

Cleveland County Board of Commissioners
September 6, 2022

The Cleveland County Board of Commissioners met on this date, at the hour of 6:00 p.m. in the Commission Chambers of the Cleveland County Administrative Offices.

PRESENT: Kevin Gordon, Chairman
Deb Hardin, Vice-Chair
Johnny Hutchins, Commissioner
Ronnie Whetstine, Commissioner
Doug Bridges, Commissioner
Tim Moore, County Attorney
Brian Epley, County Manager
Phyllis Nowlen, Clerk to the Board
Kerri Melton, Assistant County Manager
Tiffany Hanson, Health Department Director
Chris Martin, Planning Director
Martha Thompson, Chief Deputy Attorney
Stori McIntyre, E-911 Communications Director
Jason Falls, Business Development Director
Scott Bowman, Maintenance Director

CALL TO ORDER

Chairman Gordon called the meeting to order, and Chief Executive Officer for Partners Behavioral Health Rhett Melton provided the invocation and led the audience in the Pledge of Allegiance.

AGENDA ADOPTION

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

SPECIAL PRESENTATION

AMERICAN LEGION WORLD SERIES GOLDEN KNIGHTS

Chairman Gordon recognized American Legion World Series (ALWS) volunteer Robert Farrow to give Commissioners a brief presentation about the Golden Knights. The United States Army Parachute Team, the Golden Knights, headquartered at Fort Bragg, North Carolina, are demonstration teams that travel the United States performing for public audiences at venues ranging from small civic events to nationally and internationally televised events and air shows. Team members are from a variety of backgrounds in one of the 150 jobs in the U.S. Army.

The parachutists perform to exacting standards but may tailor their performance for a specific venue. The Golden Knights have an unparalleled safety record in the professional parachuting arena with competition teams that have won national and international competitions. On behalf of the Golden Knights, Mr. Farrow presented Commissioners with a lithograph photo, signed by members of the Golden Knights, thanking them for their continued support and all they do for the citizens of Cleveland County.

CITIZEN RECOGNITION

Carter York, no address given – spoke about the Cleveland County Fairgrounds and its management. He advised he would like to see improvements in the fairgrounds ranging from the Fair Board, the maintenance and upkeep of the property and improved agriculture programs for the children and teens of Cleveland County.

Robert Williams, 814 E. Stagecoach Trl, Lawndale – spoke about his opinion on how Commissioners' meeting Minutes are composed advising they should be written verbatim instead of a detailed summary.

CONSENT AGENDA

APPROVAL OF MINUTES

The Clerk to the Board included the Minutes from the *July 12 and August 2, 2022* regular meetings and Minutes from the *August 8, 2022* joint work session with the Cleveland County Board of Education in Board members' packets.

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

FINANCE DEPARTMENT: MONTHLY MANAGER'S REPORT

- The Finance Department continues working through the audit process for FY22 with our external audit firm Thompson Price Scott & Adam's. The audit evaluates the performance of a unit of local government with regard to compliance with applicable federal and state laws as well as the accuracy and reliance of the financial statement disclosures. This process concludes in October-November with submission to the Local Government Commission for approval. The County was recently awarded a Certificate of Achievement for Excellence in Financial Reporting for FY 21, making the eighth year receiving this prestigious award. The Finance Department is also currently working on an end-of-year report for FY 22 to be presented to commissioners in October.
- The County received the first of eighteen distributions of funds from the National Opioid Settlement. North Carolina is part of a \$26 billion agreement that will help bring desperately needed relief to communities impacted by opioids. These funds will be used to support treatment, recovery, harm reduction, and other life-saving programs and services throughout Cleveland County. The County will continue receiving these dedicated funds until 2038.
- During FY 22, the County met 5 of the 6-performance metrics of the Performance Management Bonus System. This achievement allowed savings throughout the organization that the organization reinvested in employees with a total 2.5% bonus, based on their annual compensation, that was made in two payments of March and September. The County will continue the Performance Management Bonus System for FY 23 focusing on the 6 organizational priorities of talent retention (>91%), FTE Head Count (<775), Customer Service (>92%), Health Plan Costs (<5%), Health Driven Activities (>60%), Employee Training Completion (>70%). The next performance bonus measurement date will be on September 15th, 2022, when employees are able to earn up to a 1.5% bonus based on their annual compensation if all metrics are achieved.
- Cleveland County EMS billing department billed 15,462 calls during FY 22. Charges for those bills totaled \$8,041,449 with the County collecting \$5,689,246 or 71%.

