

Cleveland County Board of Commissioners
September 19, 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
Rebecca Johnson, Interim Social Services Director
Josh Davis, Solid Waste Director
Sandra Orvig, Shooting Complex Director
Perry Davis, Emergency Management Director/Fire Marshal
Scott Bowman, Maintenance Director

CALL TO ORDER

Chairman Gordon called the meeting to order, and Commissioner Bridges 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.***

CONSENT AGENDA

APPROVAL OF MINUTES

The Clerk to the Board included the Minutes from the ***September 5, 2023 regular meeting*** 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 August 22, 2023 through September 7, 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
1783	D	8/22/2023	010.411	Commissioners			Move funds to cover clothing	\$ 750.00
1784	D	8/24/2023	010.611	Library			Move funds to cover dept supply-Spangler Branch	\$ 2,800.00
1785	D	8/28/2023	010.542	Animal Servs			Move funds to cover employee certifications	\$ 168.00
1786	D	8/31/2023	012.540	WIC			Move funds to cover capital equipment	\$ 3,250.00
1787	D	9/1/2023	010.412	Manager's Office			Move monthly travel allow budget to approp account	\$ 8,640.00
1788	D	9/1/2023	010.411	Commissioners			Move monthly travel allow budget to approp account	\$ 53,220.00

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 *August 2023*.

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

TOTAL TAXES COLLECTED AUGUST 2023

YEAR	AMOUNT-REAL	AMOUNT-GAP	COMBINED AMT
DEF REV	\$0.00	\$0.00	\$0.00
2023	\$48,171,201.65	\$11,438.70	\$48,182,640.35
2022	\$85,963.59	\$1,219.51	\$87,183.10
2021	\$27,823.46	\$1,925.11	\$29,748.57
2020	\$10,248.61	\$586.37	\$10,834.98
2019	\$4,784.63	\$0.00	\$4,784.63
2018	\$1,454.77	\$0.00	\$1,454.77
2017	\$1,256.90	\$0.00	\$1,256.90
2016	\$1,698.83	\$0.00	\$1,698.83
2015	\$1,804.36	\$0.00	\$1,804.36
2014	\$948.43	\$0.00	\$948.43
2013	\$975.68	\$0.00	\$975.68
			<u>\$48,323,330.60</u>
TOTALS	\$48,308,160.91	\$15,169.69	\$48,323,330.60
DISCOUNT	(\$240,825.99)		(\$240,825.99)
INTEREST	\$19,656.75	\$392.81	\$20,049.56
TOLERANCE	\$490.48	(\$5.62)	\$484.86
ADVERTISING	\$406.00		
GARNISHMENT	\$2,236.95	GAP BILL FEES	DEFERRED GAP
NSF/ATTY	\$63.50	\$643.57	\$0.00
LEGAL FEES	\$0.00		
TOTALS	\$48,090,188.60	\$16,200.45	
MISC FEE	\$0.00		GRAND TOTAL
TAXES COLL	\$48,090,188.60		\$48,106,389.05
	\$0.00		\$0.00
	\$48,090,188.60		\$48,106,389.05

TOTAL TAXES UNCOLLECTED AUGUST 2023

YEAR	AMOUNT-REAL	AMOUNT-GAP	COMBINED AMT
2023	\$43,062,479.41	\$196,936.98	\$43,259,416.39
2022	\$1,616,553.14	\$105,398.85	\$1,721,951.99
2021	\$550,634.78	\$69,641.34	\$620,276.12
2020	\$490,491.99	\$38,728.32	\$529,220.31
2019	\$528,493.53	\$0.00	\$528,493.53
2018	\$277,218.76	\$0.00	\$277,218.76
2017	\$177,051.26	\$0.00	\$177,051.26
2016	\$124,787.85	\$0.00	\$124,787.85
2015	\$103,745.49	\$0.00	\$103,745.49
2014	\$112,110.89	\$0.00	\$112,110.89
2013	\$84,283.65	\$0.00	\$84,283.65

TOTAL UNCOLLECTED	\$47,127,850.75	\$410,705.49	\$47,538,556.24
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TAX ADMINISTRATION: ABATEMENTS AND SUPPLEMENTS

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during *August 2023*. The monthly grand total for tax abatements was listed as (\$51,313.62), and the monthly grand total for tax supplements was listed as \$14,591.62.

