

COUNTY OF CLEVELAND, NORTH CAROLINA
AGENDA FOR THE REGULAR COMMISSION MEETING

April 2, 2024

6:00 PM

County Commissioners Chamber

- **Call to Order and Determination of a Quorum** - Commission Chair
- **Pledge of Allegiance and Invocation** (Please stand for the Pledge of Allegiance and remain standing for the Invocation)
- **Recognition of Elected Officials**
- **Recognition of Veterans**
- **Recognition of Law Enforcement**
- **Recognition of County Department Heads**

1. MOTION TO ADOPT THE PROPOSED AGENDA

(Only emergency items shall be added to the agenda. Upon approval of the Commission Chair and County Commission, the item will be added.)

SPECIAL PRESENTATION

- 2. National Library Week 2024
Wright Adams, Library Director
- 3. National Health Department Week 2024
Tiffany Hansen, Health Department Director

4. PUBLIC COMMENT

Individuals who wish to address the Board during the public comment period shall register with the Clerk to the Board providing their true name and address on the sign-up sheet. Each individual wishing to address the Board shall only register themselves and will not be permitted to enter the name of any other individual, as the sign-up sheet is a public record

available for inspection. The sign-up sheet will be available fifty (50) minutes prior to the start of each meeting. The sign-up sheet will be collected ten (10) minutes prior to the start of each meeting by the Clerk to the Board. Individuals who have not entered their true name and address on the sign-up sheet within the designated time period will not be permitted to address the Board, unless the Chair, in the Chair's sole discretion, permits.

Citizen speakers will be acknowledged in the order in which they signed up to speak and will address all comments to the Board as a whole and not one individual commissioner. Speakers will address the Board from the speaker's podium at the front of the room and will begin their remarks by stating their name and address. Discussions between Speakers and members of the audience will not be allowed. Public comment is not intended to require the Board to answer any impromptu questions. Speakers are expected to be civil in their language and presentation and are prohibited from using profanity or making threats of violence or personal attacks against any person. All comments from the speaker shall be issue-oriented and directly related to a subject that the Commissioners have oversight and authority. Each speaker is allotted three (3) minutes to address the Board. A speaker is not permitted to share, reserve or relinquish any remaining time allocated to them to another speaker. Any comments where the primary purpose is to promote a business or candidacy shall not be allowed.

Any written materials, petitions, photographs and/or other documents may be delivered to the Clerk to the Board. The County is not permitted to accept any external data storage devices (thumb drives, flash drives, memory cards or similar device). In accordance with the Board's adopted Rules of Procedure, Commissioners shall reserve responses, if any, for the Commissioner comment period on the agenda.

A.

5. **CONSENT AGENDA**

Motion to approve the following Consent Agenda items: (Consent items will be adopted with a single motion, second and vote, unless a request for removal from the Consent Agenda is heard from a Commissioner.)

- | | | |
|----|----------------------------------|--|
| A. | <u>Minutes</u> | Minutes from the February 6, 2024, Regular Commissioners Meeting |
| B. | <u>Tax Administration</u> | Late Applications for Exemption / Exclusion / Deferral |
| C. | <u>Sheriff's Office</u> | Budget Amendment (BNA#053) |
| D. | <u>Health Department</u> | Budget Amendment (BNA#054) |
| E. | <u>Finance Department</u> | Budget Amendment (BNA#055) |
| F. | <u>Planning</u> | Request to Set a Public Hearing on Tuesday, May 7, 2024, for |

- | | |
|---------------------------------------|---|
| <u>Department</u> | Case 24-07; Request to Rezone Parcel 66507 located at 646 Dixon School Road, from Residential (R) to Rural Residential (RU) |
| G. <u>Economic Development</u> | Request to Set a Public Hearing on Tuesday, April 16, 2024 for Project Ball |

PUBLIC HEARINGS

Individuals who wish to address the Board during the public hearing shall register with the Clerk to the Board providing their true name and address on the sign-up sheet. Each individual wishing to address the Board shall only register themselves and will not be permitted to enter the name of any other individual, as the sign-up sheet is a public record available for inspection. The sign-up sheet will be available fifty (50) minutes prior to the start of each meeting. The sign-up sheet will be collected ten (10) minutes prior to the start of each meeting by the Clerk to the Board. Individuals who have not entered their true name and address on the sign-up sheet within the designated time period will not be permitted to address the Board, unless the Chair, in the Chair's sole discretion, permits.

