEGEND: D = DEPARTMENTAL; L = LATERAL

| BUD # | BUDGET TYPE | DATE SUBMITTED BY DEPT | DEPT NAME TO                      | DEPT NAME FROM         | EXPLANATION   | BUDGET AMOUNT |
|-------|-------------|------------------------|-----------------------------------|------------------------|---|---------------|
| 700   | L           | 10/19/2020             | DSS                               | Mental Hlth (Pathways) | Transfer funds to cover program expenses  | \$ 10,000     |
| 701   | D           | 10/27/2020             | Tax Admin                         |                        | Move funds to cover refunds and equipment   | \$ 100        |
| 702   | L           | 10/29/2020             | Revaluation                       | Contingency            | Transfer funds to cover revaluation costs   | \$ 50,000     |
| 703   | D           | 11/19/2020             | DSS                               |                        | Move funds to cover Professional Services   | \$ 10,000     |
| 704   | D           | 11/19/2020             | DSS                               |                        | Move funds to cover Training  | \$ 64,160     |
| 705   | D           | 11/20/2020             | Cap Projects-Gen                  |                        | Move funds to cover Professional Services and Licenses                              | \$ 94,150     |
| 706   | D           | 12/7/2020              | EMS                               |                        | Move funds to cover EMS Casar building and professional services                    | \$ 113,400    |
| 707   | D           | 12/7/2020              | Law Enforcement Grants            |                        | Move funds to cover Dues/Subscriptions  | \$ 2,816      |
| 708   | D           | 12/8/2020              | COVID19                           |                        | Move funds to cover COVID19 expenses and licenses                                   | \$ 71,537     |
| 709   | D           | 12/9/2020              | Legal                             |                        | Move funds to cover Departmental supplies   | \$ 1,353      |
| 710   | D           | 12/9/2020              | E911                              |                        | Move funds to cover Licenses  | \$ 10,000     |
| 711   | D           | 12/18/2020             | Maint                             |                        | Correct Budget # 704 to appropriate accounts  | \$ 64,160     |
| 712   | D           | 12/18/2020             | Maint                             |                        | Correct Budget # 711 to appropriate accounts  | \$ 64,160     |
| 713   | D           | 12/18/2020             | Adult Health                      |                        | Move funds to cover operational expenses  | \$ 26,862     |
| 714   | NOT USED    |                        |                                   |                        |   |               |
| 715   | D           | 1/6/21 (12/30/20)      | COVID Relief Fund                 |                        | Move funds to cover COVID19 expenses  | \$ 203,467    |
| 716   | L           | 1/7/2021               | Tax Admin                         | Contingency            | Transfer funds to cover Tax audits  | \$ 71,000     |
| 717   | D           | 1/8/2021               | Health Admin                      |                        | Move funds to cover Equipment and Repairs   | \$ 25,121     |
| 717   | D           | 1/8/2021               | Health Promotions                 |                        | Move funds to cover Postage   | \$ 50         |
| 717   | D           | 1/8/2021               | Health - WIC                      |                        | Move funds to cover Equipment   | \$ 20         |
| 717   | D           | 1/8/2021               | Environmental Hlth                |                        | Move funds to cover Licenses and Departmental needs                                 | \$ 5,550      |
| 717   | D           | 1/8/2021               | Health - Dental                   |                        | Move funds to cover Equipment   | \$ 1,368      |
| 717   | D           | 1/8/2021               | Health - Nurse Family Partnership |                        | Move funds to cover Departmental supplies   | \$ 65         |
| 717   | D           | 1/8/2021               | Health - CODAP                    |                        | Move funds to Match Grant Approval  | \$ 22,646     |
| 718   | L           | 1/12/2021              | Debt Service                      | EMS                    | Transfer funds to cover lease expense   | \$ 6,219      |
| 719   | D           | 1/12/2021              | Capital Projects-General          |                        | Move funds to cover Licenses  | \$ 10,000     |
| 720   | L           | 1/13/2021              | Debt Service                      | BOE                    | Transfer funds to cover Lease   | \$ 44         |
| 721   | D           | 1/13/2021              | Board of Elections                |                        | Move funds to cover Equipment and Meetings  | \$ 5,263      |
| 722   | D           | 1/14/2021              | Commissioners                     |                        | Move funds to cover Dues/Subscriptions  | \$ 1,149      |
| 723   | D           | 1/14/2021              | Finance                           |                        | Move funds to cover Maintenance Contract  | \$ 3,952      |
| 724   | D           | 1/14/2021              | Board of Elections                |                        | Move grant funding to salaries  | \$ 50,000     |
| 725   | D           | 1/14/2021              | Electronic Maint                  |                        | Move funds to cover Utilities and Rental  | \$ 2,362      |
| 726   | D           | 1/14/2021              | LeGrand                           |                        | Move funds to cover Equipment   | \$ 2          |
| 727   | D           | 1/14/2021              | Maintenance                       |                        | Move funds to cover Equipment and Maintenance                                       | \$ 4,588      |
| 728   | D           | 1/14/2021              | Cooperative Extension             |                        | Move funds to cover Unemployment Compensation and Dues/Subscriptions                | \$ 2,549      |
| 729   | D           | 1/19/2021              | EMS                               |                        | Move funds to cover change order EMS Casar Base Building                            | \$ 7,300      |
| 730   | D           | 1/19/2021              | Family Planning                   |                        | Move funds to cover Contracted Services   | \$ 10,000     |
| 731   | D           | 1/19/2021              | Electronic Maint                  |                        | Move funds to cover Equipment   | \$ 4,912      |
| 732   | D           | 1/20/2021              | Employee Wellness                 |                        | Move funds to cover Prescription Drugs  | \$ 1,000      |
| 733   | D           | 1/21/2021              | Economic Development              |                        | Move funds to cover Professional Services   | \$ 15,000     |
| 734   | D           | 1/21/2021              | Shooting Range                    |                        | Move funds to cover Professional Services and Merchandise for Resale                | \$ 14,000     |
| 735   | D           | 1/21/2021              | Human Resources                   |                        | Move funds to cover Contracted Services and Awards/Appreciation                     | \$ 10,021     |
| 736   | L           | 1/21/2021              | Emergency Mgmt                    | Contingency            | Transfer funds to cover COVID19 Expenses  | \$ 20,000     |
| 737   | D           | 1/26/2021              | Economic Development              |                        | Correct B733 to Contracted Services   | \$ 15,000     |
| 738   | D           | 1/27/2021              | Employee Wellness                 |                        | Move funds to cover Prescription Drugs  | \$ 10,000     |
| 739   | D           | 2/1/2021               | Employee Wellness                 |                        | Move funds to cover Prescription Drugs  | \$ 5,000      |
| 740   | D           | 1/29/2021              | Planning & Zoning                 |                        | Move funds to cover Operational Expenses  | \$ 4,135      |
| 741   | D           | 1/29/2021              | Animal Services                   |                        | Move funds to cover Equipment   | \$ 3,500      |
| 742   | D           | 1/29/2021              | E911                              |                        | Move funds to cover Professional Services   | \$ 23         |
| 743   | D           | 2/1/2021               | Health Admin                      |                        | Move funds to cover COVID19 Expenses  | \$ 3,000      |
| 744   | D           | 2/3/2021               | Employee Wellness                 |                        | Reverse temporary budgets 732, 738, 739   | \$ 16,000     |
| 745   | D           | 2/5/2021               | Board of Elections                |                        | Move funds to cover furniture purchase  | \$ 970        |
| 746   | D           | 2/5/2021               | EMS                               |                        | Move funds to cover Contracted Services   | \$ 39,100     |
| 747   | L           | 2/8/2021               | Human Resources                   | Contingency            | Transfer funds to cover Contracted Services   | \$ 10,000     |
| 748   | D           | 2/10/2021              | Health Dept                       |                        | Move funds to cover Contracted Services   | \$ 12,500     |
| 749   | D           | 2/19/2021              | Building Inspections              |                        | Move funds to cover Contracted Services   | \$ 5,250      |
| 750   | D           | 2/19/2021              | Cap Projects-Gen                  |                        | Move funds to cover Landscaping   | \$ 8,575      |
| 751   | D           | 2/19/2021              | SW Landfill                       |                        | Move funds to cover Propane   | \$ 5,000      |
| 752   | D           | 2/22/2021              | Animal Services                   |                        | Move funds to cover Equipment   | \$ 2,597      |
| 753   | D           | 2/23/2021              | Finance                           |                        | Move funds to cover Bank Fees   | \$ 650        |
| 754   | D           | 2/23/2021              | Board of Elections                |                        | Move funds to cover Equipment   | \$ 1,193      |
| 755   | D           | 2/23/2021              | Health/STD                        |                        | Move funds to cover Operational Expenses  | \$ 1,800      |
| 756   | L           | 2/24/2021              | Finance                           | Contingency            | Transfer funds to cover Professional Services                                       | \$ 67,600     |
| 757   | D           | 2/24/2021              | Cap Projects-Gen                  |                        | Move funds to cover Licenses  | \$ 54,018     |
| 758   | D           | 2/24/2021              | Finance                           |                        | Move funds to cover Licenses  | \$ 599        |
| 759   | D           | 3/2/2021               | Workers Comp                      |                        | Move funds to cover Insurance/Bonding and Professional Services                     | \$ 45,106     |
| 760   | L           | 3/2/2021               | Finance                           | Contingency            | Transfer funds to cover Professional Services                                       | \$ 55,000     |
| 761   | L           | 3/2/2021               | Emergency Mgmt                    | Contingency            | Transfer funds to cover COVID19 Expenses  | \$ 15,000     |
| 762   | D           | 3/10/2021              | Register of Deeds                 |                        | Move funds to cover Postage   | \$ 5,000      |
| 763   | D           | 3/10/2021              | Public Safety Grants              |                        | Move funds to cover Equipment   | \$ 1,187      |
| 764   | D           | 3/12/2021              | Board of Elections                |                        | Move funds to cover Rental and Dues/Subscriptions                                   | \$ 1,037      |
| 765   | D           | 3/17/2021              | Commissioners                     |                        | Move funds to cover Contracted Services; Dues/Subscriptions; Board Meeting          | \$ 7,470      |
| 766   | D           | 3/17/2021              | Manager's Office                  |                        | Move funds to cover Manager's Bond and Dues/Subscriptions                           | \$ 3,300      |
| 767   | D           | 3/17/2021              | Courts                            |                        | Move funds to cover Dues/Subscriptions; Licenses and Professional Services          | \$ 6,574      |
| 768   | D           | 3/18/2021              | Emergency Mgmt                    |                        | Move funds to cover Operational Expenses and dues/subscriptions                     | \$ 3,378      |
| 769   | D           | 3/18/2021              | Maintenance                       |                        | Move funds to cover Maintenance   | \$ 1,843      |
| 770   | D           | 3/18/2021              | Electronic Maint                  |                        | Move funds to cover Telecommunications  | \$ 950        |
| 771   | D           | 3/18/2021              | Human Resources                   |                        | Move funds to cover Postage, Dues/Subscriptions and Awards/Appreciation             | \$ 7,409      |
| 772   | D           | 3/22/2021              | Legal                             |                        | Move funds to cover Departmental Supplies and Dues/Subscriptions                    | \$ 2,044      |
| 773   | D           | 3/22/2021              | Building Inspections              |                        | Move funds to cover Contracted Services and Dues/Subscriptions                      | \$ 1,341      |
| 774   | D           | 3/22/2021              | Communications                    |                        | Move funds to cover Certifications  | \$ 100        |
| 775   | D           | 3/22/2021              | Property/Liability                |                        | Move funds to cover HSA Contributions; Wellness Benefits and Professional Services) | \$ 173,015    |
| 776   | D           | 3/22/2021              | Health Plan                       |                        | Move funds to cover Health Plan Fees  | \$ 63,188     |
| 778   | D           | 3/22/2021              | Library                           |                        | Move funds to cover Maintenance   | \$ 500        |
| 779   | D           | 3/23/2021              | EMS                               |                        | Move funds to cover Repairs, Dues/Subscriptions and Refunds                         | \$ 31,842     |
| 780   | D           | 3/24/2021              | Soil & Water Conservation         |                        | Move funds to cover Dues/Subscriptions and Equipment Repairs                        | \$ 660        |
| 781   | D           | 3/25/2021              | Economic Development              |                        | Move funds to cover Accelerate Cleveland Program                                    | \$ 27,667     |
| 782   | D           | 3/25/2021              | DSS - Title XX                    |                        | Move funds to cover Departmental Supplies   | \$ 32,176     |
| 783   | D           | 3/25/2021              | Social Services Admin             |                        | Move funds to cover Vaccines and Telecommunications                                 | \$ 25,085     |
| 784   | D           | 3/25/2021              | Cap Projects-General              |                        | Move funds to cover equipment purchase  | \$ 200,000    |
| 785   | D           | 3/25/2021              | Public Assistance                 |                        | Move funds to cover Public Assistance   | \$ 4,000      |
| 786   | D           | 3/31/2021              | Sheriff                           |                        | Move funds to cover Equipment Repair  | \$ 16,530     |
| 787   | D           | 3/31/2021              | EMS                               |                        | Move funds to cover Uniforms/Clothing and Refunds                                   | \$ 15,637     |
| 788   | D           | 3/31/2021              | Detention Ctr                     |                        | Move funds to cover Equipment   | \$ 3,309      |
| 789   | L           | 3/31/2021              | Travel & Tourism                  | Econ Develop           | Transfer funds to cover Contracted Services   | \$ 25,000     |
| 790   | D           | 3/31/2021              | SW Landfill                       |                        | Move funds to cover Equipment   | \$ 1,750      |
| 791   | D           | 3/31/2021              | SW Manned Sites                   |                        | Move funds to cover Recycling Containers  | \$ 3,200      |
| 792   | D           | 4/1/2021               | Health Dept General               |                        | Move funds to cover Software  | \$ 12,000     |
| 792   | D           | 4/1/2021               | Adult Health                      |                        | Move funds to cover Contracted Services, COVID Expenses                             | \$ 94,312     |
| 792   | D           | 4/1/2021               | School Health                     |                        | Move funds to cover Telecommunications and Medical Supplies                         | \$ 1,500      |



