

Cleveland County Board of Commissioners
September 5, 2023

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

PRESENT: Kevin Gordon, Chairman
Ronnie Whetstine, Vice-Chair
Johnny Hutchins, Commissioner
Doug Bridges, Commissioner
Deb Hardin Commissioner
Martha Thompson, Deputy County Attorney
David Cotton, County Manager
Phyllis Nowlen, Clerk to the Board
Kerri Melton, Assistant County Manager
Chris Martin, Planning Director
Allison Mauney, Human Resources Director
Tiffany Hansen, Health Department Director
Rebecca Johnson, Interim Social Services Director
Sherry Lavender, Tax Assessor
Jason Falls, Business Development Director

CALL TO ORDER

Chairman Gordon called the meeting to order, and Commissioner Whetstine led the audience in the Pledge of Allegiance and provided the invocation.

AGENDA ADOPTION

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

PUBLIC COMMENT

Robert Williams, 814 E. Stagecoach Trl, Lawndale – expressed his dislike for how the Minutes paraphrase those who speak during citizen recognition. He shared with the Board that he filed a report with the Director of Social Services regarding a possible case of child neglect.

CONSENT AGENDA

APPROVAL OF MINUTES

The Clerk to the Board included the Minutes from the *July 11 and August 1, 2023 regular meetings* in Board members' packets.

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

FINANCE DEPARTMENT: BUDGET TRANSFER SUMMARY

As required by North Carolina General Statute §159-15, all internal transfers shall be submitted to the Board of Commissioners. The budget transfer summary from July 25, 2023 through August 22, 2023 is included in Commissioner packets.

ACTION: Commissioner Bridges made a motion, seconded by Commissioner Hardin, and passed unanimously by the Board to, *approve the budget transfer summary as presented.*

BUDGET TRANSFERS LEGEND: D = DEPARTMENTAL; L = LATERAL

BUD #	BUDGET TYPE	DATE SUBMITTED BY DEPT	DEPT #	DEPT TO NAME	DEPT #	DEPT FROM NAME	EXPLANATION	BUDGET AMOUNT
1762	D	7/25/2023	010.449	Electronic Maintenance			Move funds to cover utilities	\$ 170.00
1763	D	7/25/2023	012.548	CODAP			Move funds to cover contracted services	\$ 2,400.00
1764	D	7/25/2023	010.450	Building Inspections			Move funds to cover capital equipment	\$ 502.00
1765	D	7/28/2023	011.506/012.530	DSS / Health Admin	010.427	Facilities Janitorial	Transfer funds to appropriate depts for janitorial staff for DSS and Health Dept	\$ 173,910.00
1766	D	7/28/2023	028.452	County Fire			Move funds to cover Lawndale Fire Contract	\$ 60,000.00
1767	D	7/31/2023	014.417	Court Facilities			Move funds to cover software license	\$ 624.00
1768	D	8/2/2023	040.210	Capital Projs-General			Move funds to cover software license	\$ 144,005.00
1769	D	8/3/2023	010.423	Finance			Move funds to cover contracted services	\$ 26,950.00
1770	D	8/3/2023	060.651	Property/Liability			Move funds to cover dept supply	\$ 6.00
1771	D	8/4/2023	010.800	Debt Service			Move funds to lease purchase account	\$ 275,000.00
1772	D	8/7/2023	010.433	JCPC Admin			Move funds to appropriate accounts per grant award	\$ 13,700.00
1773	D	8/7/2023	010.426	Maintenance			Move funds to cover contracted services	\$ 10,000.00
1774	D	8/9/2023	060.651	Property/Liability			Move funds to cover insurance fees	\$ 966.00
1775	D	8/14/2023	010.412	Manager's Officer			Move funds to cover professional services	\$ 10,587.00
1776	D	8/15/2023	010.419	Register of Deeds			Move funds to cover purchase embosser	\$ 975.00
1777	D	8/16/2023	040.210	Capital Projs-General			Move funds to cover West End Reach Proj	\$ 30,000.00
1778	D	8/17/2023	010.418	Board of Elections			Move funds to cover capital equipment	\$ 587.00
1779	D	8/17/2023	010.413	Finance			Move funds to cover contracted labor	\$ 6,000.00
1780	D	8/18/2023	026.454	E911 Fund			Move funds to cover E911 Call Ctr project approve fds	\$ 625,918.00
1781	D	8/21/2023	010.800	Debt Service			Move funds to lease purchase account	\$ 79,951.00
1782	D	8/22/2023	010.435	COPS Mental Health Grant			Move funds to cover contracted services approved by grantor	\$ 7,809.00

TAX COLLECTOR'S MONTHLY REPORT

Pursuant to North Carolina General Statute §105-350.7, the Tax Collector shall submit to the governing body, at each of its regular meetings, a report to include the amount collected on each year's taxes with which she is charged, the amount remaining uncollected, and the steps being taking to encourage payment of uncollected taxes. The Tax Collector provided Commissioners with a detailed written report regarding taxes collected during **July 2023**.

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

TOTAL TAXES COLLECTED JULY 2023			
YEAR	AMOUNT-REAL	AMOUNT-GAP	COMBINED AMT
DEF REV	\$76,255.60	\$41,689.59	\$117,945.19
2023	\$500,145.67	\$8,452.56	\$508,598.23
2022	\$161,596.59	\$2,171.97	\$163,768.56
2021	\$44,296.27	\$2,584.82	\$46,881.09
2020	\$12,029.96	\$937.71	\$12,967.67
2019	\$5,082.39	\$0.00	\$5,082.39
2018	\$3,421.27	\$0.00	\$3,421.27
2017	\$3,016.61	\$0.00	\$3,016.61
2016	\$1,634.82	\$0.00	\$1,634.82
2015	\$1,013.78	\$0.00	\$1,013.78
2014	\$1,278.99	\$0.00	\$1,278.99
2013	\$1,346.07	\$0.00	\$1,346.07
			\$866,934.67
TOTALS	\$811,118.02	\$55,816.65	\$866,934.67
DISCOUNT	(\$2,462.20)		(\$2,462.20)
INTEREST	\$29,119.68	\$865.86	\$29,985.54
TOLERANCE	(\$1.48)	\$1.16	(\$0.32)
ADVERTISING	\$639.34		
GARNISHMEN	\$4,631.07		
NSF/ATTY	\$160.04	\$1,714.38	\$0.00
LEGAL FEES	\$4,268.92		
TOTALS	\$847,473.39	\$58,398.05	
MISC FEE	\$0.00		
TAXES COLL	\$847,473.39		GRAND TOTAL
DEFERD REV	\$76,255.60	\$41,689.59	\$905,871.44
	\$771,217.79	\$16,708.46	\$787,926.25
TOTAL TAXES UNCOLLECTED JUNE 2023			
YEAR	AMOUNT-REAL	AMOUNT-GAP	COMBINED AMT
2023	\$91,269,247.73	\$209,519.45	\$91,478,767.18
2022	\$1,702,402.32	\$106,618.36	\$1,809,020.68
2021	\$578,330.72	\$71,637.88	\$649,968.60
2020	\$500,831.63	\$39,314.69	\$540,146.32
2019	\$533,369.19	\$0.00	\$533,369.19
2018	\$278,673.53	\$0.00	\$278,673.53
2017	\$178,308.16	\$0.00	\$178,308.16
2016	\$126,486.68	\$0.00	\$126,486.68
2015	\$105,549.85	\$0.00	\$105,549.85
2014	\$113,059.32	\$0.00	\$113,059.32
2013	\$85,259.33	\$0.00	\$85,259.33
		\$0.00	\$0.00
TOTAL UNCOLLECTED	\$95,471,518.46	\$427,090.38	\$95,898,608.84