BUDGET TRANSFERS LEGEND: D = DEPARTMENTAL; L = LATERAL

BUD #	BUDGET TYPE	DATE SUBMITTED BY DEPT	DEPT NAME TO	DEPT NAME FROM	EXPLANATION	BUDGET AMOUNT
1262	D	7/7/2022	Environmental Hlth		Move funds to cover equipment purchase	\$ 1,350
1263	D	7/12/2022	Economic Develop		Move funds to cover copier lease	\$ 2,000
1264	D	7/12/2022	Managers Office		Move funds to cover equipment purchase	\$ 1,487
1265	D	7/15/2022	EMS		Move funds to cover equipment purchase	\$ 6,500
1266	D	7/14/2022	Human Resources		Move funds to appropriate account for contracts	\$ 72,004
1267	D	7/19/2022	Emergency Mgmt		Move funds to cover telecommunications	\$ 147
1268	D	7/13/2022	Health Promotions		Move funds to cover copier lease	\$ 44
1269	D	7/13/2022	Employee Wellness		Move funds to cover copier lease	\$ 518
1270	D	7/20/2022	Cooperative Ext		Move funds to cover professional services	\$ 325
1271	D	7/20/2022	LeGrand Ctr		Move funds to appropriate account for internet service	\$ 31,620
1272	D	7/20/2022	IT		Move funds to appropriate account for internet/ethernet service	\$ 42,390
1273	D	7/20/2022	IT		Move funds to appropriate account for internet/ethernet service not included in B#1271	\$ 4,359
1274	D	7/20/2022	IT		Move funds to appropriate account for internet/ethernet service not included in B#1271	\$ 9,081
1275	D	7/20/2022	Human Resources		Move funds to cover contracted services	\$ 1
1276	D	7/21/2022	SW Landfill		Move funds to cover equipment purchase	\$ 2,836
1277	D	7/22/2022	Detention Ctr		Move funds to cover equipment rental	\$ 5
1278	D	7/25/2022	Electronic Maint		Move funds to cover utilities	\$ 170
1279	D	8/1/2022	Property/Liability		Move funds to cover contracted services	\$ 25,026
1280	D	8/1/2022	Human Resources		Move funds to cover supplies and motor fuels	\$ 1,470
1281	D	8/2/2022	DSS Relocation		Move funds to construction in progress	\$ 83,280
1282	D	8/2/2022	SW Landfill		Move funds to cover vehicle purchase	\$ 4,850
1283	D	8/4/2022	School Health		Move funds to appropriate account for contracts	\$ 300
1283	D	8/4/2022	TB/STD/CD		Move funds to appropriate account for contracts	\$ 12,255
1284	D	8/4/2022	TB/STD/CD		Correct Account Posting Error on #1283	\$ -
1285	D	8/4/2022	Child Health		Move funds to cover contracted labor	\$ 30,000
1286	D	8/8/2022	Cap Projs-Gen		Move funds to cover license plate fees	\$ 42
1287	D	8/8/2022	Health-WIC		Move funds to cover travel/training	\$ 3,400
1288	D	8/8/2022	E911		Move funds to cover contracted services	\$ 5,591
1289	D	8/9/2022	Maintenance		Move funds to cover contracted services	\$ 16,000
1290	D	8/10/2022	Health Plan		Move funds to cover professional services	\$ 19,710
1291	D	8/10/2022	Cap Projs-Gen		Move funds to cover professional services	\$ 75,000
1292	D	8/10/2022	Health		Move funds to cover contracted services (Replaces #1290 post)	\$ 19,710
1293	D	8/10/2022	BOE		Move funds to cover notary fees	\$ 50
1294	D	8/15/2022	Cap Projs-Gen		Move funds to cover transportation	\$ 5,000
1295	D	8/15/2022	Cap Projs-Gen		Correct Account Posting Error on #1294	\$ 5,000
1296	D	8/15/2022	Cap Projs-DSS Relocation		Move funds to cover rental expense	\$ 6,000
1297	D	8/16/2022	COVID		Move funds to cover equipment purchase	\$ 713
1298	D	8/16/2022	COVID		Move funds to cover equipment purchase	\$ 71,602
1299	D	8/18/2022	COVID		Move funds to cover highway use tax	\$ 2,000
1300	D	8/18/2022	DSS Relocation		Move funds to cover furniture purchase	\$ 69,044
1301	L	8/19/2022	HEALTH		Move funds to appropriate department	\$ 23,634
1302	D	8/19/2022	Court		Move funds to cover subscriptions	\$ 1,302
1303	D	8/19/2022	COVID		move funds to cover COVID vaccine scheduling.	\$ 4,700
1304	D	8/19/2022	Workers Comp		Move funds to appropriate account for insurance	\$ 40,202
1305	D	8/19/2022	Property/Liability		Move funds to appropriate account for insurance	\$ 56,891

TAX COLLECTOR'S MONTHLY REPORT

The Tax Collector provided Commissioners with the following detailed written report regarding taxes collected during *July 2022*.

TOTAL TAXES COLLECTED JULY 2022			
YEAR	AMOUNT-REAL	AMOUNT-GAP	COMBINED AMT
DEF REV	\$96,001.68	\$31,590.93	\$127,592.61
2022	\$988,391.39	\$6,196.92	\$994,588.31
2021	\$119,768.85	\$732.85	\$120,501.70
2020	\$16,059.73	\$194.74	\$16,254.47
2019	\$7,833.49	\$0.00	\$7,833.49
2018	\$7,001.68	\$0.00	\$7,001.68
2017	\$2,473.26	\$0.00	\$2,473.26
2016	\$1,535.01	\$0.00	\$1,535.01
2015	\$1,173.99	\$0.00	\$1,173.99
2014	\$3,849.48	\$0.00	\$3,849.48
2013	\$835.22	\$0.00	\$835.22
2012	\$260.16	\$0.00	\$260.16
			\$1,283,899.38
TOTALS	\$1,245,183.94	\$38,715.44	\$1,283,899.38
DISCOUNT	(\$4,843.04)		
INTEREST	\$21,472.76	\$71.62	
TOLERANCE	\$2.53	(\$0.34)	
ADVERTISING	\$380.00		
GARNISHMEN	\$1,633.72	GAP BILL FEES	DEFERRED GAP
NSF/ATTY	\$0.00	\$110.54	\$0.00
LEGAL FEES	\$387.69		
TOTALS	\$1,264,217.60	\$38,897.26	
MISC FEE	\$0.00		
TAXES COLL	\$1,264,217.60		GRAND TOTAL
DEFERD REV	\$96,001.68	\$31,590.93	\$1,303,114.86
	\$1,168,215.92	\$7,306.33	\$1,175,522.25

TOTAL TAXES UNCOLLECTED JUNE 2022			
YEAR	AMOUNT-REAL	AMOUNT-GAP	COMBINED AMT
2022	\$89,200,270.16	\$164,513.03	\$89,364,783.19
2021	\$1,284,181.66	\$95,451.72	\$1,379,633.38
2020	\$718,045.17	\$48,202.96	\$766,248.16
2019	\$664,608.81	\$0.00	\$664,608.81
2018	\$353,404.15	\$0.00	\$353,404.15
2017	\$220,786.30	\$0.00	\$220,786.30
2016	\$161,878.54	\$0.00	\$161,878.54
2015	\$132,169.92	\$0.00	\$132,169.92
2014	\$132,344.59	\$0.00	\$132,344.59
2013	\$98,843.68	\$0.00	\$98,843.68
2012	\$80,067.55	\$0.00	\$80,067.55
		\$0.00	\$0.00
	\$93,046,600.53	\$308,167.74	\$93,354,768.27

Deffered	\$0.00	\$0.00	\$0.00
TOTAL UNCOLLECTED	\$93,046,600.53	\$308,167.74	\$93,354,768.27

The list of late applications for exemption, exclusion, or deferral pursuant to North Carolina General Statute 105-282.1(a1) is included in Commissioner packets. Applicants would have qualified and been approved by the Tax Administrator had they been timely filed with the tax office by January 31, 2022. The estimated County fiscal impact is \$7,236.33.

**2022 LATE APPLICATIONS FOR EXEMPTION / EXCLUSION / DEFERRAL
09/06/2022**

Name	Parcel/Account	Type	Estimated Value Exempt/Deferred	Estimated Fiscal Impact (County Only)
Cleveland County Music Hall of Fame	65129/1338670	Charitable/Educational	\$ 89,209.00	\$ 488.42
Mount Calvary Baptist Church	21493/1319675	Religious Purpose	\$ 1,232,495.00	\$ 6,747.91
TOTAL			\$ 1,321,704.00	\$ 7,236.33

Staff Recommendation: Approve late applications

NOTES: Both applications qualify for their respective exemptions and would have been approved by Tax Administrator had they been received timely by January 31, 2022. NCGS 105-282.1(a1) allows late applications to be approved by Board of County Commissioners.