ACTION: Commissioner Bridges made a motion, seconded by Commissioner Hardin, and passed unanimously by the Board to, ***approve the August 2023 tax abatements and supplements submitted by the Tax Assessor.***

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #018)

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>
012.548.5.310.48		CODAP/Federal Govt Grant-DFC	\$125,000.00	
012.548.5.121.00		CODAP/Salaries	\$60,552.00	
012.548.5.131.00		CODAP/Social Security	\$3,755.00	
012.548.5.132.00		CODAP/Retirement	\$7,806.00	
012.548.5.133.00		CODAP/Hospital Ins	\$13,200.00	
012.548.5.134.00		CODAP/Dental Ins	\$180.00	
012.548.5.135.00		CODAP/401K	\$3,634.00	
012.548.5.136.00		CODAP/Medicare	\$878.00	
012.548.5.210.48		CODAP/Departmental Supplies-DFC	\$580.00	
012.548.5.310.48		CODAP/Travel-Training-DFC	\$11,489.00	
012.548.5.370.48		CODAP/Advertising-DFC	\$17,843.00	
012.548.5.411.48		CODAP/Rent of Building-Space-DFC	\$200.00	
012.548.5.420.48		CODAP/Contracted Services-DFC	\$6,070.00	
012.548.5.460.48		CODAP/Subscription-Dues-DFC	\$750.00	

Explanation of Revisions: Budget allocation for \$125,000 in federal grant funds received from the US Department of Health and Human Services 10th final year of the Drug-Free Communities (DFC) program. Funds will be used towards operating expenses.

EMERGENCY MEDICAL SERVICES: BUDGET AMENDMENT (BNA #019)

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>
010.446.4.991.00		EMS/Fund Balance Appropriated	\$200,000.00	
010.446.5.660.46		EMS/Medicaid IGT Fees	\$200,000.00	

Explanation of Revisions: Budget allocation for \$200,000 for the North Carolina Department of Health and Human Services Public Ambulance Provider Intergovernmental Transfer (IGT) Agreement. Funds will be used to support the Managed Care Directed Payment Fee Schedule for the Non-Federal Share portion in excess of the providers' historical Medicaid payments received.

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:***



Resolution

21-2023

CHANGE IN REGULAR MEETING SCHEDULE OF THE CLEVELAND COUNTY BOARD OF COMMISSIONERS

WHEREAS, the Cleveland County Board of Commissioners has decided that it is appropriate to reschedule their regular meeting from **Tuesday, December 5, 2023, at 6:00 p.m.** to **Tuesday, December 12, 2023, at 6:00 p.m. in the Commission Chamber located at 311 East Marion Street in Shelby.**

NOW, THEREFORE, BE IT RESOLVED, THAT, the Cleveland County Board of Commissioners change their meeting in accordance with the mandates of North Carolina General Statute 153A-40.

Adopted this the 19th day of September 2023.

By:

Kevin Gordon, Chairman
Board of Commissioners of Cleveland County

ATTEST:

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



REGULAR AGENDA

MIDPINES CONVENIENCE CENTER

Chairman Gordon recognized Solid Waste Director Josh Davis to present an update on the Midpines Convenience Center. The Midpines Convenience Center (MCC) is located on Margrace Road in Kings Mountain. In July, staff began to feel shaking and shifting when larger vehicles drove through the site. Mr. Davis immediately contacted the landfill's consulting engineers to do a structural evaluation of the site. On August 10, upon receipt of the results, and in an overabundance of caution for citizen's safety and the structural integrity of the site, the site was indefinitely closed. Testing included core sampling underneath the concrete and soil sampling, along with testing the reinforcement of the rebar requirements.

The engineer's lab reports outlined why the Midpines Convenience should be closed. The report noted drainage issues, voids under the concrete, insufficient psi on the concrete, and poor soil quality under the concrete due to water issues. Staff received an estimated cost of repairs from an engineering firm in the \$1.1MM range. Mr. Davis and his staff began looking at temporary options to provide some relief to the citizens. Traffic has been an issue on the small site. Because of this, it was not a feasible decision to spend that amount of money to repair the existing site.

A temporary site was opened within the existing site, for an approximate cost of \$25,000. The site will only accept bagged household garbage. Solid Waste staff self-performed all the site work with assistance from the county's maintenance department. Work was completed cost-effectively and in a timely manner. The landfill maintenance staff did all the metal fabrication on the MCC site. This team also maintains equipment at the landfill

as well as the Emergency Medical Services (EMS) fleet. Mr. Davis commended his entire team for the job they are doing.

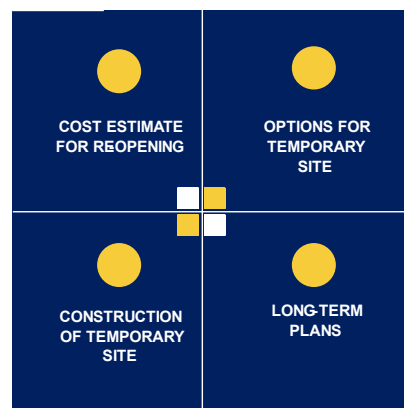
Mr. Davis reviewed the temporary site layout and use guidelines. He explained there will be a separate truck entrance and exit from the public to ensure roll-off trucks are not mixed in with citizens and their vehicles. The temporary site will:

- Open on October 2, 2023
- Accept bagged household trash only
- No trailers allowed
- Alternative locations are Oak Grove Road and Earl/198

A long-term plan includes monitoring the trash collection at the temporary location as well as Oak Grove Road and Highway 198 collection sites. The county will contract with an engineering firm for a cost analysis on new facility construction. The biggest challenge is finding an available and reasonably priced piece of property near the current Midpines location. Site attendants will communicate the new location and the rules of the temporary site, with handouts to be given out to everyone who visits Oak Grove Road and Highway 198 collection site. A press release is prepared and ready to be sent out in the morning, along with posts on the county's social media outlets and county website. The following information and PowerPoint were presented to the Commissioners.