Explanation of Revisions: Budget allocation for \$50.00 in donations received from a private citizen to support the Adolescent Pregnancy Prevention (APP) Hygiene Drive.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #007)

ACTION: Commissioner Bridges 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>
012.537.4.350.00		Child Health/State Govt Grant	\$712.00	
012.537.5.230.00		Child Health/State Govt Grant	\$712.00	

Explanation of Revisions: Budget allocation for \$712.00 in grant monies from the North Carolina Department of Health and Human Services to purchase clinical use medical supplies.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #008)

ACTION: Commissioner Bridges 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>
012.540.4.310.44		WIC/Federal Grants WIC-BRF-PC	\$4,351.00	
012.540.5.121.00		WIC/Salary-Reg	\$4,351.00	

Explanation of Revisions: Budget allocation for \$4,351.00 in grant monies from the North Carolina Department of Health and Human Services WIC Program to be used in the Breastfeeding Counselor funds.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #009)

ACTION: Commissioner Bridges 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>
012.548.4.810.00		CODAP/Donation-Contribution	\$250.00	
012.548.5.790.00		CODAP/Donations	\$250.00	

Explanation of Revisions: Budget allocation for \$250.00 in donation funds from Wake Forest University to be used for a Youth Engagement Approach (YEA) study to engage youth in substance use prevention strategies.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #010)

ACTION: Commissioner Bridges 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>
012.548.4.410.00		CODAP/Local-Other Grants	\$2,000.00	
012.548.5.420.00		CODAP/Contracted Services	\$2,000.00	

Explanation of Revisions: Budget allocation for \$2,000.00 in grant monies from the American Academy of Pediatrics to support school-based adolescent tobacco cessation. Funds will be used to train nurses and mid-level providers in school-based centers, primary care, and child health clinics.

SHERIFF'S OFFICE: BUDGET AMENDMENT (BNA #011)

ACTION: Commissioner Bridges 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>
010.438.4.310.00	16607-P438	Public Safety Grants/Federal Govt Grants	\$7,103.00	
010.438.5.211.00	16607-P438	Public Safety Grants/Controlled Equipment	\$7,103.00	

Explanation of Revisions: Budget allocation for \$7,103.00 in awarded grant monies from the Bulletproof Vest Partnership (BVP) to purchase body armor vests.

LEGRAND CENTER: BUDGET AMENDMENT (BNA #12)

ACTION: Commissioner Bridges 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>
498.254.4.980.41		Cap Proj AV Sys/Transfers fm Cap Reserve	\$625,000.00	
498.254.5.991.00		Cap Proj AV Sys/Const in Progress	\$625,000.00	
041.209.5.890.00		Capital Reserve General/Interfund Transfers	\$625,000.00	
041.209.4.980.10		Capital Reserve General/Contribs fm Pri Fd	\$625,000.00	

Explanation of Revisions: Budget allocation of \$625,000.00 in capital reserve funds for upgraded audio/visual system at the Legrand Center.

E911 COMMUNICATIONS: BUDGET AMENDMENT (BNA #013)

ACTION: Commissioner Bridges 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>
497.253.4.980.41		Cap Proj E911 Call Ctr/Contribs fm Cap Resv	\$448,036.00	
497.253.5.991.00		Cap Proj E911 Call Ctr/Construction in Progress	\$448,036.00	
497.253.4.350.00		Cap Proj E911 Call Ctr/State Govt Grants	\$5,036,595.00	
497.253.5.991.00		Cap Proj E911 Call Ctr/Construction in Progress	\$5,036,595.00	

Explanation of Revisions: Budget allocation of \$5,484,631.00, combined with remaining county funding and 911 board grant monies awarded, for the E-911 Communications Center Project.

SHERIFF'S OFFICE: BUDGET AMENDMENT (BNA #014)

ACTION: Commissioner Bridges 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>
010.444.4.991.00		Detention Center/Fund Balance Appropriated	\$34,098.00	
010.444.5.210.00		Detention Center/Departmental Supply	\$7,888.00	
010.444.5.910.00		Detention Center/Capital Equipment	\$26,210.00	

Explanation of Revisions: Budget allocation of \$34,098.00 due to increased inmate phone commissions received during FY23 to cover new food trays and a portion of new raptor stab level II vests.

SHERIFF'S OFFICE: BUDGET AMENDMENT (BNA #015)

ACTION: Commissioner Bridges 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>
010.443.4.991.00		State Forfeiture Fds/Fund Balance Approp	\$25,000.00	
010.443.5.910.00		State Forfeiture Fds/Capital Equipment	\$25,000.00	

Explanation of Revisions: Budget allocation for \$25,000.00 in state forfeiture fund balance to pay a portion of new Raptor stab level II vests for detention staff.

SOCIAL SERVICES: BUDGET AMENDMENT (BNA #017)

ACTION: Commissioner Bridges 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>
011.519.4.350.00		Public Assistance/State Government Grants	\$62,675.00	
011.519.5.512.05		Public Assistance/Public Asst – Crisis	\$62,675.00	

Explanation of Revisions: Budget allocation for \$62,675.00 in one-time grant monies awarded by the Crisis Intervention Program (CIP) and North Carolina Low Income Energy Assistance Program (LIEP) for Disaster Relief Supplemental Appropriation Act Funds.

LEGRAND CENTER: STORMWATER PLANNING GRANT AND BUDGET AMENDMENT
(BNA#016)

In September 2022, the Commissioners reviewed and approved submitting a grant application to the North Carolina DEQ for a planning study to assess stormwater at the LeGrand Center. In March 2023, the County received its award notification and completed the procurement process to identify an engineering firm to complete the study and provide the preliminary project scope of work. The North Carolina Division of Water Infrastructure approved the preliminary scope and executed an Offer-and-Acceptance Funding Award packet for a \$100,000 grant.

<u>Account Number</u>	<u>Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
040.255.4.350.00		Cap Proj-LGRD Stormwater/State Govt Grant	\$100,000.00	
040.255.5.420.00		Cap Proj-LGRD Stormwater/Contracted Svcs	\$100,000.00	

Explanation of Revisions: Budget allocation in \$100,000 funds received from the North Carolina Division of Water Infrastructure grant for Stream Restoration from stormwater damage/issue.