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board, *to approve the pending refunds and releases and the 2022 late applications for exemption/exclusion/deferral as submitted by the Tax Assessor.*

CLEVELAND COUNTY SCHOOLS: BUDGET AMENDMENT (BNA #003)

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

Account Number	Project Code	Department/Account Name	Increase	Decrease
010.600.5.800.00		Clev Co Schools/Other Operating Expense	\$1,500,000.00	
010.410.4.980.42		General Revenues/Transfers fm Sch Cap Res	\$1,500,000.00	
010.440.5.910.00		SRO/Capital Equipment	\$126,109.00	
010.410.5.980.42		General Revenues/Transfers fm Sch Cap Res	\$126,109.00	

Explanation of Revisions: Budget allocation for \$1.5MM from school capital reserve to be used for teacher supplements and purchase of capital equipment.

SHERIFF'S OFFICE: BUDGET AMENDMENT (BNA #004)

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

Account Number	Project Code	Department/Account Name	Increase	Decrease
010.410.4.980.41		General Revenues/ Transfers fm Cap Res	\$100,000.00	
010.441.5.910.00		Sheriff's Dept/Capital Reserve	\$100,000.00	

Explanation of Revisions: Budget allocation for \$100,000 in grant funds received from the North Carolina General Assembly through the state budget to be used for the purchase of capital equipment in the Sheriff's Office.

FINANCE DEPARTMENT: BUDGET AMENDMENT (BNA #005)

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

Account Number	Project Code	Department/Account Name	Increase	Decrease
024.424.4.350.24		Opioid Settlement/ST Opioid Settlement	\$277,102.00	
024.424.5.490.00		Opioid Settlement/Professional Services	\$277,102.00	

Explanation of Revisions: Budget allocation for \$277,102 in funds received through the national opioid settlement. These funds will be used to bring relief to communities throughout the county that have been impacted by opioids.

FINANCE DEPARTMENT: BUDGET AMENDMENT (BNA #006)

ACTION: Commissioner Hutchins 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>
010.430.5.700.00		Municipal Grants/Grants	\$675,000.00	
010.430.5.701.00		Municipal Grants/ Municipal Grants-Park/Rec	\$338,097.00	
010.430.4.350.00		Municipal Grants/State Government Grants	\$1,013,097.00	
049.470.4.350.00		Capital Project-Shooting Range/State Government Grants	\$442,927.00	
049.470.5.910.00		Capital Project-Shooting Range/Capital Equipment	\$442,927.00	

Explanation of Revisions: Budget allocation for \$1,456,024 in grant funds received from the North Carolina General Assembly through the state budget. A portion of these funds will be divided amongst the municipalities in Cleveland County. The County’s portion of this allocation will be used for the Shooting Range Expansion in anticipation of the National Glock Sport Shooting match scheduled for November 2022.

LIBRARY: BUDGET AMENDMENT (BNA #007)

ACTION: Commissioner Hutchins 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>
010.611.4.350.00		Library/State Government Grants	\$87,033.00	
010.611.5.700.00		Library/Grants	\$87,033.00	

Explanation of Revisions: Budget allocation for \$87,033 from non-recurring funds from the State Library of North Carolina as part of the Covid-19 relief funds.

LIBRARY: BUDGET AMENDMENT (BNA #008)

ACTION: Commissioner Hutchins 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>
010.611.4.350.00		Library/State Government Grants	\$100,000.00	
010.611.5.700.00		Library/Grants	\$100,000.00	

Explanation of Revisions: Budget allocation for \$100,000 from non-recurring funds from the State Library of North Carolina as part of the Library Services & Technology Act (LSTA) bookmobile grant.

SOCIAL SERVICES: BUDGET AMENDMENT (BNA #009)

ACTION: Commissioner Hutchins 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>
011.504.4.310.00		Title XX/Federal Govt Grants	\$21,000.00	
011.504.5.500.01		Title XX/Misc Grant Expense	\$21,000.00	

Explanation of Revisions: Budget allocation for \$21,000 in one-time LINKS grant funds for school uniforms and clothing. \$500 per foster child ages 14 – 17 years of age.

SOCIAL SERVICES: BUDGET AMENDMENT (BNA #010)

ACTION: Commissioner Hutchins 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>
011.508.4.410.00		Income Maintenance/Local & Other Grants	\$50,000.00	
011.508.5.700.00		Income Maintenance/Grants	\$50,000.00	

Explanation of Revisions: Budget allocation for \$50,000 in grant funds from the Dover Foundation to assist clients with utility bills.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #011)

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

<u>Account Number</u>	<u>Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
012.532.4.350.00		TB-CD-STD/State Govt Grant Comm Disease	\$175,395.00	
012.532.5.121.00		TB-CD-STD/Salaries FT Reg	\$117,895.00	
012.532.5.210.00		TB-CD-STD/Departmental Supplies	\$5,000.00	
012.532.5.230.00		TB-CD-STD/Medical Supplies	\$2,500.00	
012.532.5.310.00		TB-CD-STD/Travel-Training	\$5,000.00	
012.532.5.311.00		TB-CD-STD/Educational Supplies	\$5,000.00	
012.532.5.370.00		TB-CD-STD/Advertising-Promotions	\$40,000.00	

Explanation of Revisions: Budget allocation for \$175,395 in funds received from the North Carolina Department of Health and Human Services for Communicable Disease Pandemic Recovery. Funds will be used toward existing salaries/fringes as well as medical supplies, billboard advertisement, departmental supplies and training. All these expenses will be used towards the expansion of the essential public health services to control communicable diseases in the community.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #012)

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

<u>Account Number</u>	<u>Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
012.540.4.310.41		WIC-NE/Federal Govt Grant WIC-NE	\$5,500.00	
012.540.4.310.43		WIC-BRF/Federal Govt Grant WIC-BRF	\$10,038.00	
012.540.5.310.41		WIC-NE/Travel Training WIC-NE	\$2,000.00	
012.540.5.370.41		WIC-NE/Advertising-Promotions WIC-NE	\$3,500.00	
012.540.5.210.43		WIC-BRF/Departmental Supplies	\$200.00	
012.540.5.310.43		WIC-BRF/Travel Training WIC-BRF	\$2,100.00	
012.540.5.370.43		WIC-BRF/Advertising WIC-BRF	\$1,919.00	
012.540.5.581.43		WIC-BRF/Awards Appreciation	\$5,819.00	

Explanation of Revisions: Budget allocation for \$15,538 in additional funds received from the North Carolina Department of Health and Human Services due to the increase in caseload volume. These funds will be used towards the purchase of pregnancy journals for clients, as well as agency promotion of National Breastfeeding month in August, which will include a walk-in downtown Shelby. The cost will include t-shirts, refreshments and incentives given to participants. Monies will also cover travel costs for WIC Conference.

