

*Cleveland County Board of Commissioners*  
*October 17, 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.

**\*\*Clerk's Note: Action on the regular agenda item, Justice Center Amendment 3 Early Work Package, has been corrected.**

**PRESENT:** Kevin Gordon, Chairman  
Ronnie Whetstine, Vice-Chair  
Johnny Hutchins, Commissioner  
Doug Bridges, Commissioner  
Deb Hardin Commissioner  
Tim Moore, County Attorney  
David Cotton, County Manager  
Phyllis Nowlen, Clerk to the Board  
Kerri Melton, Assistant County Manager  
Martha Thompson, Deputy County Attorney  
Chris Martin, Planning Director  
Scott Bowman, Maintenance Department Director  
Rebecca Johnson, Interim Social Services Director  
Jason Falls, Business Development Director  
Brad Gates, Animal Services Director

**CALL TO ORDER**

Chairman Gordon called the meeting to order. City of Kings Mountain Councilman Keith Miller led the audience in the Pledge of Allegiance and provided the invocation.

**AGENDA ADOPTION**

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

**SPECIAL RECOGNITION**

**METROPOLITAN PLANNING ORGANIZATIONAL BOARD**

Chairman Gordon recognized City of Kings Mountain Councilman Keith Miller, who presented Commissioner Hutchins with a plaque of appreciation for his 10-year tenure as a board member, on the Gaston-Cleveland-Lincoln Metropolitan Planning Organization. Commissioners congratulated Commissioner Hutchins and expressed appreciation for his service to the citizens of Cleveland County.

**SPECIAL PRESENTATIONS**

**VETERAN'S RESOURCE CONNECTION**

Chairman Gordon called Clerk to the Board Phyllis Nowlen to present information on the Veteran's Resource Connection. Cleveland County is hosting a Veterans Resource Connection on Wednesday, November 8, 2023, from 9:00 a.m. to 4:00 p.m. at the LeGrand Center located at 1800 E. Marion Street in Shelby.

North Carolina is home to around 700,000 veterans, the eighth-largest veteran population in the nation and the fourth-largest active-duty military presence nationwide. Cleveland County is home to 8,000 of those veterans. This event is free to attend and open to veterans, spouses, their caregivers, and the public. Local non-profits and

businesses, veteran health and wellness services, and state-wide organizations will be on-site to answer questions and share information. During the Veterans Resource Connection, the film “*The Veteran’s Battlefield: A Story of North Carolina’s Veterans*” will be shown several times. 100 Strong Productions produced this film, which showcases the hardships and challenges veterans face when they transition to civilian life.

**MINORITY ENTERPRISE DEVELOPMENT WEEK 2023**

Chairman Gordon recognized Mr. Richard Hooker, Cleveland County Minority Business Development Center Director. Mr. Hooker thanked the Commissioners for their continued support of the Minority Business Sector and of MED Week. Started in 1983 by the Administration of President Reagan, Minority Enterprise Development Week is designed to recognize accomplishments and achievements of minority businesses across the Nation. Mr. Hooker gave an overview of the recent achievements, goals and upcoming events for MED Week. Commissioners presented Mr. Hooker with the following proclamation:



**PUBLIC COMMENT**

**Robert Williams, 814 E. Stagecoach Trl, Lawndale** – spoke about the Justice Center Campus project, expressing concerns the project is over budget and not correctly managed.

**CONSENT AGENDA**

**APPROVAL OF MINUTES**

The Clerk to the Board included the Minutes from the *September 19, 2023 regular meetings* in Board members' packets.

**ACTION:** Commissioner Hardin made a motion, seconded by Commissioner Bridges, 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 September 20, 2023 through October 4, 2023 is included in Commissioner packets.