ACTION: Commissioner Bridges made a motion, seconded by Commissioner Hardin, and passed unanimously by the Board to, ***accept the \$100,000 American Rescue Plan Act (ARPA) grant fund and approve budget amendment (BNA#016).***



SHERIFF'S OFFICE: JAG GRANT

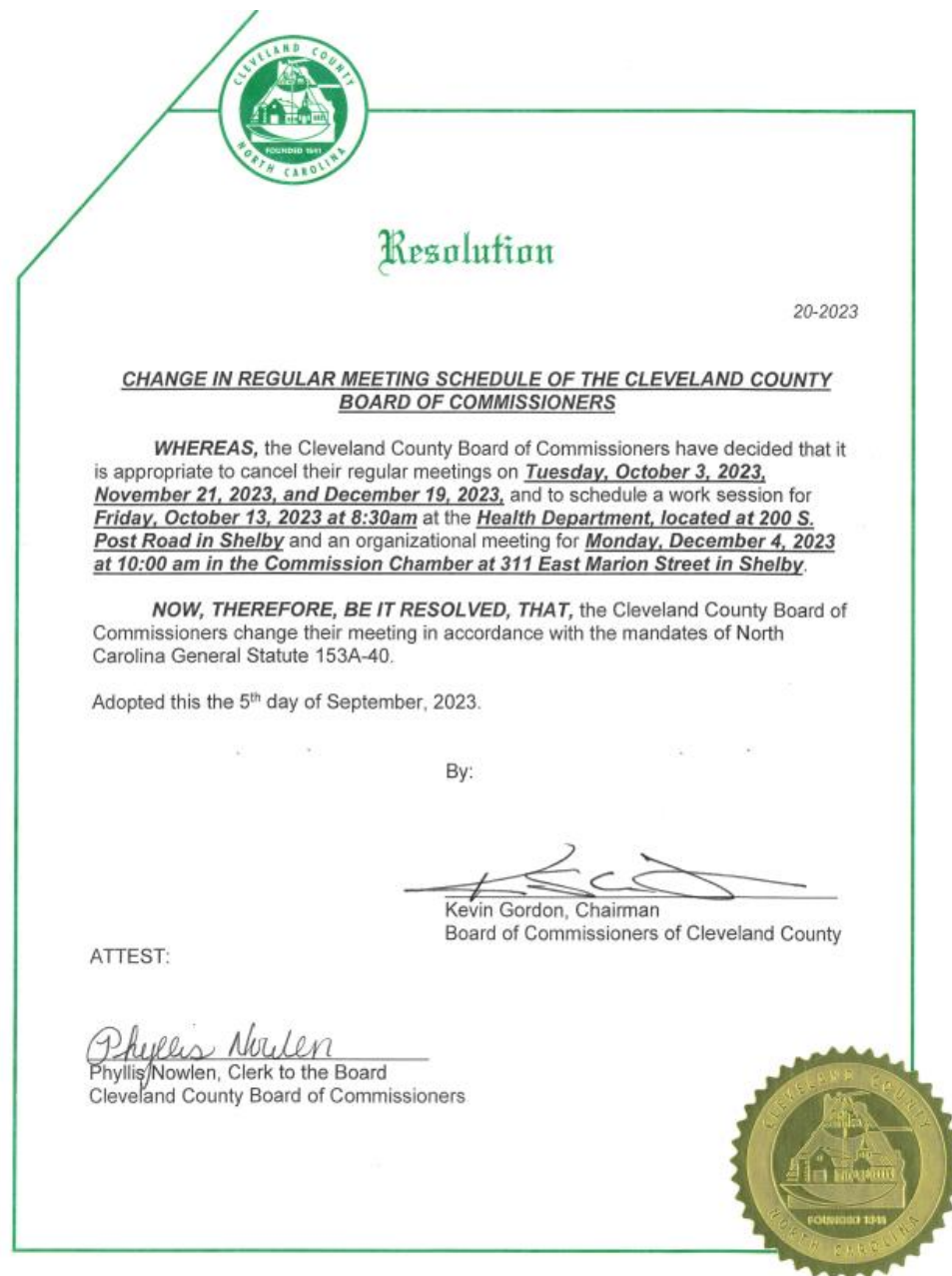
Cleveland County has been allocated funding under the Justice Assistance Grant (JAG) Program to aid in crime and violence reduction strategies by executing a contract for an intelligence and identity management platform. This is the first time the county has received a direct JAG allocation. The Cleveland County Sheriff's

Office will manage this allocation grant for the referenced program in the amount of \$12,477 and expects to utilize the entire award for a procurement contract to secure a web-based data-sharing platform. The grant's performance period is two years, and the contract cost will cover the two-year performance period.

ACTION: Commissioner Bridges made a motion, seconded by Commissioner Hardin, and passed unanimously by the Board to, *approve the acceptance of the JAG grant as presented.*

COMMISSIONERS: RESOLUTION AMENDING CLEVELAND COUNTY BOARD OF COMMISSIONERS 2023 MEETING SCHEDULE

ACTION: Commissioner Bridges made a motion, seconded by Commissioner Hardin, and passed unanimously by the Board to, *adopt the following resolution amending the 2023 Commissioner Meeting schedule:*



PUBLIC HEARINGS




PLANNING DEPARTMENT CASE 23-18; REQUEST TO REZONE PROPERTY AT 106 DRUM ROAD FROM RESIDENTIAL (R) TO NEIGHBORHOOD BUSINESS – CONDITIONAL USE (NB-CU) FOR A TELECOMMUNICATIONS TOWER

Chairman Gordon recognized Planning Director Chris Martin to present Planning Department case 23-14: request to rezone property at 106 Drum Road from Residential (R) to Neighborhood Business – Conditional Use (NB-CU) for a telecommunications tower. Parcel 4831 is 0.79 acres in size and is located at 106 Drum Road off Joe's Lake Road, just east of Pinnacle Classical Academy in Shelby. Surrounding zoning is Residential near Drum Road and Restricted Residential (RR) south along Joe's Lake Road, with a motorcycle repair shop located on

Drum Road. The Land Use Plan classifies this area as a future secondary growth area, expecting more residential development in the future.

The current Residential (R) zoning district permits single-family dwellings such as site-built, modular, and manufactured homes. It also permits multifamily housing, such as duplexes and apartments, and various nonresidential uses like churches and schools. Neighborhood Business (NB) zoning district is a mixed-use district, permitting residential and light commercial uses. Towers are permitted within the Neighborhood Business (NB) zoning district. A site plan has been submitted illustrating the proposed development. The Planning Board unanimously recommended approval, commenting that Type B screening would be required.

(2) *Semi-opaque screen, Type B:* A screen that is opaque from the ground to a height of three (3) feet, with intermittent visual obstruction from above the opaque portion to a height of at least twenty (20) feet at maturity. This screen is intended to partially block visual contact between uses and to create a strong impression of the separation of spaces. The semi-opaque screen may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. Planted trees shall be at least three (3) feet in height at planting. Suggested planting patterns which will achieve this standard are illustrated below:

	<p>SMALL TREES 30 feet on center 20 feet mature height</p> <p>WALL OR FENCE 3 feet in height</p>
	<p>SMALL TREES 20—30 feet on center 20 feet mature height</p> <p>BERM 3 feet high & seeded</p>
	<p>LARGE TREES 40 feet on center</p> <p>HEDGE SHRUBBERY 3 feet on center 3 feet mature height</p>

Telecommunication towers house antennae that provide data service coverage areas. The proposed tower will be 195 feet in height, self-supporting, has an engineered fall zone and collapse only within the parameters of parcel 4831. The following information and PowerPoint were presented to the Commissioners.