|     |   |           |                          |                        |  |            |
|-----|---|-----------|--------------------------|------------------------|--|------------|
| 792 | D | 4/1/2021  | Child Health             |                        | Move funds to cover Fees   | \$ 125     |
| 792 | D | 4/1/2021  | Maternal Health          |                        | Move funds to cover Operational Expenses and Lab Fees                                | \$ 3,500   |
| 792 | D | 4/1/2021  | Family Planning          |                        | Move funds to cover Medical Supplies and Lab Fees                                    | \$ 2,000   |
| 792 | D | 4/1/2021  | Environmental Health     |                        | Move funds to cover Operational Expenses   | \$ 307     |
| 792 | D | 4/1/2021  | CODAP                    |                        | Move funds to cover Telecommunications   | \$ 800     |
| 793 | D | 4/6/2021  | ACO                      |                        | Move funds to cover Operational Expenses   | \$ 11,106  |
| 794 | D | 4/6/2021  | Electronic Maint         |                        | Move funds to cover Equipment  | \$ 199,090 |
| 795 | D | 4/7/2021  | Board of Elections       |                        | Move funds to cover Equipment  | \$ 34,820  |
| 796 | L | 4/9/2021  | COPS Grant               | Law Enforcement Grants | Transfer Grant budget to New Department  | \$ 725,288 |
| 797 | D | 4/13/2021 | Communications           |                        | Move funds to cover rental expense   | \$ 93      |
| 798 | L | 4/13/2021 | Human Resources          | Finance                | Transfer budget to cover Part Time Salaries  | \$ 10,000  |
| 799 | D | 4/13/2021 | Travel & Tourism         |                        | Move funds to cover Professional Services  | \$ 19,588  |
| 800 | D | 4/14/2021 | Electronic Maintenance   |                        | Move funds to cover Maintenance Contracts  | \$ 2,070   |
| 801 | D | 4/15/2021 | DSS Admin                |                        | Move funds to cover Contracted Services  | \$ 10,844  |
| 802 | D | 4/15/2021 | Tax Admin                |                        | Move funds to cover Postage  | \$ 4,000   |
| 803 | D | 4/19/2021 | Emergency Mgmt           |                        | Move funds to cover Equipment  | \$ 3,000   |
| 804 | D | 4/20/2021 | Board of Elections       |                        | Move funds to cover Equipment  | \$ 2,555   |
| 805 | D | 4/21/2021 | Board of Elections       |                        | Move funds to cover Refund   | \$ 12,000  |
| 806 | D | 4/21/2021 | EMS                      |                        | Move funds to cover Refunds and Equipment  | \$ 29,305  |
| 807 | L | 4/21/2021 | EMS                      | Volunteer Rescue       | Transfer funds to Equipment  | \$ 25,000  |
| 808 | D | 4/22/2021 | Cap Projs-Gen            |                        | Move funds to cover Professional Services  | \$ 72,849  |
| 809 | D | 4/22/2021 | DSS Admin                |                        | Move funds to cover Contracted Labor   | \$ 5,000   |
| 810 | D | 4/22/2021 | LeGrand                  |                        | Move funds to cover Repairs  | \$ 2,079   |
| 811 | D | 4/26/2021 | Shooting Range Expansion |                        | Move funds to cover Equipment  | \$ 55,486  |
| 812 | D | 4/26/2021 | IT                       |                        | Move funds to cover Year End purchases for Departmental Supplies, Equipment and Dues | \$ 56,440  |
| 813 | D | 4/26/2021 | Haz Mat Control          |                        | Move funds to cover Equipment  | \$ 1,368   |
| 814 | D | 4/27/2021 | Emergency Mgmt           |                        | Move funds to cover Laptops  | \$ 3,065   |