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

County of Cleveland, North Carolina  
Manager's Budget Summary  
Presented at the September 15, 2023 Board Meeting  
Time Period Covered : 9/20/23 thru 10/4/23  
For Fiscal Year Ending June 30, 2024

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
1789	D	9/20/2023	011.506	DSS Admin			Move funds to cover contracted services and garbage exp	\$ 28,106.00
1791	D	9/21/2023	012.545	Nurse Family Partnership			Move funds to cover awards/appreciation	\$ 2,000.00
1792	L	9/21/2023	012.541	Env Health	012.545	Nurse Family Partnership	Transfer funds to cover truck purchase	\$ 10,700.00
1793	D	9/21/2023	010.591	Veteran Services			Move funds to cover maint contracts-equip	\$ 918.00
1794	D	9/21/2023	060.651	Property/Liability			Move funds to cover insurance and insurance claims	\$ 14,793.00
1795	D	9/25/2023	010.446	EMS			Move funds to cover bldg rent	\$ 6,800.00
1796	D	9/25/2023	010.446	EMS			Move funds to approp account for bldg rent wrg one used on BTL1795	\$ 6,800.00
1797	D	9/26/2023	010.413	Finance			Move funds to cover professional services	\$ 7,500.00
1798	D	9/26/2023	010.492	Economic Development			Move funds to cover contracted services for new director search	\$ 47,000.00
1799	D	9/26/2023	010.444	Detention Center			Move funds to cover insur/legal settlement	\$ 430.00
1802	D	10/4/2023	010.419	Register of Deeds			Move funds to cover controlled property exp	\$ 86.00

**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 *September 2023.*

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

**TOTAL TAXES COLLECTED SEPTEMBER 2023**

YEAR	AMOUNT-REAL	AMOUNT-GAP	COMBINED AMT
DEF REV	\$0.00	\$0.00	\$0.00
2023	\$4,357,744.50	\$7,820.97	\$4,365,565.47
2022	\$95,326.70	\$110.19	\$95,436.89
2021	\$16,604.29	\$966.03	\$17,570.32
2020	\$6,491.20	\$267.77	\$6,758.97
2019	\$4,436.30	\$0.00	\$4,436.30
2018	\$2,319.23	\$0.00	\$2,319.23
2017	\$2,004.64	\$0.00	\$2,004.64
2016	\$1,141.06	\$0.00	\$1,141.06
2015	\$1,033.07	\$0.00	\$1,033.07
2014	\$858.20	\$0.00	\$858.20
2013	\$250.97	\$0.00	\$250.97
			<u>\$4,497,375.12</u>
TOTALS	\$4,488,210.16	\$9,164.96	\$4,497,375.12
DISCOUNT	(\$10,065.75)		(\$10,065.75)
INTEREST	\$16,793.01	\$193.20	\$16,986.21
TOLERANCE	\$20.14	(\$1.65)	\$18.49
ADVERTISING	\$336.00		
GARNISHMENT	\$679.31		
NSF/ATTY	\$265.68	\$218.45	\$0.00
LEGAL FEES	\$0.00		
TOTALS	\$4,496,238.55	\$9,574.96	
MISC FEE	\$0.00		GRAND TOTAL
TAXES COLL	\$4,496,238.55		\$4,505,813.51
	\$0.00		\$0.00
	\$4,496,238.55		\$4,505,813.51

**TOTAL TAXES UNCOLLECTED SEPTEMBER 2023**

YEAR	AMOUNT-REAL	AMOUNT-GAP	COMBINED AMT
2023	\$48,337,739.21	\$188,752.39	\$48,526,491.60
2022	\$1,516,638.55	\$105,053.64	\$1,621,692.19
2021	\$531,411.15	\$68,675.31	\$600,086.46
2020	\$483,216.43	\$38,460.55	\$521,676.98
2019	\$523,232.72	\$0.00	\$523,232.72
2018	\$274,838.02	\$0.00	\$274,838.02
2017	\$174,986.36	\$0.00	\$174,986.36
2016	\$123,586.53	\$0.00	\$123,586.53
2015	\$102,655.24	\$0.00	\$102,655.24
2014	\$111,195.51	\$0.00	\$111,195.51
2013	\$84,032.68	\$0.00	\$84,032.68
		\$0.00	\$0.00
TOTAL UNCOLLECTED	\$52,263,532.40	\$400,941.89	\$52,664,474.29

**TAX ADMINISTRATION: ABATEMENTS AND SUPPLEMENTS**

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during *September 2023*. The monthly grand total for tax abatements was listed as (\$18,835.82) and the monthly grand total for tax supplements was listed as \$9,642,128.99.