Case 23-18
Rezoning R to NB-CU
106 Drum Road




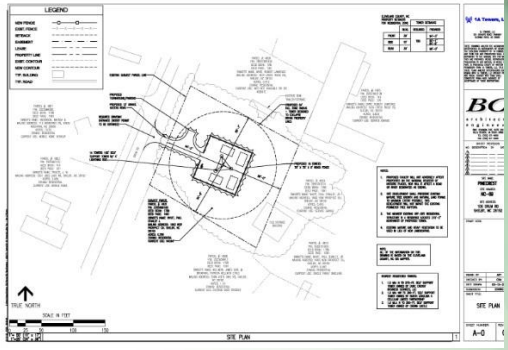
September 5, 2023

Rezoning Request





- Residential to Neighborhood Business Conditional Use
 - Telecommunication (cell) tower
 - Permitted use in Neighborhood Business

Site Plan

Zoning Map

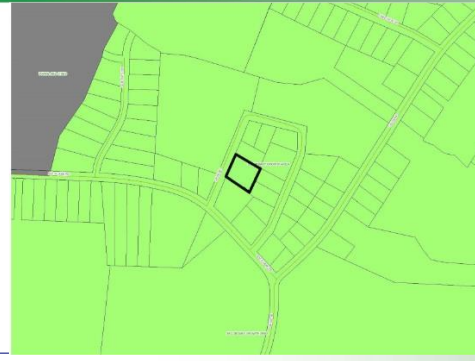



Aerial Map



5

Land Use Map



6

Planning Board

- Recommends Approval
- Landscape screening



7

Requested Board Action

- Hold Public Hearing
- Approve or deny rezoning request



8

Chairman Gordon opened the floor to Commissioners for questions and discussion. Commissioner Hardin inquired if the screening requirements included a fence. Mr. Martin replied that it does not; it only applies to small trees and bushes.

Chairman Gordon opened the Public Hearing at 6:12 p.m. for anyone wanting to speak for or against Planning Department case 23-14: request to rezone property at 106 Drum Road from Residential (R) to Neighborhood Business – Conditional Use (NB-CU) for a telecommunications tower. (*Legal Notice was published in the Shelby Star on Friday, August 25, 2023, and Friday, September 1, 2023*).

Robert Williams, 814 E. Stagecoach Trl., Lawndale – opposed the rezoning request, stating he disagreed with the public hearing process and not enough information was given to the public.

Sammy Black, 801. W. Brushy Fork Rd., Creston – represents the petition, 180 Towers. He advised the lot is currently heavily wooded and will remain in place. There are plans to build a 70 x 70 wooden fence around the proposed tower's base. Mr. Black advised due diligence has been done on this project, developing and meeting FAA and FCC tower standards. The FAA has approved the proposed plan.

Commissioner Hutchins asked Mr. Black if the proposed tower would help provide internet services to that area; Mr. Black advised it would help with cellular internet connection.

Hearing no further comments, Chairman Gordon closed the Public Hearing at 6:20 p.m.

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and unanimously approved by the Board to, *approve the rezoning request at 106 Drum Road from Residential (R) to neighborhood Business – Conditional Use (NB-CU) for a telecommunications tower.*

REGULAR AGENDA

CLEVELAND COUNTY DIGITAL INCLUSION PLAN

Chairman Gordon recognized Community and Economic Development Director for the Foothills Regional Commission Alan Toney to present the Cleveland County Digital Inclusion Plan. North Carolina State University, through the Institute for Emerging Issues, has a goal for every single county within North Carolina to have a Digital Inclusion Plan (DIP). Digital inclusion is access to high-speed, reliable broadband, affordable internet user devices, internet-enabled devices, and digital literacy training and navigation. DIPs are instrumental to:

- Provide more grant funding opportunities
- Understand where your community currently is, in respect to digital inclusion
- Set clear and attainable goals for broadband access, affordability, skill sets, and device access
- Provide key projects for Cleveland County, all municipalities within, educational institutions, and nonprofits

It is important for local officials to understand the broadband needs in their community. The Foothills Regional Commission broadband steering committee used the North Carolina broadband survey to understand the county's broadband status. The steering committee was comprised of community leaders from all over the county, including all three major municipalities (Boiling Springs, Kings Mountain, Shelby), library systems, Cleveland County Schools, and Cleveland Community College, who collaboratively created a vision statement and a mission statement.

Vision Statement: A connected Cleveland County where broadband is considered an essential utility and all residents, businesses, and organizations needing and wanting to participate online have the knowledge and tools to do so.

Mission Statement: To improve digital literacy and expand access to reliable, affordable, high-speed broadband in Cleveland County through advocacy, collaboration, and education.

The steering committee researched the current broadband assets and needs within Cleveland County, using information gathered from Census data, Federal Communications Commission (FCC) maps, the North Carolina broadband survey, and community leader input. They discovered the following information:

Broadband Availability

- 9 fixed internet service providers; two offer residential fiber, two extend fiber to businesses and institutions, two offer cable, four offer satellite, two provide fixed wireless, and one provides DSL
- 39% of Cleveland County residents have access to broadband (NC Broadband Survey)

Broadband Adoption

- 70 percent of Cleveland County residents subscribe to the internet
- Most Cleveland County residents pay over \$125 for broadband (NC Broadband Survey)
- 26.7% of all households participate in the Affordable Connectivity Program

The Affordable Connectivity Program was created by the federal government during the COVID-19 pandemic to reduce the cost of internet and broadband. Mr. Toney explained to the Board if someone has internet capabilities, that doesn't mean they have broadband access; they are two different services. The steering committee created four goals for the Cleveland County Digital Inclusion Plan with supporting objectives.

Goal 1: Improve and increase broadband connectivity throughout Cleveland County to ensure all residents and businesses have access to reliable, high-speed broadband.

Objectives

- Pursue grants to make last-mile connections serving every resident in the county.
- Strengthen the existing Wi-Fi networks to sustain greater speeds and support a public Wi-Fi wayfinding program involving a public Wi-Fi map.
- Increase the areas that have no-cost Wi-Fi network availability, aiming for no-cost free public or private access points within no more than 10 miles of each Cleveland County residence.
- Maximize the efforts to create complete broadband infrastructure maps using new and existing information.

Goal 2: Ensure all individuals and businesses in Cleveland County can access broadband services at an affordable rate.

Objectives

- Regionalize the effort to increase enrollment in established programs (i.e., Affordable Connectivity Program, provider plans) that give broadband stipends, scholarships or subsidies.
- Work with broadband providers and community-based organizations within Cleveland County to increase awareness amongst the population about diverse broadband options.

Goal 3: Ensure that all residents of Cleveland County have access to a technology device with connectivity, such as a tablet or computer, that meets the user's needs if they so desire.