**SHERIFF'S OFFICE: BUDGET AMENDMENT (BNA #059)**

**ACTION:** Commissioner Whetstine made a motion, seconded by Commissioner Hutchins, 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> |
|-----------------------|---------------------|--|-----------------|-----------------|
| 010.441.4.810.09      |                     | Sheriff Dept/Donations-Cap Equip-Genrl | \$10,000.00     |                 |
| 010.441.5.790.09      |                     | Sheriff Dept/Donations-Cap Equip-Genrl | \$10,000.00     |                 |
| 010.441.4.810.20      |                     | Sheriff Dept/Donations-Cap Equip-Genrl | \$1,020.00      |                 |
| 010.441.5.790.20      |                     | Sheriff Dept/Donations-Cap Equip-Genrl | \$10,000.00     |                 |

**Explanation of Revisions:** Budget allocation for \$11,020 in donation funds for K9 Odin, a Belgian Malinois from Warrior Dog Foundation in Dallas, Texas and donation of court ordered forfeiture to the Sheriff's Office of a 2000 Ford Taurus (VIN# 1FAFP-5S5Y-A243-473).

**PLANNING DEPARTMENT: SET PUBLIC HEARING FOR CASE 21-03; NORTH CAROLINA GENERAL STATUTE 160D UPDATES TO THE CLEVELAND COUNTY UNIFIED DEVELOPMENT ORDINANCE (Schedule Public Hearing for June 1, 2021)**

The North Carolina General Assembly has combined portions of statutes 160A and 153A into the new 160D, which now governs land development laws for both counties and municipalities in North Carolina. The state legislature has stated that local governments must have changes to local ordinances in place by July 1, 2021. The changes in 160D have been divided into two categories;

1. Required amendments.
2. Optional amendments.

The public hearing will address required amendments. Planning staff will continue working with the Planning Board to evaluate any applicable optional amendments to bring before the Board.

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

**PLANNING DEPARTMENT: SET PUBLIC HEARING FOR CASE 21-06; REQUEST TO REZONE PROPERTY AT 120 OVEDA DRIVE FROM HEAVY INDUSTRIAL (HI) TO GENERAL BUSINESS (GB) (Schedule Public Hearing for June 1, 2021)**

Allison and Chad Domonoske have applied to rezone a section of parcel 10613 from Heavy Industrial (HI) to General Business (GB). Parcel 10613 is a 196-acre tract of land located at 120 Oveda Drive, in-between Grover and Kings Mountain along South Battleground Avenue. The owners have requested to rezone this parcel from Heavy Industrial (HI) to General Business (GB). Surrounding zoning is a mix of Heavy Industrial and Residential to the east, Light Industrial and Residential to the south, Manufactured Home Parks and Residential to the west,

and Residential to the north. Surrounding uses are mostly residential around Parcel 10613, and industrial uses along South Battleground Avenue.

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

**PLANNING DEPARTMENT: SET PUBLIC HEARING FOR CASE 21-09; REQUEST TO REZONE PROPERTY ALONG FALLSTON ROAD AND HENDRICK LAKE ROAD FROM RURAL AGRICULTURE (RA) TO RESIDENTIAL (R) (Schedule Public Hearing for June 1, 2021)**

Ray Ledford is requesting to rezone an area including 31 adjoining parcels from Rural Agriculture (RA) to Residential (R). This area is located along Highway 18 (Fallston Road) and Hendrick Lake Road. There are a total of 31 parcels with 30 of those parcels having signature support on the petition. The surrounding uses are primarily single-family dwellings with a repair garage and a convenience store located along Highway 18 on the southern portion of the proposed boundary. The surrounding zoning districts are primarily Rural Agriculture (RA) with an existing Residential (R) district on the south side of the proposed area.

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

**LEGAL: RESCUE SQUAD FRANCHISE AGREEMENT UPDATE**

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 (Kings Mountain, Shelby, Upper Cleveland) to update the existing franchise agreements. While this process is underway, staff propose executing an amendment to the existing 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 June 30, 2022, before which the County and the rescue squads expect to have new franchise agreements in place. *(copy found on*

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

AMENDMENT TO AMBULANCE FRANCHISE AGREEMENT (the "Amendment")

**I. PARTIES AND PURPOSE**

This Amendment is made between Cleveland County, North Carolina (the "County") and Kings Mountain Emergency Rescue Services, Inc. D/B/A Kings Mountain Rescue Squad (the "Rescue Squad"). The County and the Rescue Squad hereby renew and amend their previous franchise agreement (the "Agreement") dated August 1, 2015. The terms of the Agreement are incorporated herein by reference, and to the extent that this Amendment does not change those terms, they shall be in full force and effect through the term of this Amendment.

**II. EFFECTIVE DATE AND TERMINATION**

The Effective Date of this Amendment is June 30, 2017. This Amendment shall terminate automatically on June 30, 2022 unless the parties sooner terminate it in writing.

**III. AMENDMENT**

The Rescue Squad is hereby authorized to provide Advanced Life Support ("ALS") level care under the Agreement to the extent that it is also authorized to do so by any applicable state or federal authorities. The Rescue Squad agrees to maintain the applicable level of care when providing such services.

IN WITNESS WHEREOF, the County and the Rescue Squad both execute this Amendment:

**FOR THE COUNTY:**

**FOR THE RESCUE SQUAD:**

Doug Bridges 05/04/2021  
Doug Bridges, Chairman Date  
Board of Commissioners

Bobby M. Rose 5/17/2021  
Bobby M. Rose, President Date

Attested by:

Donna H. Rose 5/17/2021  
Donna H. Rose, Secretary Date

Phyllis Nowlen 05/04/2021  
Phyllis Nowlen Date  
County Clerk

This instrument has been preaudited in the manner required by, and complies with, The Local Government Budget and Fiscal Contract Act.

Lucas Jackson  
Lucas Jackson  
Finance Director

\* Approved @ May 4th, 2021  
Commissioners meeting

AMENDMENT TO AMBULANCE FRANCHISE AGREEMENT (the "Amendment")

**I. PARTIES AND PURPOSE**

This Amendment is made between Cleveland County, North Carolina (the "County") and Shelby Rescue Squad (the "Rescue Squad"). The County and the Rescue Squad hereby renew and amend their previous franchise agreement (the "Agreement") dated August 1, 2015. The terms of the Agreement are incorporated herein by reference, and to the extent that this Amendment does not change those terms, they shall be in full force and effect through the term of this Amendment.

**II. EFFECTIVE DATE AND TERMINATION**

The Effective Date of this Amendment is June 30, 2017. This Amendment shall terminate automatically on June 30, 2022 unless the parties sooner terminate it in writing.

**III. AMENDMENT**

The Rescue Squad is hereby authorized to provide Advanced Life Support ("ALS") level care under the Agreement to the extent that it is also authorized to do so by any applicable state or federal authorities. The Rescue Squad agrees to maintain the applicable level of care when providing such services.

IN WITNESS WHEREOF, the County and the Rescue Squad both execute this Amendment:

**FOR THE COUNTY:**

**FOR THE RESCUE SQUAD:**

Doug Bridges 05/04/2021  
Doug Bridges, Chairman Date  
Board of Commissioners

Jack Wilkins 6/28/21  
Jack Wilkins, President Date

Attested by:

Donna H. Rose 5/17/2021  
Donna H. Rose, Secretary Date

Phyllis Nowlen 05/04/2021  
Phyllis Nowlen Date  
County Clerk

This instrument has been preaudited in the manner required by, and complies with, The Local Government Budget and Fiscal Contract Act.

Lucas Jackson  
Lucas Jackson  
Finance Director

approved @ May 4, 2021  
Commissioners meeting

AMENDMENT TO AMBULANCE FRANCHISE AGREEMENT (the "Amendment")

**I. PARTIES AND PURPOSE**

This Amendment is made between Cleveland County, North Carolina (the "County") and Upper Cleveland Rescue Squad (the "Rescue Squad"). The County and the Rescue Squad hereby renew and amend their previous franchise agreement (the "Agreement") dated August 1, 2015. The terms of the Agreement are incorporated herein by reference, and to the extent that this Amendment does not change those terms, they shall be in full force and effect through the term of this Amendment.