FINANCE DEPARTMENT: BUDGET AMENDMENT (BNA #013)

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

<u>Account Number</u>	<u>Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
493.250.4.991.00		Cap Proj-Justice Center/Fund Balance Appr	\$58,750,000.00	
493.250.4.350.00		Cap Proj-Justice Center/State Govt Grants	\$400,000.00	
493.250.5.991.00		Cap Proj-Justice Center/Const in Progress	\$58,824,343.00	
493.250.5.420.00		Cap Proj-Justice Center/Contracted Services	\$325,657.00	

Explanation of Revisions: Budget allocation for \$59,150,000MM for SCIF grant funds for the New Justice Center.

PLANNING DEPARTMENT: REQUEST TO SET A PUBLIC HEARING FOR TUESDAY, OCTOBER 4, 2022 FOR CASE 22-25; REQUEST TO REZONE PROPERTY AT 435 RANGE ROAD FROM RESIDENTIAL (R) TO RESIDENTIAL MANUFACTURED HOMES AND PARKS (RM)

Parcel 10111 is approximately 6.4 acres, located at 435 Range Road, is owned by James Camp. The parcel is currently in the Residential (R) zoning district, with Restricted Residential (RR) to the south, and Residential (R) to the north. The property has a single manufactured home on it and has been a manufactured home park in the past. The surrounding area consists of mostly residential uses with a subdivision directly south across Range Road. The

Land Use Plan designates this area as Future Secondary growth area and suggests larger lots be used for Manufactured Home Parks and this lot meets the minimum lot size of five acres, per the ordinance.

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

ECONOMIC DEVELOPMENT: PROJECT SAFE BUILDING REUSE GRANT

A local government resolution in support of Project Safe and the Rural Building Reuse and Infrastructure Grant. PROJECT SAFE intends to create over the next 2 years, approximately 23 new, permanent full-time jobs with an annual average wage of \$67,911. PROJECT SAFE anticipates creating approximately \$1MM in net new investment, which will increase the population, taxable property base and business prospects for the County.

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Hardin, and unanimously approved by the Board to, *adopt the resolution in support of Project Safe Building Reuse Grant.*



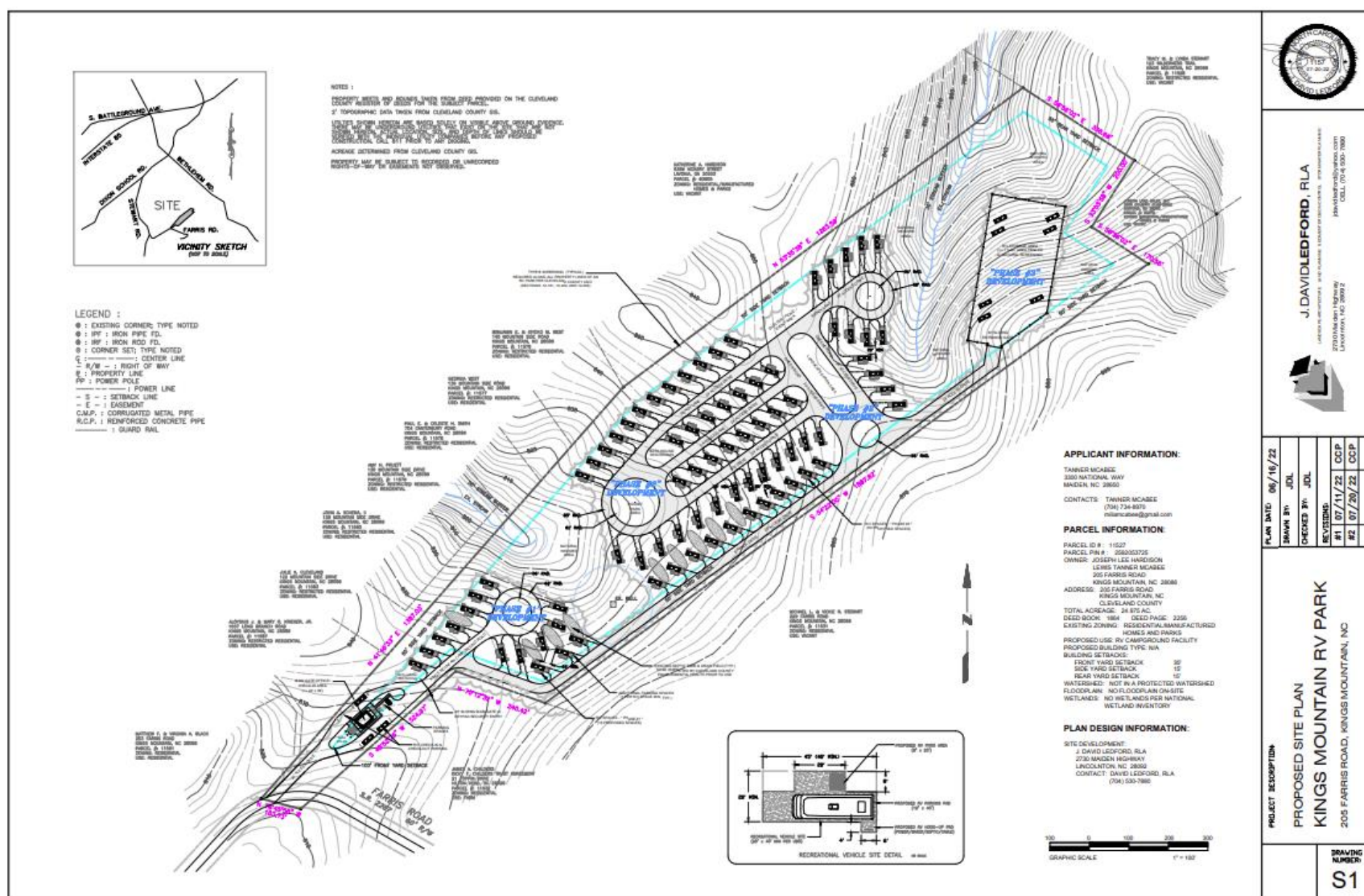
PUBLIC HEARINGS

PLANNING DEPARTMENT CASE 22-21: REQUEST TO REZONE PROPERTY AT 205 FARRIS ROAD FROM RESIDENTIAL MANUFACTURED HOMES AND PARKS (RM) TO NEIGHBORHOOD BUSINESS-CONDITIONAL USE (GB-CU) FOR A RECREATIONAL VEHICLE PARK