Objectives

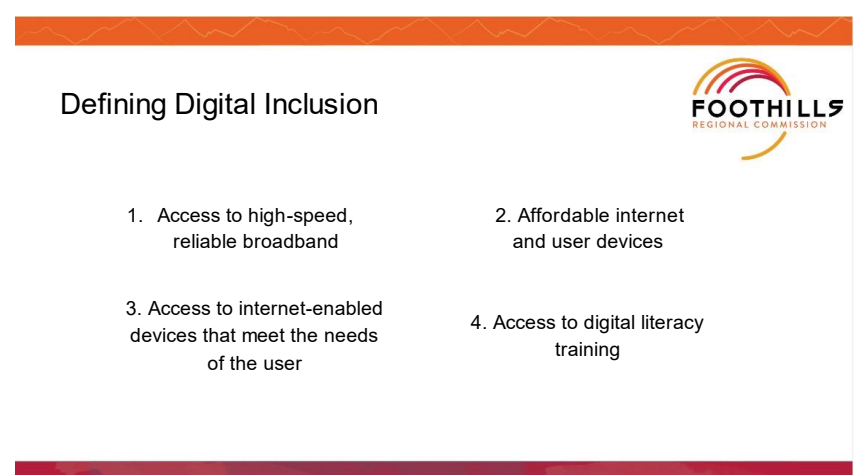
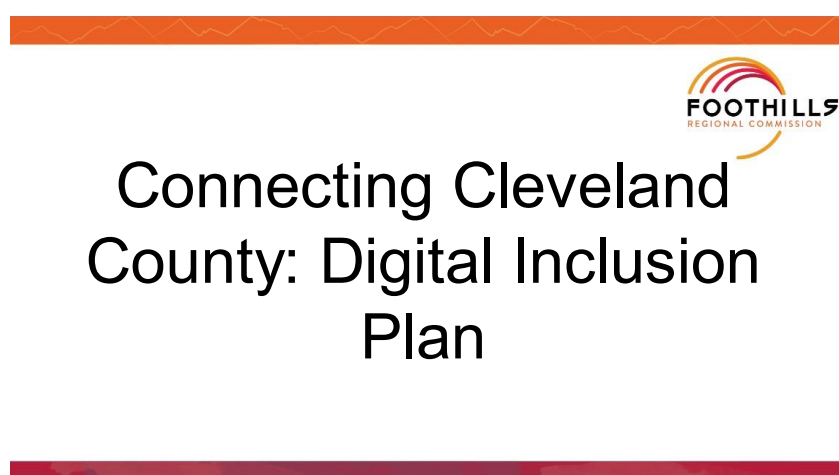
- Work with, including but not limited to, educational institutions, non-profits, and community program providers to support a device refurbishment/ lending or gifting program where available.
- Increase awareness about device subsidy programs that would provide low or no-cost devices to people who need them.
- Establish a wayfinding program highlighting where public devices are located throughout the county.

Goal 4: Develop technology support and educational programming that empowers all community members to gain the necessary skills to participate in the digital world.

Objectives

- Support a public Wi-Fi wayfinding program that highlights where digital literacy classes and telehealth resources can be accessed.
- Connect digital literacy training with relevant content, services, and platforms.
- Continue to support digital literacy and awareness of security risks for the senior population.
- Ensure the long-term support of existing digital navigator positions and classes by pursuing additional funding opportunities.

Mr. Toney stressed the importance of continuing to work together with community partners to provide reliable broadband for the citizens of Cleveland County. The following information and PowerPoint were presented to the Commissioners.



Why do you need a Digital Inclusion Plan?



1. To better understand the broadband related needs of your community.
2. To provide more grant funding opportunities.
3. To understand where your community currently is, in respect to digital inclusion.
4. To set clear and attainable goals for broadband access, affordability, skill sets, and device access.
5. To provide key projects for Cleveland County, all municipalities within, educational institutions, and nonprofits.

Assets & Needs Inventory



Broadband Availability

- 9 fixed internet service providers; two offer residential fiber, two extend fiber to businesses and institutions, two offer cable, four offer satellite, two provide fixed wireless, and one provides DSL.
- 39% of Cleveland County residents have access to broadband (NC Broadband Survey).

Broadband Adoption

- 70 percent of Cleveland County residents subscribe to internet.
- Most Cleveland County residents pay over \$125 for broadband (NC Broadband Survey)
- 26.7% of all households participate in the Affordable Connectivity Program.

Goals & Objectives



Goal 2: Ensure all individuals and businesses in Cleveland County can access broadband services at an affordable rate.

Objectives

- Regionalize the effort to increase enrollment in established programs (i.e., Affordable Connectivity Program, provider plans) that give broadband stipends, scholarships or subsidies.
- Work with broadband providers and community-based organizations within Cleveland County to increase awareness amongst the population about diverse broadband options.

Goals & Objectives



Goal 4: Develop technology support and educational programming that empowers all community members to gain the necessary skills to participate in the digital world.

Objectives

- Support a public Wi-Fi wayfinding program that highlights where digital literacy classes and telehealth resources can be accessed.
- Connect digital literacy training with relevant content, services, and platforms.
- Continue to support digital literacy and awareness of security risks for the senior population.
- Ensure the long-term support of existing digital navigator positions and classes by pursuing additional funding opportunities.

Continuing the Work



Engaging the following partners...

- All municipalities in Cleveland County
- Cleveland County Cooperative Extension
- Cleveland Association of Government Officials
- Internet Service Providers
- Davidson Association
- Boys & Girls Club
- NC Rural Center
- NCDIT Division of Broadband and Digital Equity
- NCWorks Career Center
- Duke Electric
- Rutherford Electric Membership Corporation

Vision Statement:

A connected Cleveland County where broadband is considered an essential utility and all residents, businesses, and organizations needing and wanting to participate online have the knowledge and tools to do so.



Mission Statement:

To improve digital literacy and expand access to reliable, affordable, highspeed broadband in Cleveland County through advocacy, collaboration, and education.

Values:

- Accessibility
- Dependability
- Equity
- Affordability

Goals & Objectives

Goal 1: Improve and increase broadband connectivity throughout Cleveland County to ensure all residents and businesses have access to reliable, high speed broadband.

Objectives

- Pursue grants to make last mile connections serving every resident in the county.
- Strengthen the existing Wifi networks to sustain greater speeds and support a public Wifi wayfinding program that involves a map of public Wi-Fi.
- Increase the areas that have no-cost Wi-Fi network availability, with the aim of no-cost free public or private access points within no more than 10 miles of each Cleveland County residence.
- Maximize the efforts to create complete broadband infrastructure maps using new and existing information.

Goals & Objectives



Goal 3: Ensure that all residents of Cleveland County have access to a technology device with connectivity, such as a tablet or computer, that meets the user's needs if they so desire

Objectives

- Work with, including but not limited to, educational institutions, non-profits, and community program providers to support a device refurbishment/ lending or gifting program where available
- Increase awareness about device subsidy programs that would provide low or no-cost devices to people who need them.
- Establish a wayfinding program that highlights where public devices are located throughout the county.