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

**TAX ADMINISTRATION: PENDING REFUNDS AND RELEASES**

The Tax Administration Office requests the release of \$772.54, pursuant to North Carolina General Statute §105-381. The petitioner, Michael Kauder, was overcharged due to a clerical error. The County Tax Assessor has reviewed the request and advised it is in order for approval.







012.545.5.210.45	Nurse Family Partnership/Departmental Supply	\$4,000.00
012.545.5.230.45	Nurse Family Partnership/Medicine & Supplies-NFP	\$4,000.00
012.545.5.310.45	Nurse Family Partnership/Travel-Training	\$30,000.00
012.545.5.490.45	Nurse Family Partnership/Professional Serv-NFP	\$10,000.00
012.545.5.581.45	Nurse Family Partnership/Awards-Appreciation-NFP	\$4,000.00
012.545.5.891.00	Nurse Family Partnership/Emergency & Contingency	\$166,255.00

*Explanation of Revisions:* Budget allocation for \$301,858 in grant funds from the North Carolina Department of Health and Human Services for the Nurse-Family Partnership Program. Funds will be used towards salaries and fringe to hire 2 full-time Nurse Home Visitors. This will allow staff to serve up to an additional 50 families and better serve the program's existing enrollees.

**PLANNING DEPARTMENT: REQUEST TO SET A PUBLIC HEARING FOR TUESDAY, NOVEMBER 7, 2023 FOR CASE 23-21; REQUEST TO REZONE PARCELS ON DOVE COVE LANE FROM RESTRICTED RESIDENTIAL (RR) TO RESIDENTIAL (R)**

Parcels 66493, 61286, and 16372 total 25 acres located on Dove Cove Lane off Stony Point Road, near the intersection with New Camp Creek Church Road. The applicants, Tyler and Heidi Bowling are applying to change the zoning of these parcels from Restricted Residential (RR) to Residential (R). The surrounding zoning is Residential (R) to the south and east, and Restricted Residential (RR) to the north and west, along Moss Lake. Surrounding uses are mostly residential, with a commercial intersection on Stony Point and New Camp Creek Church Road.

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

**PLANNING DEPARTMENT: REQUEST TO SET A PUBLIC HEARING FOR TUESDAY, NOVEMBER 7, 2023 FOR CASE 23-22; REQUEST TO REZONE 122 OVEDA DRIVE FROM HEAVY INDUSTRIAL (HI) TO RESIDENTIAL MANUFACTURED HOMES AND PARKS (RM)**

Parcels 10613 and 65332 are a combined total of 134 acres located at 122 Oveda Drive off Long Branch, between Grover and Kings Mountain. Property owners Barbara Jenkins, Pam Walkowiak, Abbie Michael, Lisa Whitener, and et. al. are applying to change the zoning of these parcels Heavy Industrial (HI) to Residential Manufactured Homes and Parks (RM). The surrounding zoning is Residential (R) to the north and east, Residential Manufactured Homes and Parks (RM) to the west, and General Business-Conditional Use (GB-CU) to the south. The surrounding uses are mostly agricultural and residential. The Land Use Plan calls this area Secondary Growth which is consistent with the RM zoning district.

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

**PLANNING DEPARTMENT: REQUEST TO SET A PUBLIC HEARING FOR TUESDAY, NOVEMBER 7, 2023 FOR CASE 23-24; REQUEST TO REZONE 2603 SOUTH LAFAYETTE STREET FROM GENERAL BUSINESS (GB) TO RESIDENTIAL (R)**

Parcels 5675 and 5681 combined are 4.72 acres located at 2603 South Lafayette Street south of Shelby, near the intersection with South Post Road. The applicant, Amber Scott Bradshaw, is applying to change the zoning of the parcels from General Business (GB) to Residential (R). The surrounding zoning is mostly Residential (R), with some General Business (GB) and Neighborhood Business (NB) along Lafayette Street. Surrounding uses are

mostly residential, with two churches closer to the intersection with South Post Road. The Land Use Plan calls this area Secondary Growth, which supports uses such as residential.