Chairman Gordon recognized Planning Director Chris Martin to present Planning Department Case 22-21: request to rezone property at 205 Farris Road from Residential Manufactured Homes and Parks (RM) to Neighborhood Business-Conditional Use (NB-CU) for a Recreational Vehicle Park. Parcel 11527 is approximately 25 acres located at 205 Farris Road in Kings Mountain and is owned by the applicant Tanner McAbee and Joseph Hardison. The property is south of Kings Mountain and the South Battleground Industrial Park and is currently

vacant but has in the past been a manufactured home park. The surrounding area consists of rural residential uses, some agricultural uses and large vacant land tracts, zoned Residential (R), Restricted Residential (RR) along Mountain Side Drive and Residential (R) along Farris Road. The Land Use Plan (LUP) designates the area as Secondary Growth and encourages it to retain its rural character, promote residential uses, and guide commercial uses to major intersections. Mr. McAbee has submitted a site plan for the proposed RV park. The site plan shows three phases. The first phase is 15 sites and the second is 68 sites. The third phase involves RV storage but no new additional spots. The submitted site plan meets the requirements of chapter 12-161 of the Cleveland County Unified Development Ordinance (UDO).

The Planning Board voted 5-1 to recommend approval of the requested rezoning petition. The Board commented an RV Park would be compatible with the surrounding area, would be near the State park and recreation to the east, and the proposed RV Park would be less impactful than the previous use of a manufactured home park that was on the property.



Case # 22-21 Zoning Map
 205 Farris Road
 Parcel 11527 25 Acres



Case # 22-21 Aerial Map
205 Farris Road
Parcel 11527 25 Acres



Chairman Gordon opened the Public Hearing at 6:28 pm for anyone wanting to speak for or against Planning Department Case 22-21: request to rezone property at 205 Farris Road from Residential Manufactured Homes and Parks (RM) to Neighborhood Business-Conditional Use (NB-CU) for a Recreational Vehicle Park. (*Legal Notice was published in the Shelby Star on Friday, August 19, 2022 and Friday, August 26, 2022*).

Julie Waseman, 122 Mountain Side Drive, Kings Mountain - spoke in opposition to the rezoning request citing the proposed site would increase the area's density by 200% which contradicts the county's Land Use Plan (LUP) and conflicts with the harmony of the community. She also spoke of her concerns with the increase in traffic, congestion and the safety of the children who live in that area. She reminded Board members that a petition against the rezoning request has been signed by 76 surrounding residents and submitted for Commissioner's review.

Jonas Hansen, 109 Mountain Side Drive, Kings Mountain - spoke in opposition to the rezoning request expressing his concerns of an R.V. Park ranging from criminal activity to

John Schena, 126 Mountain Side Drive, Kings Mountain - spoke in opposition to the rezoning request advising the area is in a rural community and echoed Mrs. Waseman's comments regarding lack of compatibility.

Bill Rice, 105 Mountain Side Drive, Kings Mountain - spoke in opposition to the rezoning request stating the RV Park could bring down the value of the surrounding homes and questioned the safety, security and maintenance of the proposed site.

James Waseman, 122 Mountain Side Drive, Kings Mountain - spoke in opposition to the rezoning request advising it is not in harmony with the rural community. Mr. Waseman gave statistics of calls for service for other RV Parks in Cleveland County and expressed concerns for neighborhood safety.

Beverly Grahl, 252 Farris Road, Kings Mountain – spoke in opposition to the rezoning request echoing the previous comments made regarding traffic and community safety.

Mary Kriega, 120 Mountain Side Drive, Kings Mountain - spoke in opposition to the rezoning request expressing her concerns for the traffic safety of the community.

Amy Smith 130 Mountain Side Drive, Kings Mountain - spoke in opposition to the rezoning request echoing the previous concerns about crime, traffic and safety in the neighborhood.

Tanner McAbee, 205 Farris Road, Kings Mountain – is the applicant and spoke in favor of the rezoning request. He explained his plans for this site and outlined how it would be maintained and kept.

Keleigh Boulware, 200 Stewart Road, Kings Mountain – spoke in opposition to the rezoning request expressing her opinion regarding Mr. McAbee’s “lack of” maintenance of the current rentals he already has and supported the other previous comments made.

Mark Simpson, 2205 Taylor Street, Shelby – spoke in favor of the rezoning request advising the importance of RV Parks in a growing community and addressing the concerns that have been presented by members of the community. He also commented on the infrastructure, upkeep and maintenance that Mr. McAbee will provide for the site.

Greg Boyd, 147 Stewart Road, Kings Mountain – spoke in opposition to the rezoning request citing his concerns about litter and traffic concerns.

Robert Williams, 814 E. Stagecoach Trl, Fallston – spoke in opposition to the rezoning request stating he did not know anything about the case but advised denial due to the Planning Board’s split decision.

Hearing no further comments, Chairman Gordon closed the Public Hearing at 7:06 pm.

Chairman Gordon opened the floor to the Board for questions and discussion. Commissioner Bridges inquired if this would be considered spot zoning. Mr. Martin replied that the proposed rezoning would allow uses similar to those that already exist and surrounding the parcel, so this weighs against this being considered spot zoning. Mr. Martin suggested that the Board consider the compatibility of the proposed zoning change with the surrounding area, the land use plan, and the compatibility of the proposed zoning district with surrounding zoning districts. Commissioner Hutchins asked Mr. Martin if he would consider the proposed zoning amendment to be a spot zone, who advised that he would not consider this to be spot zoning, because this is a large tract of land and the requested zoning district would allow uses similar to those allowed in the surrounding zoning districts under the UDO. Commissioner Whetstine asked for a map that could demonstrate the zoning districts surrounding the property. The Clerk to the Board brought the proposed map up on the projector. Commissioner Hardin commented that the surrounding districts included Residential (R), Restricted Residential (RR), and Manufactured Home Park Residential (RMP). Commissioner Whetstine questioned why if there are no businesses anywhere around and the applicant wants to include a business use that is not spot zoning. Mr. Martin advised that Neighborhood Business is a mixed-use district that allows both business uses and residential uses. The business uses typically found in Neighborhood Business districts are meant to serve a community. Commissioner Whetstine commented that neighborhood businesses are usually smaller businesses, and an RV park does not appear to be a typical neighborhood business. Commissioner Hutchins expressed concerns that the construction of an RV park in this

area would create traffic and safety problems. Commissioner Whetstine commented that this rezoning would put a business in the middle of a residential area.