Steering Committee & CAGO



Steering Committee

1. Cleveland County
2. Cleveland County Schools
3. City of Kings Mountain
4. City of Shelby
5. Town of Boiling Springs
6. Gardner-Webb
7. Polkville
8. Belwood
9. Cleveland Community College

Presented to CAGO and Resolutions taken by:

1. Fallston
2. Waco
3. Belwood
4. Casar
5. Polkville
6. Lattimore
7. Grover
8. Kingstown

Chairman Gordon opened the floor to the Board for questions and discussion. Commissioner Hutchins spoke about a conversation with an AT&T vendor while at a conference, stating the vendor explained that AT&T can provide wireless internet and broadband, inquiring why no one is looking into those services. Mr. Toney explained those services have a substantial cost to the citizens and are inconsistent. Working together, state leaders are

exploring alternative avenues to provide communities a more cost-effective and consistent broadband and internet service. The long-term goal is to provide wired internet service throughout the entire county. Commissioners discussed at length the importance of wired and wireless internet services to Cleveland County citizens and the current hardships citizens face with low bandwidth, dead zones, and service costs. Commissioner Hutchins voiced his frustrations that the plan did not include a short-term plan to provide d and internet services to the community.

ACTION: Commissioner Bridges made a motion, seconded by Commissioner Whetstine, and approved by the Board (4-1, Commissioner Hutchins opposed) to, ***adopt the Cleveland County Digital Inclusion Plan.*** (a full copy of the DIP is on file in the Clerk's office).

OPIOID LITIGATION UPDATE

Chairman Gordon recognized Health Department Director Tiffany Hansen to present an opioid litigation update. The Board was reminded of the Opioid Memorandum of Agreement (MOA) between the State of North Carolina and local governments, which outlined proceeds from the national opioid litigation settlement. This MOA was unanimously approved at their June 15, 2021, regular meeting. Since then, Health Department staff have worked diligently to gather local, provider and hospital data. They also identified all resources available in Cleveland County to understand better what type of services are already available. Next, staff began meeting with local providers to collect their input on the community's needs, where the gaps are, and how the county can improve. Several trends were identified throughout the process. The Health Department held a public community forum to discuss these trends and gather additional insight from community stakeholders.

As part of the settlement of the national opioid litigation settlement, the state of North Carolina was allocated to receive just over \$757MM. Of that, Cleveland County will receive \$7,212,520 over the next 18 years, equating to \$320,000 annually. These funds are deposited into a special revenue account as part of the MOA; they're subject to special finance and compliance auditing. To utilize the settlement funds, county staff must present a special budget or resolution for approval to the Board of Commissioners. Each September, the identified and approved strategies will be presented to Board members in the annual impact report. Commissioners will review the results of those strategies and vote to continue to fund or change the strategic plan.

Ms. Hansen reviewed the two options outlined in the MOA. Option A offers high abatement strategies, including high-level pieces with a lot of impact upfront. Option B Strategies include all of the strategies from Option A with additional opioid pandemic activities. The difference between the two is Option B requires more intentional strategic planning.

Option A- High Impact Abatement Strategy	Option B- Additional Opioid Remediation Activities
Overdose Response Team	Opioid Use Disorder Treatment
Naloxone Distribution	Connections to Care
Early Intervention	Criminal Justice Involved Persons of Need
Addiction Treatment	Prevent Over-Prescribing
Syringe Service Program	Opioid Misuse Prevention
Recovery Support	Harm Reduction
Employment Services	Pregnant or Parenting Women & their families in need
Re-entry Programs	Support for people in treatment & recovery

Health Department staff created a baseline pathway to navigation. It was discovered that the current resource matrix is confusing, hard to navigate, and challenging for people in the community. Resource availability is limited and is not always accurately aligned. Staff created four community impact strategies from the information and data collected. These strategies are:

Community Care Navigator/Case Manager

- Utilizing a designated position that can be a referral source for both the community and agencies
- Broad understanding of services available and how to connect
- Assist patients in getting connected to care and reducing barriers

Community Education and Training

- Business and Community Members
- Education on Opioids and the impacts
- Education on available resources locally

Provider Education and Training

- Crisis Center Opportunity
- Greater understanding of expectations for admissions for providers/LEO
- Warm handoffs of crisis center.
- An asset to the community and capitalizing on the availability of the resource
- Education on prescribing opioids, impacts and resources such as MAT

Workforce Expansion/Development

- Offering stipend to current MH/BH staff that may want additional licensures and have capacity
- Reimbursement based
- Increases our capacity locally to have more licensed professionals
- Increases the ability to see more patients locally

The following information and PowerPoint were presented to the Commissioners.

OPIOID SETTLEMENT STRATEGY UPDATE
TIFFANY HANSEN

Our Journey to date... .

- Board signs Opioid Settlement MOA
- Start meeting with local providers to get a better understanding of needs and challenges
- Hold Public Meeting and discuss data, trends and get community input on strategies
- Begin gathering local data from providers, hospital and other resources
- Develop trends identified by the providers and data
- Present to Board the aligned opioid strategies

MOA & Allocation of Funding

Memorandum of Agreement

- 100 NC Counties
- 47 municipalities

Over \$757 million to NC

- \$7,212,520 to Cleveland County
- Annually around \$320,000 after first implementation years

Special Requirements of the funds

- Special Revenue Fund
- Finance & Compliance Audits
- Special Budget or Resolution
- Annual Impact Report

Cleveland County Opioid Payment

Total: \$ 7,212,520

MOA outlined Options

Option A- High Impact Abatement Strategy	Option B- Additional Opioid Remediation Activities
Overdose Response Team	Opioid Use Disorder Treatment
Naloxone Distribution	Connections to Care
Early Intervention	Criminal Justice Involved Persons of Need
Addiction Treatment	Prevent Over-Prescribing
Syringe Service Program	Opioid Misuse Prevention
Recovery Support	Harm Reduction
Employment Services	Pregnant or Parenting Women & their families in need
Re-entry Programs	Support for people in treatment & recovery

Resources in the Community



Agency Name	Address	Phone	Website	Services
Alzheimer's Disease	1000 S. Main St., Suite 100 Clemmons, NC 27012	704.795.1111	www.alz.org	Alzheimer's Disease and related health and care services
Community Health	1000 S. Main St., Suite 100 Clemmons, NC 27012	704.795.1111	www.clevelandcounty.org	Community Health Services
Community Health Services	1000 S. Main St., Suite 100 Clemmons, NC 27012	704.795.1111	www.clevelandcounty.org	Community Health Services
Community Health Services	1000 S. Main St., Suite 100 Clemmons, NC 27012	704.795.1111	www.clevelandcounty.org	Community Health Services
Community Health Services	1000 S. Main St., Suite 100 Clemmons, NC 27012	704.795.1111	www.clevelandcounty.org	Community Health Services

Current Pathway to Navigation



- Crossroads Treatment Center of Cleveland County
- Epiphany Family Services LLC
- Foothills Consulting Associates
- LDH Consulting and Counseling PLLC
- Monarch Outpatient therapy and medication
- Phoenix Counseling Center
- Phoenix Counseling Center- Crisis Center
- Preferred Choice Healthcare Inc
- Kings Mountain Behavioral HealthAtrium

Opioid Community Impact Strategies



1. Community Care Navigator/Case Manager
2. Provider Education
3. Community Education-Narcan
4. Workforce Development

Community Navigation



Community Care Navigator/Case Manager

- Utilizing a designated position that can be a referral source for both the community and agencies
- Broad understanding of services available and how to connect
- Assist patients in getting connected to care and reducing barriers