Citizen speakers will be acknowledged in the order in which they signed up to speak and will address all comments to the Board as a whole and not one individual Commissioner. Speakers will address the Board from the speaker's podium at the front of the room and will begin their remarks by stating their true name and address. Discussions between speakers and members of the audience will not be allowed. A public hearing is not intended to require the Board to answer any impromptu questions. Speakers are expected to be civil in their language and presentation.

All comments from the speaker shall be directly related to the subject of the public hearing. Each speaker is allotted five (5) minutes to address the Board. A speaker is not permitted to share, reserve or relinquish any remaining time allocated to them to another speaker. Any written materials, petitions, photographs and/or other documents may be delivered to the Clerk to the Board. The County is not permitted to accept any external data storage devices (thumb drives, flash drives, memory cards or similar device). In accordance with the Board's adopted Rules of Procedure, Commissioners shall reserve responses, if any, for the Commissioner comment period on the agenda.

6. Case 24-06, Request to Rezone a 0.5-acre Portion of Parcel 66377 from Residential (R) to Neighborhood Business - Conditional Use (NB-CU) for a Farm Food/Grocery Store

Chris Martin, Planning Director

REGULAR AGENDA

7. Justice Center Phase I GMP

David Cotton, County Manager

ADJOURN

The next meeting of the Cleveland County Board of Commissioners will be held on Tuesday, April 16, 2024 at 6:00pm in the Commissioners' Chambers.

COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

National Library Week 2024

Department:

Agenda Title: National Library Week 2024

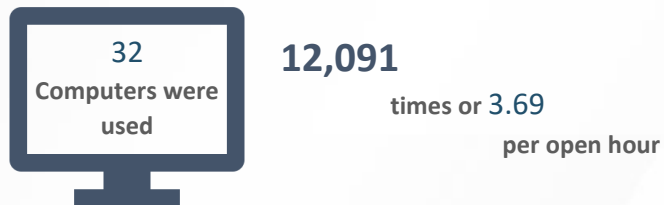
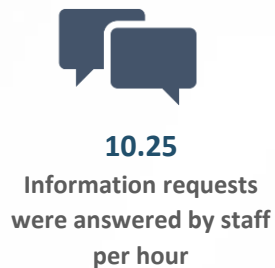
Agenda Summary: Wright Adams, Library Director

Proposed Action:

ATTACHMENTS:

File Name	Description
<input type="checkbox"/> FY2021-2022_Library_Statistics_(1).pdf	FY 21-22 Library Stats
<input type="checkbox"/> FY_2022-2023_Statistical_Report_(1).pdf	FY 22-23 Stat Report

LIBRARY USERS & VISITS



and library WiFi was
accessed
10,739 times



COLLECTION & USAGE

A library card gets you access to
356,546 items!



298,823
Books



43,563
Audio
Items

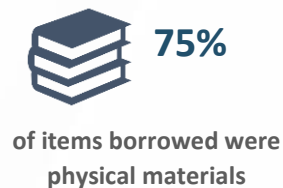


6,553
Videos

...and thousand more via online
databases.

items were borrowed from the
library. That's equal to...

2.66 per visit
2.01 per resident



PROGRAMMING



2,956 residents attended a library
program

The library offers something for all ages...

28.9%
of programs
are for adults

16.9%
of programs
are for young
adults

48.2%
of programs
are for children

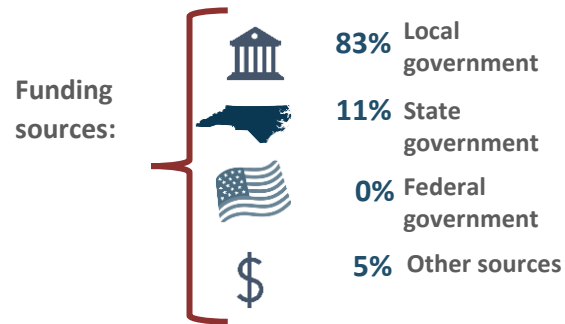


83 residents attended a livestreamed
program.

The library offers programming on a wide
array of topics...

FUNDING

Last year the library received **\$13.89** per resident to operate the library or **\$1,259,322** total.



Expenditures:



STAFFING



The library employs 14 full time and 4 part time staff members.

Each staff member fulfilled an average of **1,747** information requests and...

assisted in loaning an average of **9,455** items per staff member.