ACTION: Commissioner Whetstine made a motion, seconded by Commissioner Bridges, and unanimously adopted by the Board to, *deny the request to rezone property at 205 Farris Road from Residential Manufactured Homes and Parks (RM) to Neighborhood Business-Conditional Use (NB-CU) for a Recreational Vehicle Park.*

PLANNING DEPARTMENT CASE 22-20: REQUEST TO REZONE PROPERTY AT 1256 CLEVELAND AVENUE FROM RESIDENTIAL (R) TO GENERAL BUSINESS (GB) CONTINUED FROM THE AUGUST 2, 2022

Planning Director Chris Martin remained at the podium to review Planning Department Case 22-20: request to rezone property at 1256 Cleveland Avenue from Residential (R) to General Business (GB). The public hearing for this case was originally opened on the August 2, 2022 Commissioner's meeting but was continued at the request of the applicant, Michael Brown, due to his project manager being unable to attend that meeting. Mr. Martin reminded Board members that parcel 57853 is approximately 50 acres near Grover, between Patterson Springs and Grover. The vacant property is owned by ME Brown Enterprises, LLC, and Mr. Brown is requesting a zoning map amendment for this tract of land from Residential (R) to General Business (GB). Surrounding uses consist of mostly single-family residential on both smaller lots and large acreage lots. The surrounding zoning district is Residential with the Corridor Protection Overlay along Highway 226. Both residential uses and commercial uses are compliant in this area. The Land Use Plan (LUP) designates the area as a Secondary Growth Area and recommends the area to retain its rural and agricultural character, encouraging single-family residential to be on larger lots, while promoting smaller lots within subdivisions, and promoting small-scale commercial around major rural crossroads.

The Planning Board voted 3-1 to recommend denial of the rezoning petition. The Board commented the requested change is inconsistent with the LUP's description of where commercial uses should be located within the secondary growth area. The LUP expects the secondary growth area to retain its rural character and commercial uses should be encouraged to locate at major intersections.

Chairman Gordon reminded Commissioners and members of the audience that the public hearing for case 22-20 is still open from the August 2, 2022 Commissioners' meeting for anyone wanting to speak for or against Planning Department Case 22-20: request to rezone property at 1256 Cleveland Avenue from Residential (R) to General Business (GB). (*Legal Notice was published in the Shelby Star on Friday, July 22, 2022 and Friday, July 29, 2022*).

Roy James, 106 Silverado Drive, Grover – spoke in opposition to the rezoning request citing the problems from the other properties owned and operated by the applicant.

Preston Brown, 305 Chestnut Ridge Road, Kings Mountain – is the Project Manager for the proposed business and spoke in favor of the rezoning request. He outlined the site plans and improvements for 1256 Cleveland Avenue that would make it a good community neighbor.

Maddie Connor, no address given – spoke in opposition to the rezoning request echoing Mr. James’ comments.

Thomas Connor, no address given – spoke in opposition to the rezoning request expressing his concerns over the criminal activity and lack of safety in the neighborhood if this project is approved.

Diane Villanueva, 107 Silverado Drive, Grover – spoke in opposition to the rezoning request citing safety concerns, echoing the previous comments of negative impacts on the peaceful community.

Carter York, no address given – spoke in opposition to the rezoning request, supporting Mr. Connor’s concerns about the proposed project.

Dee Haynes, 1172 Cleveland Ave, Grover – spoke in opposition to the rezoning request expressing her concerns over traffic and safety.

Angela McKee, 2629 Cleveland Ave – spoke in opposition to the rezoning request stating Grover is a small town and would not be able to support the amount of traffic that would come through their community and the negative impact on their home values.

Steve McKee, 2629 Cleveland Ave – spoke in opposition to the rezoning request echoing previous comments and concerns.

Mike Brown, 1256 Cleveland Ave, Grover – is the applicant and spoke in favor of the rezoning request. He advised per the county’s Planning Director; that he is able to build the drive-in now without any rezoning approval. Mr. Brown spoke positively about his company’s recognition throughout the country and explained the project plans for the site.

Lisa Jaynes, 106 Silverado Drive, Grover – spoke in opposition to the rezoning request. She lives across from 1256 Cleveland Avenue and referenced the lack of communication from Mr. Brown as to what the site would be used for. She also spoke about the lack of neighborhood harmony a business or RV park would have on the community.

Hearing no further comments, Chairman Gordon closed the Public Hearing at 7:39 pm.

Chairman Gordon opened the floor to the Board for questions and discussion. Commissioner Hutchins asked Mr. Martin about the construction of the drive-in without any rezoning approval. Mr. Martin explained there is a highway overlay on all the state roads in North Carolina. This overlay allows various businesses, including drive-ins, to be built in the overlay district, however, it does not allow RV Parks. RV Parks are allowed in the General Business (GB) zoning area. Chairman Gordon requested for Mr. Martin to explain the corridor overlay district. Mr. Martin advised businesses such as drive-ins, offices, retail and recreational uses are allowed in the corridor within 500 feet of the road per the county’s zoning ordinances.

Commissioner Hardin inquired if the property is rezoned to General Business (GB) can any type of business be on that parcel even if the petitioners were to ever sell it or change their project business plans. Mr. Martin replied any business allowed in the General Business (GB) would be permitted on the property. Upon reviewing

the highway overlay, Chairman Gordon asked how much of the business needs to be in the overlay, could it just be the drive-in screens, parking, etc.? Mr. Martin responded it would need to be the entire business; parking included in the overlay corridor. Commissioners asked if approved, would it be considered spot zoning? Mr. Martin advised it could be considered a spot zone and non-compliant with surrounding zoning areas.