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

**ANIMAL SERVICES: ANIMAL SERVICES ADVISORY BOARD BYLAWS AMENDMENT**

Included in Commissioners' packets were recommended amendments to the membership of the Animal Services Advisory Board. Recommendation below:

III. MEMBERS

- a. There shall be nine (9) members of the Animal Services Board who shall be appointed by the Board of Commissioners.
- b. The composition of the Animal Services Board shall include: one licensed veterinarian, three representatives of the general public, one person who volunteers with an animal shelter or animal rescue organization, one operator of an animal rescue organization, one livestock farmer/rancher, one member of a hunting or gun dog organization, and one actively employed law enforcement officer. The volunteer may be a person who volunteers with Cleveland County Animal Services. If the Board of Commissioners is unable to locate a person meeting one of more of these criteria, the Board of Commissioners may replace such person or persons with a representative of the general public. Commissioners may serve on the Animal Services Board if they otherwise qualify for membership.

**ACTION:** Commissioner Hardin made a motion, seconded by Commissioner Bridges, and unanimously adopted by the Board to, *approve the Animal Services Advisory Board Bylaws amendment as presented. (a full copy of the Animal Services Advisory Board bylaws is available in the Clerk's Office and Animal Services.)*

**REGULAR AGENDA**

**CLEVELAND COUNTY JUSTICE CENTER AMENDMENT 3 (EARLY WORK PACKAGE)**

Chairman Gordon recognized County Manager David Cotton to present the Justice Center Amendment 3 Early Work Package. Mr. Cotton presented the aggregate pier package for the Justice Center. The total construction cost for the aggregate piers is \$1.6MM for this individual sector. The next package will include the foundation and steelwork.

Chairman Gordon opened the floor to the Board for questions and discussion. Chairman Gordon asked if the bid package is within the allotted budget contract. Mr. Cotton advised it was.

**ACTION:** Commissioner Whetstine made a motion, seconded by Commissioner Hutchins, and unanimously approved by the Board to, *approve sending bids out for the Justice Center Amendment 3 (Early Work Package).*

**CORRECTED ACTION:** Commissioner Whetstine made a motion, seconded by Commissioner Hutchins, and unanimously approved by the Board to, *approve the Justice Center Amendment 3 (Early Work Package) as presented.*



**BOARD APPOINTMENTS**

**CLEVELAND COUNTY ANIMAL SERVICES ADVISORY BOARD**

**ACTION:** Commissioner Hardin made the motion, seconded by Commissioner Bridges, and unanimously adopted by the Board, *to appoint the following individuals to serve as members of this board* for the following terms:

- *Dr. Luke Martin, Licensed Veterinarian Initial Appointment expires December 31, 2024*
- *Deputy Scott Lawrence, Actively Employed Law Enforcement Officer Initial Appointment expires December 31, 2024*
- *Allison Still, Volunteer with an Animal Shelter or Rescue Organization Initial Appointment expires December 31, 2025*
- *Greg Traywick, Livestock Owner/Rancher or County Extension Director Initial Appointment expires December 31, 2025*
- *Margret Watson, Operator of an Animal Rescue Organization Initial Appointment expires December 31, 2025*
- *Ginger Bullock, Sherry Crowder and Janet Whisnant, Representatives of the General Public Initial Appointment expires December 31, 2026*

**ADJOURN**

There being no further business to come before the Board at this time, Commissioner Hardin made a motion, seconded by Commissioner Whetstine and unanimously adopted by the Board, *to adjourn*. The next meeting of the Commission is scheduled for *Tuesday, November 7, 2023 at 6:00 pm* in the Commissioners' Chambers.

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*Kevin Gordon, Chairman  
Cleveland County Board of Commissioners*

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