**II. EFFECTIVE DATE AND TERMINATION**

The Effective Date of this Amendment is June 30, 2017. This Amendment shall terminate automatically on June 30, 2022 unless the parties sooner terminate it in writing.

**III. AMENDMENT**

The Rescue Squad is hereby authorized to provide Advanced Life Support ("ALS") level care under the Agreement to the extent that it is also authorized to do so by any applicable state or federal authorities. The Rescue Squad agrees to maintain the applicable level of care when providing such services.

IN WITNESS WHEREOF, the County and the Rescue Squad both execute this Amendment:

**FOR THE COUNTY:**

**FOR THE RESCUE SQUAD:**

Doug Bridges 05/04/2021  
Doug Bridges, Chairman Date  
Board of Commissioners

John D. Rose 5/7/21  
John D. Rose, President Date

Attested by:

Dobbie Hoyle 5/7/21  
Dobbie Hoyle, Secretary Date

Phyllis Nowlen 05/04/2021  
Phyllis Nowlen Date  
County Clerk

This instrument has been preaudited in the manner required by, and complies with, The Local Government Budget and Fiscal Contract Act.

Lucas Jackson  
Lucas Jackson  
Finance Director

\* approved at the May 4th Commissioners Meeting

**ECONOMIC DEVELOPMENT: SET PUBLIC HEARING FOR REAL ESTATE TRANSACTION FOR**

**SHELL BUILDING 3 (Schedule Public Hearing for May 18, 2021)**

Request to set a public hearing for May 18, 2021, to consider a real estate transaction specific to Shell Building 3.

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

**PUBLIC HEARINGS**

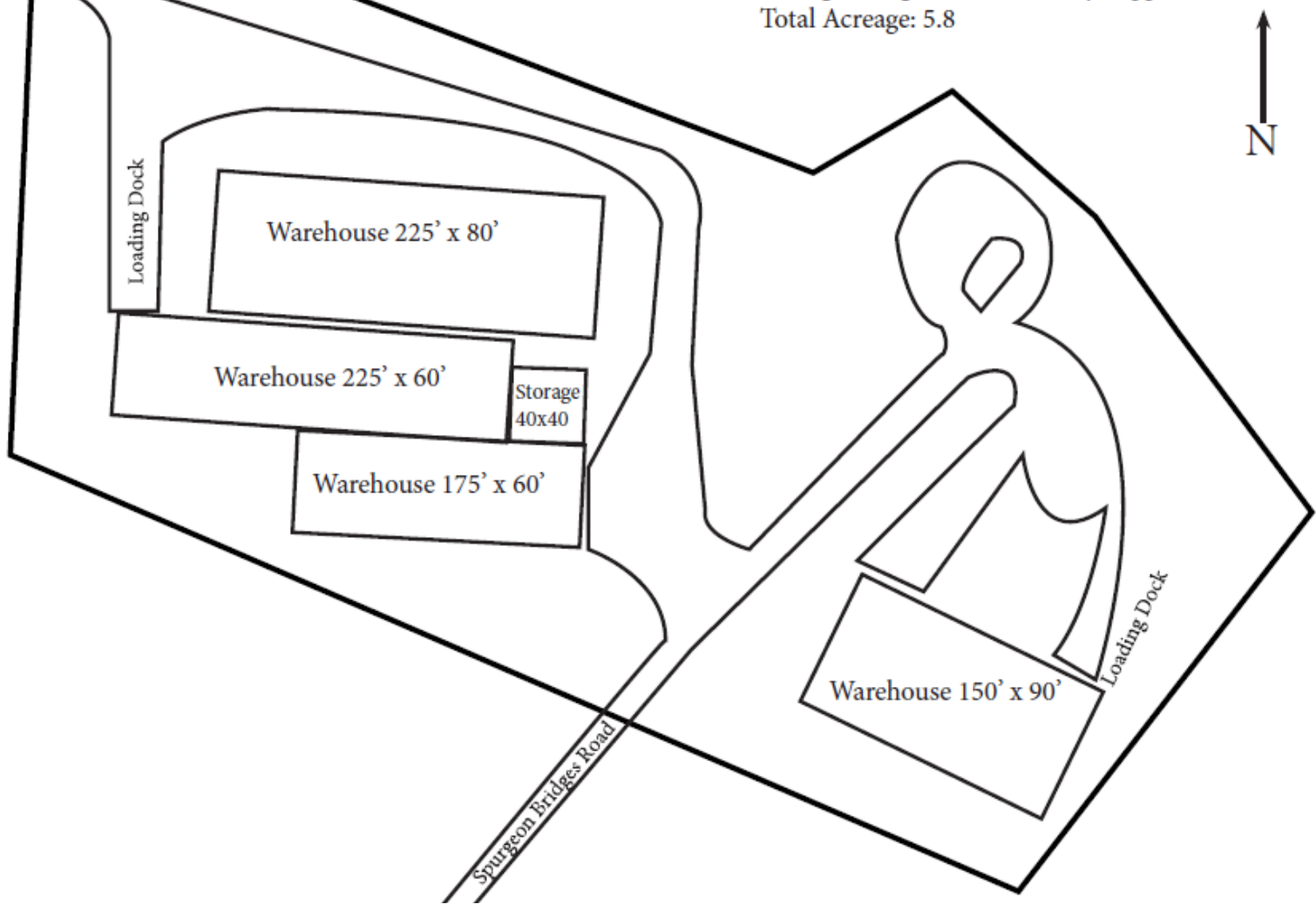
**PLANNING DEPARTMENT – CASE 20-14: REQUEST TO CONDITIONALLY REZONE PROPERTY AT 119 SPURGEON BRIDGES ROAD FROM RESIDENTIAL (R) TO LIGHT INDUSTRIAL CONDITIONAL DISTRICT (LI-CD)**

Chairman Bridges called Henry Earle, Zoning Administrator, to the podium to present Case 20-14; request to rezone property located at 119 Spurgeon Bridges Road from Residential (R) to Light Industrial Conditional District (LI-CD). Parcel 5990 is a 5.75-acre tract owned by Nelson Biggers and is located on a private drive off of Mt Sinai Church Road. Multiple warehouses were constructed on the property from the early 1980's through 2005, and were originally used as a textile mill, known as Abercrombie Textiles Inc. Mr. Biggers acquired the property in 2015 and has continued to use the property for warehousing. This use was established prior to a zoning ordinance in this area; therefore, it is considered a legal non-conforming use, meaning it was legally established but does not conform to the current zoning or development ordinances. Mr. Biggers is requesting to rezone the property to the conforming zoning district of Light Industrial Conditional District (LI-CD). The existing use will be compliant in this zoning district. The 2015 Land Use Plan acknowledges that there are many industrial plants scattered throughout the County with a number of these located in non-compliant zoning districts. The Land Use Plan encourages the re-use of these industrial sites so long as such redevelopment is in harmony with the surrounding area and doesn't overburden the transportation and/or utility infrastructure.