Expense Overview	Budget Request	Performance Metric
Care Navigation Contract	\$192,000.00	• # of people connected to services
Promotional Marketing	\$8,000.00 (billboard & Shelby Shopper)	
TOTAL	\$200,000.00	

Community Education/Training



- Community Education
- Business and Community Members
 - Education on Opioids and the impacts
 - Education on available resources locally

Strategy	Budget Requested	Performance Metric
Marketing: Narcan Availability and Anti-Stigma	\$3,500.00	• # of Narcan units dispensed
Yard Signs	\$1,500.00	
Public Service Announcement (Video)	\$5,000.00	
TOTAL	\$10,000.00	

Provider Education/Training



Crisis Center Opportunity

- Greater understanding of expectations for admissions for providers/LEO
- Warm handoffs of crisis center.
- An asset to the community and capitalizing on the availability of the resource
- Education on prescribing opioids, impacts and resources such as MAT

Provider Education	Expense	Performance Metric
2-90 min trainings/annually	\$10,000.00	• # in attendance • Evaluation/Feedback • Long-term: Opioid prescribing trends reduced
Venue/food	\$5,000.00	
TOTAL	\$15,000.00	

Workforce Expansion/Development



- Workforce Expansion/Development
- Offering stipend to current MH/BH staff that may want additional licensures and have capacity
 - Reimbursement based
 - Increases our capacity locally to have more licensed professionals
 - Increases the ability to see more patients locally

Expense Overview	Budget Request	Performance Metric
<ul style="list-style-type: none"> Licensed Clinical Addiction Specialist (LCAS) Certified Alcohol & Drug Counselor (CADC) Peer Support Specialist (PSS) Wellness Recovery Action Plan (WRAP) 	Up to \$2,500.00 per person for a total of 10 people	# of people that successfully complete in our community and can serve more patients
TOTAL	\$25,000.00	

Opioid Strategy Authorization Resolution



Strategy	Budget Requested	Performance Measurement	Which MOA Option does this fit in?	Timeline	Length of Strategy
Community Navigation/Care Manager	\$200,000.00	• # of patient successfully connected to BH/MH resources • What services and for how long clients engaged?	• A- A3	Annually	If proven successful at annual impact report, continue to fund
Community Education	\$10,000.00	• # of Narcan dispensed to Community	• A- A3, A6, A7	Annually	If proven successful at annual impact report, continue to fund
Provider Education	\$15,000.00	• # of participants who complete each learning session	• A- A2, A3, A6	Annually	If proven successful at annual impact report, continue to fund
Workforce Expansion/Development	\$25,000.00	• # of people completing additional licensures	• A- A2, A3, A9, A10 and A12	Annually	If proven successful at annual impact report, continue to fund
TOTAL	\$250,000.00				

Action Requested



- Approve Opioid Strategies Authorization Resolution as presented
- Deny Opioid Strategies Authorization Resolution as presented

Questions?

Chairman Gordon opened the floor to the Board for questions and discussion. Commissioner Bridges inquired if caretakers and family members of those needing assistance could also utilize the services available. Mrs. Hansen advised that they could. She explained that staff will spread community education and resources all over the county to get the information out to where the people are.

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Bridges, and unanimously approved by the Board to, ***approve the Opioid Strategies Authorization Resolution as presented.***



Resolution

19-2023

A RESOLUTION BY THE COUNTY OF CLEVELAND TO DIRECT THE EXPENDITURE OF OPIOID SETTLEMENT FUNDS

WHEREAS Cleveland County has joined national settlement agreements with companies engaged in the manufacturing, distribution, and dispensing of opioids, including settlements with drug distributors Cardinal, McKesson, and AmerisourceBergen; drug makers Johnson & Johnson and its subsidiary Janssen Pharmaceuticals, and Purdue Pharma, Mallinckrodt, Insys, Allergan, Endo, and Teva; and pharmacies CVS, Rite Aid, Walgreens, and Walmart;

WHEREAS the allocation, use, and reporting of funds stemming from these national settlement agreements and bankruptcy resolutions ("Opioid Settlement Funds") are governed by the Memorandum of Agreement Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation ("MOA") and the Supplemental Agreement for Additional Funds from Additional Settlements of Opioid Litigation ("SAAF");

WHEREAS Cleveland County has received Opioid Settlement Funds pursuant to these national settlement agreements and deposited the Opioid Settlement Funds in a separate special revenue fund as required by section D of the MOA;

WHEREAS section E.6 of the MOA states that, before spending opioid settlement funds, the local government's governing body must adopt a separate resolution that:

- (i) indicates that it is an authorization for expenditure of opioid settlement funds; and
- (ii) states the specific strategy or strategies the county or municipality intends to fund pursuant to Option A or Option B, using the item letter and/or number in Exhibit A or Exhibit B to identify each funded strategy; and
- (iii) states the amount dedicated to each strategy for a specific period of time.

NOW, THEREFORE BE IT RESOLVED, in alignment with the NC MOA and SAAF, Cleveland County authorizes the expenditure of opioid settlement funds as follows:

1. First strategy authorized

- a. Name of strategy: County Care Navigation/Community Care Manager
- b. Strategy is included in Exhibit A.
- c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: A3
- d. Amount authorized for this strategy: \$ 200,000.00
- e. Period of time during which expenditure may take place:
Start date September 5, 2023 through End date August 31, 2024

- f. Description of the program, project, or activity: Provide Care Navigation/Care Management with community-based organizations to support people in treatment/recovery, people who use drugs, in accessing addiction treatment, recovery support harm reduction services, primary healthcare or other services that support their health or well-being.
- g. Provider: Cleveland County Health Department and Integrated Care of Greater Hickory (ICGH)

2. Second strategy authorized

- a. Name of strategy: Community Education/Training Campaign
- b. Strategy is included in Exhibit A
- c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: A3, A6 and A7
- d. Amount authorized for this strategy: \$ 10,000.00
- e. Period of time during which expenditure may take place:
Start date September 5, 2023 through End date August 31, 2024
- f. Description of the program, project, or activity: Provide community education and training utilizing multiple media platforms and marketing targeting early interventions, community resources to connect to care, and the availability of naloxone for community distribution.
- g. Provider: Cleveland County Health Department

3. Third authorized strategy

- a. Name of strategy: Provider Education/Training Campaign
- b. Strategy is included in Exhibit A
- c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: A2, A3, A6
- d. Amount authorized for this strategy: \$ 15,000.00
- e. Period of time during which expenditure may take place:
Start date September 5, 2023 through End date August 31, 2024
- f. Description of the program, project, or activity: Provide local provider education as it relates to the opioid crisis, its impact, and resources available to our local providers such as MAT.
- g. Provider: Cleveland County Health Department, AHEC and area Providers

4. Fourth authorized strategy

- a. Name of strategy: Workforce Development/Expansion Program
- b. Strategy is included in Exhibit A
- c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: A2, A3, A9, A10, and A12
- d. Amount authorized for this strategy: \$ 25,000.00
- e. Period of time during which expenditure may take place:
Start date September 5, 2023 through End date August 31, 2024
- f. Description of the program, project, or activity: Support the expansion of our local provider base by offering existing practices the opportunity to expand licensure and

assisting with the expense to become certified in additional area such as LCAS, CADC, PSS, WRAP. This support service allows local providers to connect with patients seeking treatment or recovery, harm reduction, MAT, primary healthcare. This expansion would allow the opportunity to see more patients locally as it would provide a catalyst to increase our provider licensure capacity.