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and was adopted by the Board (4 – 1, Commissioner Hutchins opposed) to, *deny the request to rezone property at 1256 Cleveland Avenue from Residential (R) to General Business (GB).*

REGULAR AGENDA

PARTNERSHIP WITH PARTNERS BEHAVIORAL HEALTH

Chairman Gordon recognized Chief Executive Officer Rhett Melton for Partners Behavioral Health. Mr. Melton reviewed the North Carolina Medicaid transformation. Medicaid enrollees will be enrolled in one of three types of plans:

- Standard Plans
- Tailored Plans
- Medicaid Direct

Eligibility criteria are based on primary health care needs and the standard and tailored plans will manage physical health, behavioral health and pharmacy services for members. Other topics discussed include plan populations and differences, managed care benefits, phases of the Medicaid transformation, opioid epidemic activities and the connection of Partners efforts to Cleveland County’s health focus. The following information and PowerPoint were presented to Board members.



**Cleveland County
Commissioners Update**
September 6, 2022

Topics to review

- ▶ Medicaid transformation.
- ▶ Opioid epidemic activities.
- ▶ Connection of Partners efforts to County’s health focus.



Managed Care is not new to NC

- ▶ **What managed care do you know of in NC?**
 - LME/MCO PIHP contracts-Prepaid Inpatient Health Plan BH and I/DD plans managing 1915 (b)(c) waiver (2005 PBH/Cardinal pilot and statewide est. 2013).
 - NC Managed Care (integrated with medical care) with 5 Health plans called PHPs -Prepaid Health Plans (est. 2021).



Managed Care Waiver is Changing

- ▶ 1915 (b) (3) waiver to 1115 demonstration Medicaid waiver with 1915 (i) services
- ▶ Services will expand with the goal of integrated care
- ▶ NC General Assembly dictates in general statutes
- ▶ Waivers are authorized by Centers for Medicaid and Medicare Services



Tailored Plan: Partners Health Management

Partners Tailored Plan:	Partners NC Medicaid Direct Plan:
Begins Dec. 1, 2022	Begins Dec. 1, 2022
Covers managed care for our most vulnerable citizens	Mental health, substance use disorders, intellectual/developmental disabilities, traumatic brain injuries, care management
Physical health, mental health, substance use disorders, intellectual/developmental disabilities, pharmacy care	Medical services will be fee-for-service
Innovations and registry services Tailored care management	Non-emergency transportation is handled by DSS
Wellness programs	
Non-emergency transportation services for Medicaid members	



Tailored Plan Populations

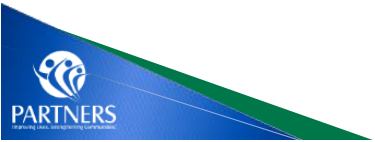
- ▶ Will serve the following special populations:
 - Medicaid and Health Choice members who need enhanced level mental health and substance use disorder services
 - I/DD, TBI and Innovations Waiver enrollees and*waitlist members (*if opt in)
 - State-funded behavioral health, intellectual/developmental disabilities and traumatic brain injury services for individuals who are uninsured and underinsured.



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NC Managed Care Benefits

- ▶ Tailored Plan members will get care through Partners' network of doctors and specialists
- ▶ Carolina Complete Health is Partners' PHP partner and we will include their providers in Partners' PHP network
- ▶ Physical Health, Pharmacy, BH, TBI and I/DD services
- ▶ Non-emergent Medical Transportation (NEMT)-Medicaid only
- ▶ Value Added Services and Healthy Rewards
- ▶ Prevention



8

What are the major differences in the Tailored Plan?

- ▶ Addition of Physical Health Care and Pharmacy
- ▶ Tailored Care Management (TCM)
- ▶ Some TCM Delivered at the Provider Level
- ▶ Care Management for some complex Statefunded members
- ▶ Designated Member, Provider and Nurse Lines
- ▶ Non-Emergency Transportation



9

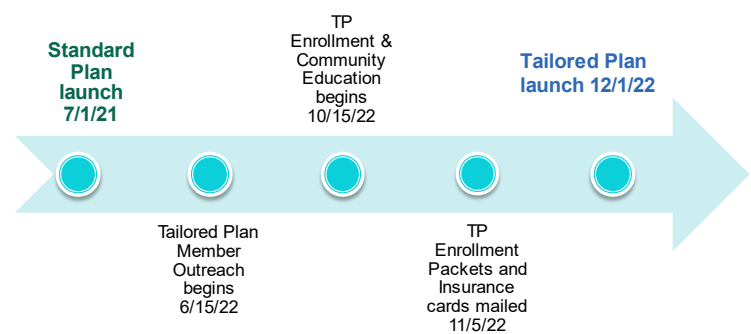
What are the major differences in the Tailored Plan?

- ▶ Data sharing with Community Care Management and other entities
- ▶ NC Care 360 referrals for SDOH (social determinants of health)
- ▶ Marginalized Health Population attention and data collection
- ▶ Healthy Rewards
- ▶ Value Added Services
- ▶ Prevention Activities
- ▶ Insurance Card



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Medicaid Transformation Phase 2



11

Tailored Plan: Partners Health Management



PARTNERS MEMBER ID CARD



Serving 14 Counties in North Carolina

- Burke
- Cabarrus
- Catawba
- Cleveland
- Davie
- Forsyth
- Gaston
- Iredell
- Lincolnton
- Rutherford
- Stanly
- Surry
- Union
- Yadkin



Member and Recipient Services Line 1-888-235-4673
(7 a.m.-6 p.m. Monday-Saturday)

24/7 Behavioral Health Crisis Line 1-833-353-2093

24/7 Nurse Line 1-888-369-2452

<https://www.partnersbhm.org/tailoredplan>

Opioid Epidemic

- ▶ Counties settlements with pharmaceutical companies
- ▶ Leveraging Partners relationships with AG's office
- ▶ Using lessons learned and collaborative thinking to share ideas across the 14 counties
- ▶ Applaud the County Manager and the leadership team he has assembled to address the issue across various domains in the county



13

Relationship of Work to County Health Focus

- ▶ Have valued the close working relationship for years and the collaborative approach for our members
- ▶ Lessons learned from joint effort to look at broad issues in the West Shelby project
- ▶ With Partners expanded role for members, focus is on total health, accessibility of care, prevention and social influences on well-being



Thank you Commissioners and County Leadership for your “partnership”, support, and shared mission.



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Commissioners thanked Mr. Melton for the information and the continued partnership and support with Partners Behavioral Health.

ARTICLE 46 SALES TAX REFERENDUM

Chairman Gordon called Assistant County Manager Kerri Melton to the podium to present the Article 46 sales tax referendum. Identifying innovative strategies to make Cleveland County a desirable place to live, work and play with a strategic focus on population growth and enhancing the quality of life for our residents is a top priority of Cleveland County Commissioners. School district quality is one of the most important factors home buyers consider when looking for a place to live. North Carolina General Statute 115(c)-408b stipulates that public school facilities’ capital requirements be included as part of the County’s capital program. The average age of Cleveland County’s school buildings is over 50 years old. There has been an ongoing analysis of dedicated school capital. Commissioners and the Board of Education in a joint meeting in August to review the facility master plan for the Cleveland County School system.