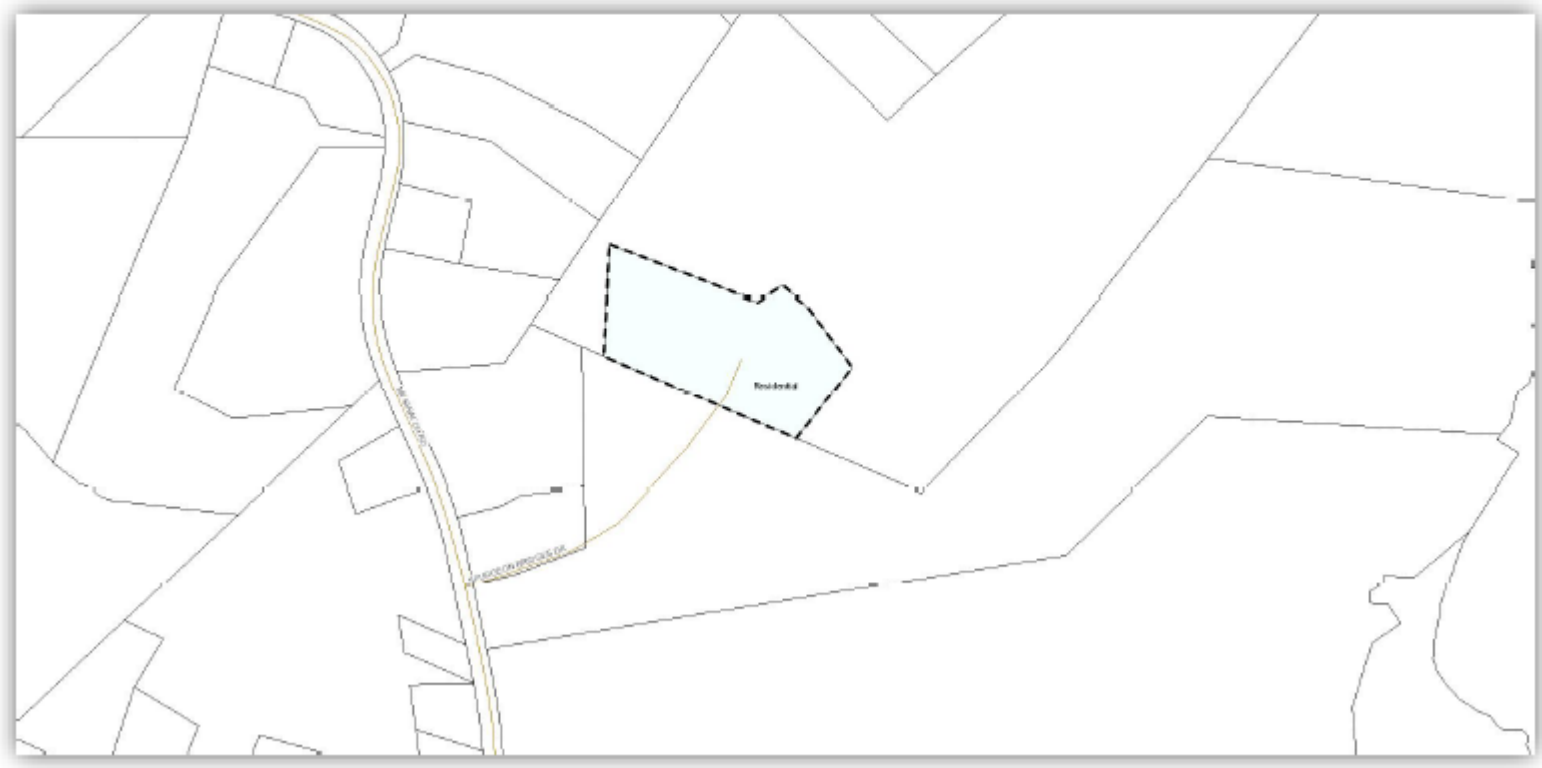
The Planning Board voted unanimously to recommend approving the rezoning request from Residential (R) to Light Industrial-Conditional District (LI-CD). The Board felt that the proposed rezoning would be compatible with the surrounding area and would allow the zoning district to be compatible with the existing use, thus eliminating a nonconforming use. This use is consistent with the Land Use Plan.



Case 20-14-Site Plan  
119 Spurgeon Bridges Road  
Nelson Biggers  
R to LI-CD for Warehousing/Storage and Machinery Supplies  
Total Acreage: 5.8



**Case # 20-14 Zoning Map**  
119 Spurgeon Bridges Drive  
Parcel 5990 5.75 acres





**Case # 20-14 Aerial Map**  
119 Spurgeon Bridges Drive  
Parcel 5990 5.75 acres



Chairman Bridges opened the Public Hearing at 6:21 pm for anyone wanting to speak for or against the request to rezone property located at 119 Spurgeon Bridges Road from Residential (R) to Light Industrial Conditional District (LI-CD). (*Legal Notice was published in the Shelby Star on Friday, April 23, 2021 and Friday, April 30, 2021.*)

**Robert Williams, 814 E. Stagecoach Trail, Fallston** – spoke in favor of the rezoning request. He commented on the process that was properly followed and the Planning Board voting unanimously to approve the rezoning request. Mr. Williams concluded by stating getting properties zoned properly could increase the opportunity for economic development.

**Chris Turner, 1419 Mount Zion Church Rd., Shelby** – spoke in support of the rezoning request. He asked if the rezoning is approved, what are the conditions and uses the property could be used for.

Mr. Earle advised if approved, the use would be for warehousing with what is on the property. Should Mr. Biggers want to change the use of the property, he will have to come back before the Board of Commissioners to seek approval.

Hearing no further comments, Chairman Bridges closed the Public Hearing at 6:26pm.

Chairman Bridges opened the floor to the Board for questions and discussion. Commissioner Hutchins stated the property was already being used for Light Industrial (LI) and the rezoning request would bring the parcel into compliance.

**ACTION:** Commissioner Hutchins made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board, *to approve the request to rezone property located at 119 Spurgeon Bridges Road from Residential (R) to Light Industrial Conditional District (LI-CD).*

RECORDING FEE \$ 26.00

**ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF CLEVELAND COUNTY**

**Residential (R) to Light Industrial Conditional District (LI-CD)**

- Parcel: 5990 – Owner: Ralph Nelson Biggers and Donna Biggers Washington – Deed Book 1698, Page 1023

WHEREAS, Article Two of Chapter 160D of the North Carolina General Statutes provides for the planning and regulation of development within the territorial jurisdiction of the county; and

WHEREAS, the Cleveland County Planning Board recommended to approve the zoning map amendment on April 27, 2021; and

WHEREAS, said rezoning will promote the health, safety, and welfare of the citizens of Cleveland County, the public interest would be furthered, and said amendment would be reasonable and beneficial to the orderly growth of Cleveland County; and

WHEREAS, notice of the Public Hearing was published in the Shelby Star on April 23 and 30, 2021. Notices were mailed to adjoining property owners on April 23, 2021 and a sign posted at the property on April 23, 2021; and

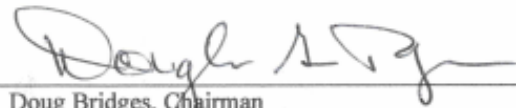
WHEREAS, all requirements of the North Carolina General Statutes have been met prior to any action by the Cleveland County Board of Commissioners to amend the Official Zoning Map following a Public Hearing on May 4, 2021; and


NOW THEREFORE BE IT ORDAINED by the Cleveland County Board of Commissioners that the Cleveland County Zoning Map, as described in Section 12-147 of the Cleveland County Unified Development Ordinance, be amended to change the classification of the above-mentioned parcel from Residential to Light Industrial-Conditional District for Case 20-14.

This Ordinance shall become effective upon adoption and approval.

Adopted this fourth day of May 2021.

ATTEST:

  
Doug Bridges, Chairman  
Cleveland County Board of Commissioners

  
Phyllis Nowlen, Clerk  
Cleveland County Board of Commissioners



**PLANNING DEPARTMENT – CASE 20-15: REQUEST TO CONDITIONALLY REZONE PROPERTY AT 1701 BURKE ROAD FROM RESIDENTIAL (R) TO LIGHT INDUSTRIAL CONDITIONAL DISTRICT (LI-CD)**