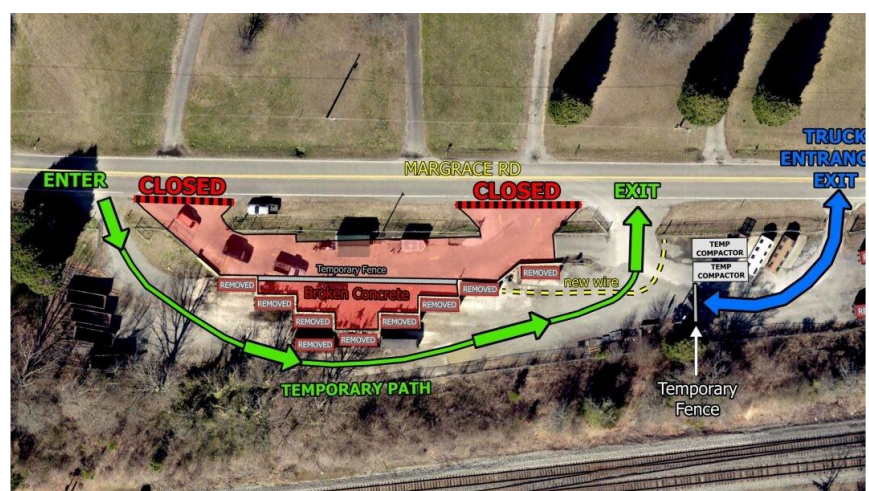


Midpines Recycling Center closed August 10th



Temporary Site

- Opening October 2, 2023
7am-6pm
Monday to Saturday
- Bagged Household Garbage ONLY
- No trailers allowed at this site
- Alternative locations :
Oak Grove and Earl/ 198



Long-Term Plan

- Monitor collection at temporary location as well as Oak Grove and 198 location
- Contract with Engineering firm for cost analysis for construction of new facility
- Look for alternative land for potential new convenience site (close proximity)



Communication

A flyer from Cleveland County Solid Waste Department. The top section is green and white, featuring the county logo and the text "TEMPORARY CONVENIENCE SITE OPENING AT MIDPINES BEGINNING OCT. 2, 2023". Below this, a dark blue section contains a green trash bag icon and the text "Bagged Household Garbage Only" and "No Trailers Allowed at This Site". The bottom section is green and white, providing the address "615 Margrace Rd., Kings Mountain" and "Alternative Sites: Oak Grove and Ear/198". On the right side, there is a smaller flyer with a photo of the site and contact information for Kelli Overton, Marketing and Communications Director.

QUESTIONS

Chairman Gordon opened the floor to the Board for questions and comments. Commissioners thanked Mr. Davis and his staff for the tremendous amount of due diligence, dedication, and long hours of hard work they put in to open the temporary site for the citizens and work towards a long-term solution.

BOARD APPOINTMENTS

CLEVELAND COUNTY BOARD OF HEALTH

ACTION: Commissioner Bridges made the motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board, *to appoint Dr. Nancy Cline to serve as an eye doctor member of this board* for a three-year term, scheduled to conclude on December 31, 2025.

KINGS MOUNTAIN BOARD OF ADJUSTMENT (ETJ)

ACTION: Commissioner Bridges made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board, *to appoint Renee Bost to serve as a member of this board* for a term scheduled to conclude on December 31, 2023, *to appoint Doug Lawing to serve as a member of this board* for a term scheduled to conclude on December 31, 2024, and *to appoint Charles Welch to serve as a member of this board* for a term scheduled to conclude on December 31, 2025.

CLOSED SESSION

ACTION: Commissioner Whetstine made the motion, seconded by Commissioner Hardin and unanimously adopted by the Board, *to go into closed session per North Carolina General Statute §143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. (Copy of closed session Minutes are sealed and found in the Closed Session Minute Book).*

RECONVENE IN REGULAR SESSION

Chairman Gordon stated, “*The Board is in open session. During the closed session, the Board received status on an update related to a matter in accordance with North Carolina General Statute §143.318.11(a)(6). No action was taken*”

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 ***Friday, October 13, 2023, at 8:30 a.m.*** at the Cleveland County Health Department located at 200 S. Post Road, for a Commissioner’s Work Session.

*Kevin Gordon, Chairman
Cleveland County Board of Commissioners*

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