One of the Board of Commissioners’ strategic goals is to partner with Cleveland County schools to develop a long-term school capital improvement plan. If approved, the proposed increase is an option to help fund the needs for school capital. School District quality is important to homebuyers. They want to know that the schools that their children are attending are new and that the school district is of high quality. Staff has estimated, should this be approved, the value to the county would be approximately \$3MM. Commissioners would be able to invest those earnings into an escrow account that can be used for future capital for schools within Cleveland County.

Cleveland County has worked hard to diversify its revenue. Article 46 is another option for the Board to be able to achieve that. Other North Carolina counties rely up to 70% - 75% on ad valorem taxes. Cleveland County does not do that. Due to the tax diversification, there so the tax burden isn't solely on property owners in the county. A sales tax increase is consumption-based, meaning people are taxed on what they use, and it evenly shares the tax burden. The proposed one-quarter of one cent would have minimal impact on the individual. Cleveland County’s current sales tax rate is 6.75%. Should the proposed referendum be approved, that rate would go to 7%.

Staff completed a statistical analysis using data about the average consumer in Cleveland County. According to the data gathered, this sales tax increase would impact the average consumer by about \$1.50 per month, or

approximately \$18 per year. As a reminder, this tax is consumption-based. How much a consumer spends will determine how much tax they pay. The proposed one-quarter of one cent increase does not apply to groceries or gas. In 2019, there were 45 North Carolina counties that had passed the Article 46 referendum. Since that time, five more counties have passed the referendum. Most of the counties surrounding Cleveland County have passed and implemented the sales tax referendum. If a Cleveland County resident visits a surrounding county for entertainment, dining or shopping, they are already paying that additional sales tax. Staff has already executed a marketing campaign explaining to citizens what those funds would be used for. The following information and PowerPoint were presented to Board members.

Commissioners Strategic Goal



Continue to partner with Cleveland County Schools with a goal of increasing teacher supplements and developing a long-term school capital improvement plan that addresses facilities (new, additions, renovations) and technology needs.

Cleveland County Schools Facility Assessment

MAINTENANCE PLANNING and PARAMETERS:

Direct Construction Costs..... \$ 106,311,381
 Indirect Construction Costs..... \$ 31,893,414
 Contingency..... \$ 10,631,138

TOTAL PROJECT COSTS..... \$ 148,835,933
*Does not include escalation. A master schedule is needed.

Indirect Construction Costs

Includes required due diligence studies, surveys, general conditions, professional fees, legal costs, permitting and inspection costs, FF&E, technology infrastructure, and insurance among other similar costs. Indirect Construction Costs can represent 23-37% of the overall project budget depending on the project's typology, complexity, and size.

Cost Escalation

Variable percentage of Direct Costs for the project's duration, therefore, it is also directly related to the CIP Master Schedule. The costs are projected to escalate 8% per year after June 2023.

Project Delivery

Assuming 3 sub-bidders per major division (high competitiveness)

Contingency

Because of the complexity of this project type, maintain a construction and design contingency of a minimum of 10%

"Education is the passport to the future, for tomorrow belongs to those who prepare for it today ."



4 of 5

Adjoining counties have passed Article 46
 Rutherford
 Catawba
 Lincoln
 Gaston



Economic Impact = \$3,000,000 = 3 cents on tax rate

1/4 Cent Sales Tax

The average household spends \$10,000 a year on eligible goods

Annual Impact - \$25.00

Property Tax

The average property value in Cleveland County is \$125,000

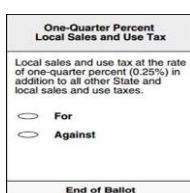
3 Cent Tax Increase Annual Impact: \$37.49

49%!

What goods are not eligible

Sales tax increase does not apply to groceries or gas/fuel

What will it look like on ballot

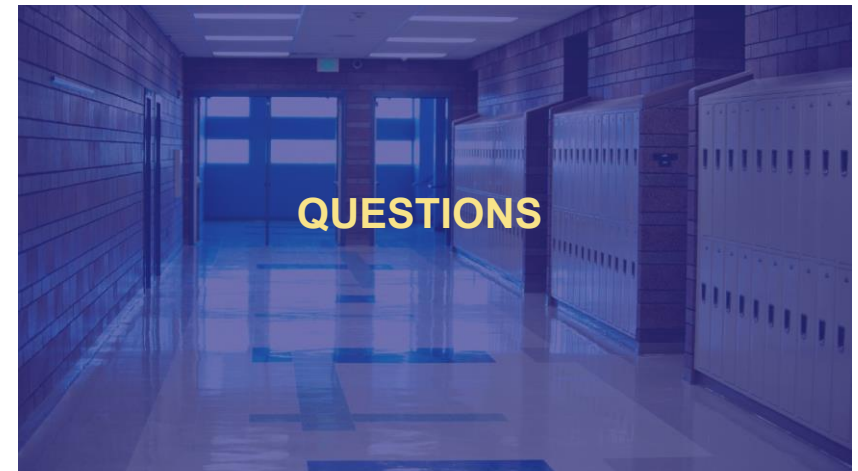


Marketing Efforts Underway

- Press Release posted and sent to newspaper
- FAQ Webpage created
- Talk of the Town
- School Matters

Marketing Efforts Moving Forward

- CAGO
- PTO Organizations
- Principal Messages
- Social Media Campaign
- Early Voting and Election Day Volunteers



Commissioners thanked Mrs. Melton for the information. Commissioner Hutchins commented on his disappointment with the School Board and their lack of support for Article 46, as the additional money will be used for much-needed school capital.

BOARD APPOINTMENTS

CLEVELAND COUNTY SOCIAL SERVICES ADVISORY BOARD

ACTION: Commissioner Hardin made the motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board, *to appoint Jiselle Bock to serve as a member of this board*, for a period of four years, scheduled to conclude June 30, 2026.

ADJOURN

There being no further business to come before the Board at this time, Commissioner Hardin made the motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board, *to adjourn the meeting*. The next meeting of the Commission is scheduled for *Tuesday, September 20, 2022, at 6:00 p.m. in the Commissioners Chamber*.

*Kevin Gordon, Chairman
Cleveland County Board of Commissioners*

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