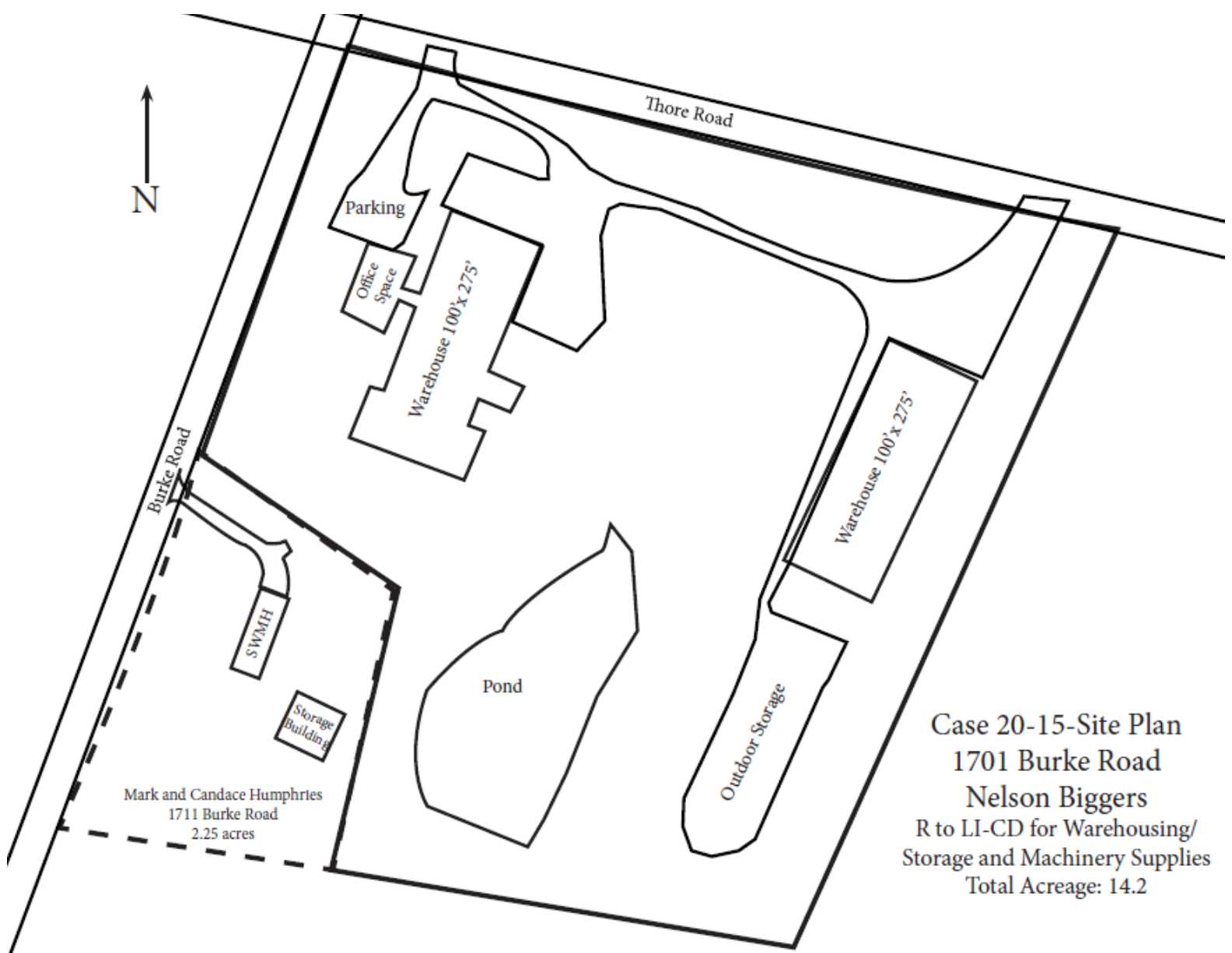
Zoning Administrator Henry Earle remained at the podium to present Case 20-15; request to rezone property at 1701 Burke Road from Residential (R) to Light Industrial Conditional District (LI-CD). Parcel 2758 is a 14-acre tract owned by Nelson Biggers at the corner of Thore Road and Burke Road. Multiple warehouses were constructed on the property from the 1970's through the 90's and were originally used as plastic manufacturing plant known as Plastic Oddities Inc. Mr. Biggers acquired the property in 2003 and has continued to use the property for warehousing. This industrial use of the property was established prior to a zoning ordinance in this area; therefore, it is considered a legal non-conforming use, meaning it was legally established but doesn't conform to the current zoning or development ordinances. Mr. Biggers is requesting to rezone the property to the conforming zoning district of Light Industrial Conditional District (LI-CD). The existing use will be compliant in this zoning district. The 2015 Land Use Plan acknowledges that there are many industrial plants scattered throughout the County with a number of these located in non-compliant zoning districts. The Plan encourages the



re-use of these industrial sites so long as such redevelopment is in harmony with the surrounding area and doesn't overburden the transportation and/or utility infrastructure.

The Planning Board voted unanimously to recommend approving the rezoning request from Residential (R) to Light Industrial-Conditional District (LI-CD). The Board felt the proposed rezoning would be compatible with the surrounding area and would allow the zoning district to be compatible with existing use, thus eliminating a nonconforming use. This use is consistent with the Land Use Plan.

**Case # 20-15 Zoning Map**  
1701 Burke Road  
Parcel 2758 14.0 acres



**Case # 20-15 Aerial Map**  
1701 Burke Road  
Parcel 2758 14.0 acres



Chairman Bridges opened the Public Hearing at 6:28 pm for anyone wanting to speak for or against the request to rezone property located at 1701 Burke Road from Residential (R) to Light Industrial Conditional District (LI-CD). (*Legal Notice was published in the Shelby Star on Friday, April 23, 2021 and Friday, April 30, 2021*).

**Chris Turner, 1419 Mount Zion Church Rd., Shelby** – stated he was in support of the rezoning request.

**Robert Williams, 814 E. Stagecoach Trail, Fallston** – spoke in favor of the rezoning request, echoing his comments from rezoning case 20-14.

**Gary Strickland, 1646 Riverhill Dr., Shelby** – inquired if the Planning Board was aware there is a graveyard located on parcel 2758 and would this make any difference in their decision.

Mr. Earle stated they were not aware of the possible graveyard however this would not hinder the rezoning decision and if there is a graveyard on the property, the landowner is required by law to give access to the descendants of those who are buried there.

**Peggy Baker, 1901 Burke Rd., Shelby** – spoke neither in favor or against the rezoning request. She asked if the rezoning is approved, would the land owner be allowed to build more warehouses and other buildings on the property or is the approval for strictly what is already located on the parcel.

Mr. Earle advised, just like Case 20 -14, should Mr. Biggers want to change the use of the property; he will have to come back before the Board of Commissioners to seek approval. Mr. Biggers is bound to his site plan.

Hearing no further comments, Chairman Bridges closed the Public Hearing at 6:31pm.

Chairman Bridges opened the floor to the Board for questions and discussion. Commissioner Hutchins asked Mr. Earle, *“In regards to the possible graveyard, are there separate laws correlated to how and who has accessibility to a graveyard?”* Mr. Earle stated, North Carolina Statutes requires access be given to the descendants of those who are buried in a graveyard. A property owner can not deny them access.

**ACTION:** Commissioner Whetstine made the motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board, ***to approve the request to rezone property located at 1701 Burke Road from Residential (R) to Light Industrial Conditional District (LI-CD).***





Doc No: 200056050  
Recorded: 06/03/2021 09:29:13 AM  
Fee Amt: \$26.00 Page 1 of 1

RECORDING FEE \$ 26.00

Cleveland County North Carolina  
Betsy S. Harnage, Register of Deeds  
BK 1842 PG 1458 - 1458 (1)

**ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF CLEVELAND COUNTY**

**Residential (R) to Light Industrial Conditional District (LI-CD)**

- Parcel: 2758 – Owner: Ralph Nelson Biggers – Deed Book 1400, Page 1301

WHEREAS, Article Two of Chapter 160D of the North Carolina General Statutes provides for the planning and regulation of development within the territorial jurisdiction of the county; and

WHEREAS, the Cleveland County Planning Board recommended to approve the zoning map amendment on April 27, 2021; and

WHEREAS, said rezoning will promote the health, safety, and welfare of the citizens of Cleveland County, the public interest would be furthered, and said amendment would be reasonable and beneficial to the orderly growth of Cleveland County; and

WHEREAS, notice of the Public Hearing was published in the Shelby Star on April 23 and 30, 2021. Notices were mailed to adjoining property owners on April 23, 2021 and a sign posted at the property on April 23, 2021; and

WHEREAS, all requirements of the North Carolina General Statutes have been met prior to any action by the Cleveland County Board of Commissioners to amend the Official Zoning Map following a Public Hearing on May 4, 2021; and

WHEREAS, the parcel to be rezoned is more fully described as tract one in Deed Book 1400, Page 1301.


NOW THEREFORE BE IT ORDAINED by the Cleveland County Board of Commissioners that the Cleveland County Zoning Map, as described in Section 12-147 of the Cleveland County Unified Development Ordinance, be amended to change the classification of tract one of the above mentioned parcel from Residential to Light Industrial-Conditional District for Case 20-15.

This Ordinance shall become effective upon adoption and approval.

Adopted this fourth day of May 2021.

ATTEST:

  
\_\_\_\_\_  
Doug Bridges, Chairman  
Cleveland County Board of Commissioners

  
\_\_\_\_\_  
Phyllis Nowlen, Clerk  
Cleveland County Board of Commissioners



**PLANNING DEPARTMENT – CASE 21-08: REQUEST TO UPDATE THE TABLE OF USES FOR MANUFACTURED HOME PARKS AND RECREATIONAL VEHICLE PARKS**

Chairman Bridges recognized County Manager Brian Epley to present the request to update the Table of Uses for Manufactured Home Parks and Recreational Vehicle Parks. The Board of Commissioners directed staff to submit a petition to consider a text amendment to the Unified Development Code pertaining to Recreational Vehicle Parks and Manufactured Home Parks. This petition proposes to amend the code regarding the zoning districts that both RV parks and manufactured home parks are permitted in. Currently, Manufactured Home Parks are allowed in the Manufactured Home Parks (RM) district with the issuance of a Zoning Permit and in the Residential (R) district with the issuance of a Conditional Use Permit. Recreational Vehicle Parks are allowed in the General Business (GB) district with the issuance of a Zoning Permit and in the Rural Agriculture (RA), the Residential (R) District and the Corridor Protection (CP) Overlay with the issuance of a Conditional Use Permit. The request is to amend Section 12-124, Table of Uses, in the Cleveland County Unified Development Ordinance in the following manner:

- **Manufactured Home Parks:** Remove Manufactured Home Parks from the Residential (R) zoning district.
- **Recreational Vehicle Parks:** Add RV Parks as a permitted use to the Neighborhood Business (NB) zoning district and remove RV parks as a permitted use from the Rural Agriculture, Residential, and Corridor Protection zoning districts.

|                            | NAICS | RA | RR | R | RM | NB | GB | CP | LI | HI |
|----------------------------|-------|----|----|---|----|----|----|----|----|----|
| Manufactured Home Parks    | 00000 |    |    | € | Z  |    |    |    |    |    |
| Recreational Vehicle Parks | 72120 | €  |    | € |    | Z  | Z  | €  |    |    |

The Planning Board voted 4-2 to recommend approving the text amendment request to change the table of uses for Manufactured Home Parks and Recreational Vehicle Parks. The Board felt that the proposed amendment would be consistent with the listed descriptions of existing zoning districts and would therefore be more compatible with the Unified Development Ordinance as a whole. The following PowerPoint and information was presented to Commissioners.