- g. Provider: Cleveland County Health Department and local Providers

The total dollar amount of Opioid Settlement Funds appropriated across the above named and authorized strategies is \$ 250,000.00.

Adopted this the 5th day of September, 2023.


Kevin Gordon, Chairman
Cleveland County Board of Commissioners

ATTEST:


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



ENVIRONMENTAL HEALTH FEES

Health Department Director Tiffany Hansen remained at the podium to present several modified Environmental Health fees. North Carolina Session Law 2023-90 (H628) establishes a maximum fee a county can charge for EOP (Engineered Option Permit), AOWE (Authorized Onsite Wastewater Evaluator), and North Carolina General Statute (N.C.G.S) §130A-335 (a2) permits. The recent passage of Session Law 2023-90 (H628) amends language to the North Carolina General Statutes §130A-336.1 (n), §130A-336.2 (n), and §130A-335 (a6).

The amended language establishes a maximum amount that can be charged for the respective private option permits. The fee changes are effective September 1, 2023.

EOP: N.C.G.S. 130A-336.1 (n) Fees- The local health department may assess an administrative fee of no more than thirty-five dollars (\$35.00) for filing costs.

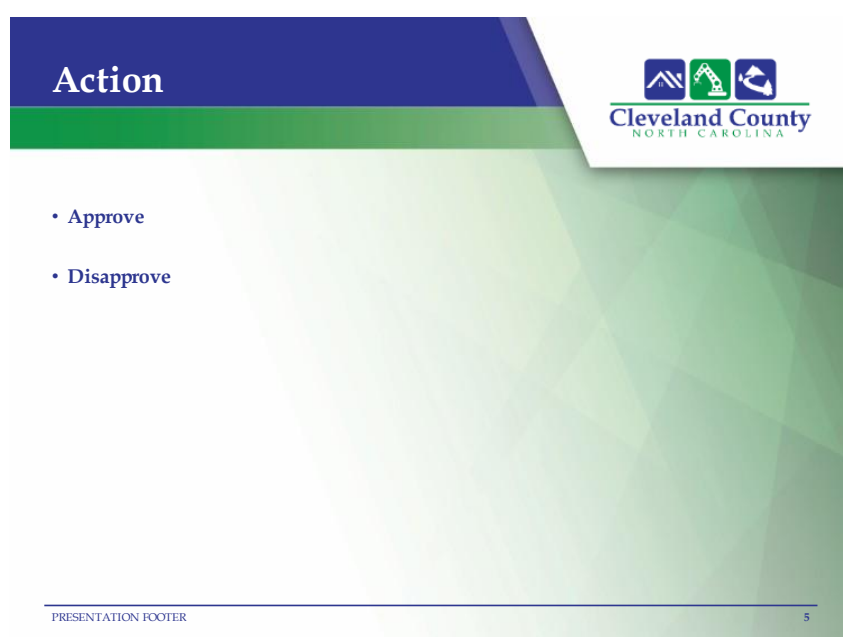
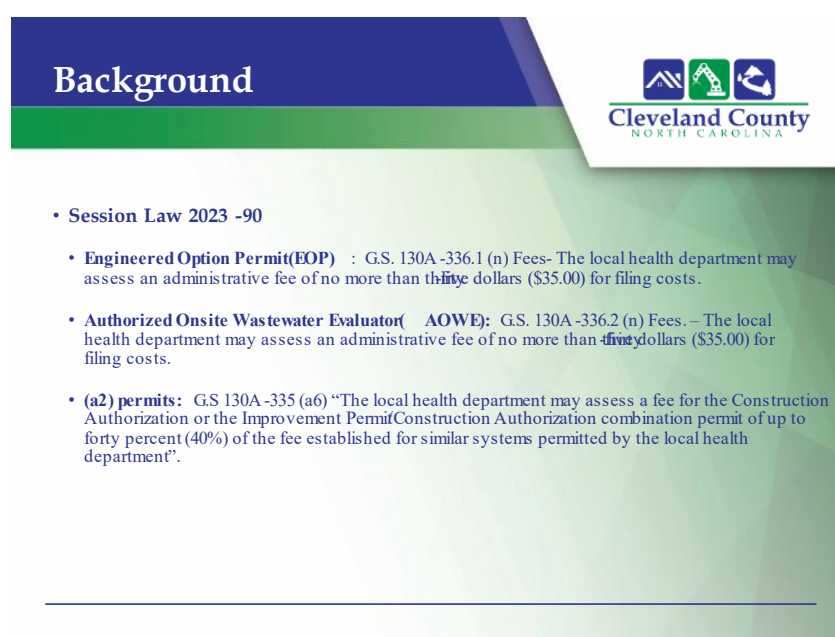
AOWE: N.C.G.S. 130A-336.2 (n) Fees. The local health department may assess an administrative fee of no more than thirty-five dollars (\$35.00) for filing costs.

(a2) permit: N.C.G.S 130A-335 (a6) “The local health department may assess a fee for the Construction Authorization or the Improvement Permit/Construction Authorization combination permit of up to forty percent (40%) of the fee established for similar systems permitted by the local health department.”

The current approved fee schedule will need to be amended to the following to align:

- Reduce the EOP fee from \$135.00 to \$35.00
- Add AOWE fee of \$35.00
- Add a2 permit fee of 40% of the approved \$450.00 for a fee of \$180.00

The following information and PowerPoint were presented to the Commissioners.



Chairman Gordon opened the floor to the Board for questions and discussion. Commissioner Whetstine commented on the positive financial relief this will have on building contractors.

ACTION: Commissioner Whetstine made a motion, seconded by Commissioner Hutchins, and unanimously approved by the Board to, ***approve the amended environmental health fees for private option permits.***

BOARD APPOINTMENTS

CLEVELAND COUNTY HISTORIC PRESERVATION COMMITTEE

ACTION: Commissioner Whetstine made the motion, seconded by Commissioner Bridges, and unanimously adopted by the Board, ***to appoint Heather Robbins to serve as a county member of this board*** for a four-year term, scheduled to conclude December 31, 2027 ***and to appoint Richard Baker to serve as a municipal member of this board*** for a four-year term, scheduled to conclude July 1, 2027.

KINGS MOUNTAIN PLANNING AND ZONING (ETJ)

ACTION: Commissioner Hardin made the motion, seconded by Commissioner Bridges, and unanimously adopted by the Board, ***to appoint Charles Welch to serve as a member of this board*** for a three-year term, scheduled to conclude on December 31, 2025.

ADJOURN

There being no further business to come before the Board at this time, Commissioner Hardin made a motion, seconded by Commissioner Bridges and unanimously adopted by the Board, ***to adjourn.*** The next meeting of the Commission is scheduled for ***Tuesday, September 19, 2023 at 6:00 pm*** in the Commissioners' Chambers.

*Kevin Gordon, Chairman
Cleveland County Board of Commissioners*

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