### Case 21-08

## Manufactured Home Parks and Recreational Vehicle Parks



APRIL, 2021

### Items for consideration:

- R.V. Parks**
  - Zoning District- Remove conditional use permits from all zoning districts. Allow development in GB and NB
- Mobile Home Parks**
  - Zoning District- Remove conditional use permits from residential (R) zoning district. Allowed in RM

### Land Use History



| Year | Event   |
|------|---|
| 1995 | Adoption of Land Use Plan                       |
| 2000 | Adoption of County Wide Zoning                  |
| 2005 | Adoption of Land Use Plan                       |
| 2015 | Isothermal Recommends Full Land Use Plan Update |
| 2019 | Commissioners make Land Use Top Priority        |
| 2020 | County chooses Benchmark Planning               |
| 2021 | Bring to Commissioners- August 2021             |

### Development Components



Land Use & Planning Development

### Development Standards- Status

| Priority             | Action   | Status        |
|----------------------|--|---------------|
| Solar Farm Ordinance | Ordinance Update<br>Zoning Districts- CUP<br>Permitting Fee Schedule                           | ✓<br>✓<br>✓   |
| R.V. Parks Ordinance | Development Standards- Phase I<br>Development Standards- Phase II<br>Zoning Districts- GB / NB | ✓<br>X<br>TBD |
| Mobile Home Parks    | Update Development Standards (ordinance)<br>Zoning District Text Amendment (RM)                | TBD<br>TBD    |

### Current Allowable Uses

| RESIDENTIAL            | NAICS | RA | RR | R | RM | NB | GB | CP | LI | HI |
|------------------------|-------|----|----|---|----|----|----|----|----|----|
| RV Park and Campground | 72120 | C  |    | C |    |    | Z  | C  |    |    |

| RESIDENTIAL             | NAICS | RA | RR | R | RM | NB | GB | CP | LI | HI |
|-------------------------|-------|----|----|---|----|----|----|----|----|----|
| Manufactured Home Parks | 00000 |    |    | C | Z  |    |    |    |    |    |

### Current Code Residential Definitions

- **Residential:** The purpose of this district is to accommodate low-density single-family detached dwellings, modular homes, manufactured homes at a maximum density of two (2) dwelling units per acre.
- **Rural Agriculture:** The purpose of this district is to accommodate agricultural and residential uses in the rural areas of the county at a maximum of one (1) dwelling per three (3) acres.
- **Residential Manufactured Homes and Parks:** This district accommodates the widest variety of residential uses including low-density single-family detached dwellings, modular homes, manufactured homes and manufactured home parks.

### Current Code Business Definitions

- **General Business:** The purpose of this district is to accommodate a wide variety of retail business, professional, and personal services, office, and limited wholesale and warehousing uses. These uses are generally located on arterial streets with the capacity for additional commercial traffic.
- **Neighborhood Business:** This purpose of this district is to accommodate small, limited retail and service land uses that provide goods and services to surrounding residential neighborhoods. The intent of this district is to encourage the location of convenience retail establishments, professional services, and offices that will be compatible with surrounding residential uses.

## In Conclusion



- Case 21-08 proposes the following changes:

| RESIDENTIAL            | NAICS | RA | RR | R | RM | NB | GB | CP | LI | HI |
|------------------------|-------|----|----|---|----|----|----|----|----|----|
| Manufactured Home Park | 00000 |    |    | € | Z  |    |    |    |    |    |
| RV Park and Campground | 72120 | €  |    | € |    | Z  | Z  | €  |    |    |

- **Planning Board:** The Planning Board voted 4-2 in favor of the proposed amendment, stating that it brought the allowances for the uses into conformity with the definitions of the proposed zoning districts.

9

## Action Items



### 1. R.V. Parks

- Zoning District- Remove conditional use permits from all zoning districts. Allow development in GB and NB

[ACTION TO APPROVE OR DENY CODE TEXT AMENDMENT](#)

### 2. Mobile Home Parks

- Zoning District- Remove conditional use permits from residential (R) zoning district. Allowed in RM

[ACTION TO APPROVE OR DENY CODE TEXT AMENDMENT](#)

10

Chairman Bridges opened the floor to the Board for questions and discussion. Commissioner Hutchins asked, *“If the zoning districts are changed, but if an individual has enough property and meets the zoning criteria, can that person come back and petition to rezone his land?”* Mr. Epley stated that was correct. Commissioner Hutchins continued, *“this change will not block rezoning completely because a petitioner can come back and petition to rezone.”* Mr. Epley explained, *“existing non-conforming parcels would be grandfathered in which would include anything permitted or already existing/operating and the proposed change would have no impact on future projects that aren’t at that status yet. If there is a new project that is planned but has not yet been permitted, a simple rezoning can be done by either a traditional zoning permit or a Conditional Use Permit (CUP).”*

Chairman Bridges opened the Public Hearing at 6:43 pm for anyone wanting to speak for or against the request to rezone to update the Table of Uses for Manufactured Home Parks and Recreational Vehicle Parks. *(Legal Notice was published in the Shelby Star on Friday, April 23, 2021 and Friday, April 30, 2021).*

**Robert Williams, 814 E. Stagecoach Trail, Fallston** – spoke neither for or against the Text Amendment change. He suggested the Commissioners table their decision and send the case back to the Planning Board until they can reach a unanimous agreement regarding the proposed Text Amendment.

**Bill Santos, 1522 Riverhill Drive, Shelby** – spoke in favor of the proposed Text Amendment changes. He stated there has been a fair hearing with the Planning Board and the Commissioners have a vision for a better plan that will benefit the entire county and not just parcels here and there. Mr. Santos concluded that it would make sense to have Mobile Home Parks in General Business districts rather than dense neighborhoods.

**Phil Piercy, 1951 Red Road, Shelby** – spoke in favor the proposed Text Amendment changes. He advised there has been numerous discussions regarding the placement of RV Parks and Mobile Home Parks and echoed Mr. Santos comments. Mr. Piercy pointed out there are 14 people in attendance who support the Text Amendment change and only 1 against the change.

**Sara Tongel, 1811 Riverhill Drive, Shelby** – spoke in favor the proposed Text Amendment changes. She attended the Land Use Plan Steering Committee for Economic Development Meeting that was held at the LeGrand Center several weeks ago. Participants talked about the importance of attracting people and businesses to Cleveland County. Ms. Tongel stated, correct zoning of businesses and homes plays a crucial role in the growth of the county. She also reiterated, Mr. Santos and Mr. Piercy’s previous comments. She commented on Mr. Williams’



opinion regarding tabling the discussion advising the majority of the Planning Board agreed this was a good text change.

**Chris Turner, 1419 Mount Zion Church Rd., Shelby** – spoke in favor the proposed Text Amendment changes echoing the previous comments made in support. He thanked the Planning Board and the Board of Commissioners for the hard work they have put into this type of zoning issue and for their fore sight that will benefit communities across the county.

**Katrina Callahan, 1465 Red Road, Shelby** – spoke in favor the proposed Text Amendment changes. She expressed her opinion on Mobile Home and RV Parks and agreed with the previous statements that they belong in a General Business district not in a neighborhood. She voiced concerns of the traffic impact and safety these places could have in a highly populated neighborhood.

**Robert Williams, 814 E. Stagecoach Trail, Fallston (rebuttal)** – stated he is not against growth and positive impacts on the county, he does question why the Planning Board’s vote was not unanimous and what the reason was for the split vote.

Hearing no further comments, Chairman Bridges closed the Public Hearing at 7:00pm.

**ACTION:** Commissioner Whetstine made the motion, seconded by Commissioner Gordon, and unanimously adopted by the Board, *to approve the Code Text Amendment as shown below.*

### Zoning District Table of Uses

#### Manufactured Home Parks

| Table of Permitted Uses         |              |    |    |          |          |    |    |    |    |    |
|---------------------------------|--------------|----|----|----------|----------|----|----|----|----|----|
|                                 | NAICS        | RA | RR | R        | RM       | NB | GB | CP | LI | HI |
| <b>RESIDENTIAL</b>              |              |    |    |          |          |    |    |    |    |    |
| Residential Single-Family       | 00000        | Z  | Z  | Z        | Z        | Z  |    |    |    |    |
| Modular Home                    | 00000        | Z  | Z  | Z        | Z        | Z  |    |    |    |    |
| Manufactured Homes              | 00000        | Z  |    | Z        | Z        | Z  |    |    |    |    |
| <b>Manufacture Home Parks</b>   | <b>00000</b> |    |    | <b>E</b> | <b>Z</b> |    |    |    |    |    |
| Two-Family (Duplex)             | 00000        | Z  |    | Z        | Z        | Z  |    |    |    |    |
| Multi-Family Housing            | 00000        |    |    | Z        | Z        | Z  |    |    |    |    |
| Family Development              | 00000        | Z  |    |          |          |    |    |    |    |    |
| Industrial Occupational Housing | 00000        |    |    |          |          |    |    |    | C  | C  |

#### Recreational Vehicle Parks

| ACCOMMODATION AND FOOD SERVICES   |              |          |    |          |    |          |          |          |    |    |
|-----------------------------------|--------------|----------|----|----------|----|----------|----------|----------|----|----|
|                                   | NAICS        | RA       | RR | R        | RM | NB       | GB       | CP       | LI | HI |
| Hotel/Motel                       | 72111        |          |    |          |    |          | Z        | Z        |    |    |
| Bed and Breakfast Inn             | 72119        | Z        | Z  | Z        | Z  | Z        | Z        | Z        |    |    |
| <b>Recreational Vehicle Parks</b> | <b>72120</b> | <b>E</b> |    | <b>E</b> |    | <b>Z</b> | <b>Z</b> | <b>E</b> |    |    |
| Rooming and Boarding House        | 72130        | Z        |    | Z        | Z  |          |          |          |    |    |
| Special Food Services             | 72230        | Z        |    |          |    | Z        | Z        | Z        | Z  |    |
| Bar/Tavern                        | 72241        |          |    |          |    | C        | C        | C        | C  | C  |
| Restaurant                        | 72250        | Z        |    |          |    | Z        | Z        | Z        | Z  |    |



**REGULAR AGENDA**

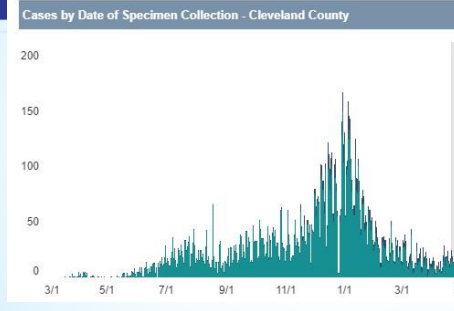
**COVID-19 VACCINATION UPDATE**

Chairman Bridges called Health Department Director Tiffany Hansen to the podium to present the COVID-19 Vaccination update. The following information and PowerPoint was presented to Commissioners.

**COVID 19 UPDATE**  
**TIFFANY HANSEN**



**COVID19 in Cleveland County**  
(Updated 5/3/21)



**Cases by Date of Specimen Collection - Cleveland County**

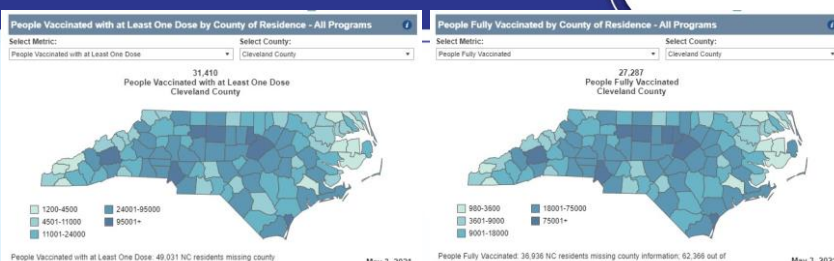
|                                       |        |
|---------------------------------------|--------|
| <b>TOTAL CASES Cleveland County</b>   | 11,317 |
| <b>MOLECULAR (PCR) POSITIVE CASES</b> | 10,248 |
| <b>ANTIGEN POSITIVE CASES</b>         | 1,069  |

- Active Cases: 99 (1%)
- Deaths: 224 (2%)
- Recovered: 10994 (97%)

**Percent Positivity**

- NC: 4.8%
- CC: 5.1%

**Vaccinations in Cleveland County**



**People Vaccinated with at Least One Dose by County of Residence - All Programs**

**People Fully Vaccinated by County of Residence - All Programs**

- At Least One Dose Administered: **31,410 (32.1%)**
- Fully Vaccinated: **27,287 (27.9%)**


**Get YOUR Shot at ALL these SPOTS**

- Cleveland County Health Department (In Person)
- Kings Mountain Medical Center
- Shelby Family Practice
- CaroMont Family Medicine-Shelby
- CLECO Medical Center of Shelby
- Kintegra Family Medicine-Boiling Springs
- Upper Cleveland Medical Center
- Kintegra Family Medicine-Kings Mountain
- Mountain Street Pharmacy
- Shelby Drugstore
- Ingles Pharmacy
- CVS Pharmacy
- Walmart Pharmacy
- Walgreens Pharmacy

\*\*\* Please call to check vaccine availability and processes, varies by location \*\*\*

**Community Outreach Campaigns**

**COVID-19 Vaccines & People Who Would Like to Have a Baby:**



**#GotMyShotClevelandCounty**

Testimonials from community members:

- "I got my COVID shot to protect my team and community."
- "I got my COVID shot to protect my staff and patients."
- "I got my COVID shot to protect my family."
- "I got my COVID shot to gather safely with family and friends."
- "Me vacuné de COVID para proteger mi familia y comunidad."
- "I got my COVID shot to protect my family and community."
- "I got my COVID shot to protect my family and my team."

**Vaccination Sites throughout the County**

- Crest High School
- Burns Middle School
- Kings Mountain Intermediate School
- LeGrand Center
- Eaton Corporation
- Clearwater Paper Corporation
- NVR Building Products
- 44 Residential Care or Group Homes
- Gardner Webb University
- Cleveland County Fairgrounds



**Through It ALL.....**



**COVID19 Information**

**COVID-19 VACCINE**  
Appointment Line

**CALL FOR:**  
• 1st Dose Appointments

**980-484-6109**

**COVID-19 HELPLINE**

**CALL FOR:**  
• General COVID-19 Info  
• Second Dose Info

**980-484-5316**

## QUESTIONS

Chairman Bridges opened the floor to the Board for questions and discussion. Commissioner Hutchins inquired if there was a plan in place to reach the more rural areas of the County such as Grover, Casar and Belwood. Mrs. Hansen advised the State is working with local medical facilities to onboard them to become approved providers. Commissioner Hutchins asked if there was a way to provide a vaccine clinic to those areas for the citizens. Mrs. Hansen advised that could be done, appointments would need to be made ahead of time to ensure no vaccine is wasted. She explained Emergency Medical Services (EMS) was an authorized user. They have been going to home bound citizens within the community to give the COVID-19 vaccine if a person calls and requests the vaccine. Community resources and campaigns have been used to get the information out to homebound residents. Commissioner Hardin asked, *“what is the percentage of people getting the second dose of the vaccine?”* Mrs. Hansen stated Cleveland County has a 93% compliance rank of citizens getting both doses of the vaccine. The Board thanked Mrs. Hansen for the information and thanked the Health Department staff and the other County Departments for their continued hard work and dedication through the pandemic and vaccination distribution.

### COMMISSIONER REPORTS

**Commissioner Gordon** – thanked staff for the hard work and time they take to complete the many projects that are happening in Cleveland County. He also spoke about the work that has been going in to update the new Land Use Plan. The Fire Association awarded scholarships to two graduating seniors in Cleveland County.

**Commissioner Hardin** – attended the drive-thru Employee Recognition event at the LeGrand. She commented on the great work that is done by all County employees.

**Commissioner Hutchins** – attended several other board meetings in which he serves on and spoke about places and events starting to open more for events.

**Commissioner Whetstine** – spoke about the upcoming National Day of Prayer and the Land Use Meetings, inviting people to attend so their thoughts and opinions are heard.

**Chairman Bridges** – thanked staff across the organization for the hard work they do everyday during these difficult times.

**ADJOURN**

There being no further business to come before the Board at this time, Commissioner Hutchins made a motion, seconded by Commissioner Hardin and unanimously adopted by the Board, *to adjourn the meeting*. The next meeting of the Commission is scheduled for *Tuesday, May 18, 2021 at 6:00 p.m. in the Commissioners Chambers*.

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*Doug Bridges, Chairman  
Cleveland County Board of Commissioners*

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