ABOUT THE LIBRARY

Service Population	90,647
Library Type	County
Director	Wright R. Adams
Web Address	

LOCATIONS & HOURS

No. of Central Libraries	1
No. of Branches & Stations	1
No. of Bookmobiles	0
Public Service Hours	3,280
Square Footage per Capita	0.32

STATISTICAL REPORT FOR

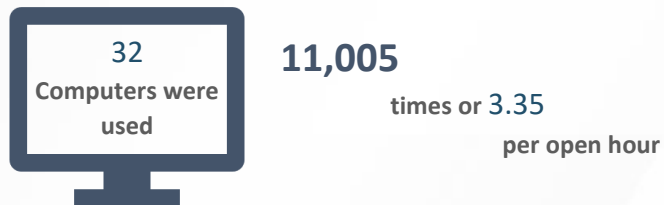
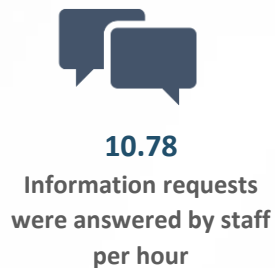
CLEVELAND COUNTY LIBRARY SYSTEM

2021-2022



The data contained in this report is from the Annual Report of North Carolina Library Statistics. Data is considered draft until certified by Institute of Museum & Library Services.

LIBRARY USERS & VISITS

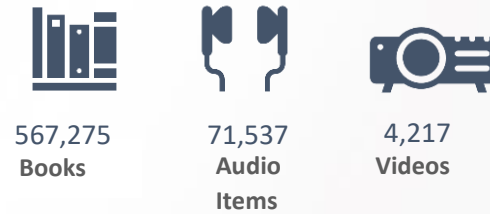


and library WiFi was accessed
11,247 times



COLLECTION & USAGE

A library card gets you access to
651,274 items!



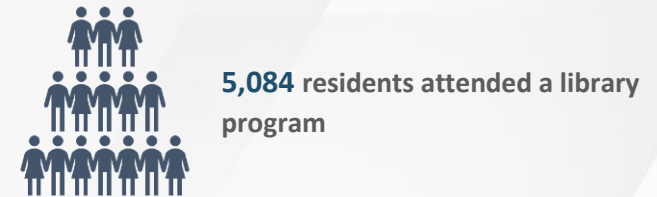
478,275 ebooks and eaudio books via online databases.

Total collection use was **177,417**.
That's equal to...

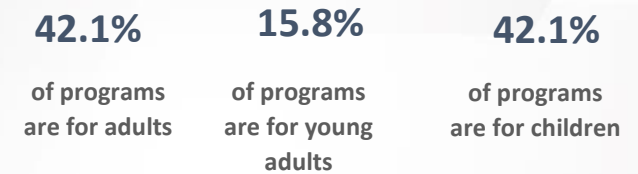
2.29 per visit
1.98 per resident



PROGRAMMING



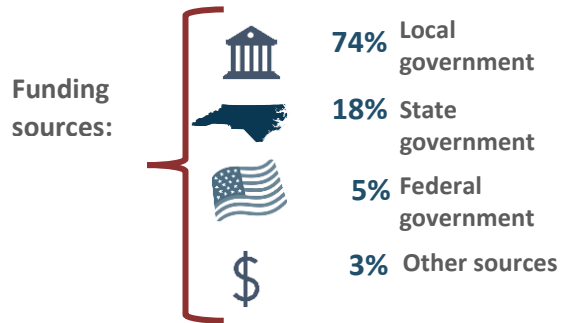
The library offers something for all ages...



The library offers programming on a wide array of topics...

FUNDING

Last year the library received **\$15.15** per resident to operate the library or **\$1,358,950** total.



Expenditures:



STAFFING



The library employs 14 full time and 5 part time staff members, including 6.18 professional librarians.

Each staff member fulfilled an average of **1,838** information requests and...

assisted in loaning an average of **9,235** items per staff member.



ABOUT THE LIBRARY

Service Population	89,688
Library Type	County
Director	Wright R. Adams
Web Address	

LOCATIONS & HOURS

No. of Central Libraries	1
No. of Branches & Stations	1
No. of Bookmobiles	0
Public Service Hours	3,282
Square Footage per Capita	0.32

STATISTICAL REPORT FOR

CLEVELAND COUNTY LIBRARY SYSTEM

2022-2023



The data contained in this report is from the Annual Report of North Carolina Library Statistics. Data is considered draft until certified by Institute of Museum & Library Services.

COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

National Health Department Week 2024

Department:

Agenda Title: National Health Department Week 2024

Agenda Summary: Tiffany Hansen, Health Department Director

Proposed Action:

ATTACHMENTS:

File Name

Description

No Attachments Available

COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Public Comment

Department:

Agenda Title:

Agenda Summary:

Proposed Action:

ATTACHMENTS:

File Name

Description

No Attachments Available

COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Minutes from the February 6, 2024, Regular Commissioners Meeting

Department: Minutes

Agenda Title: Minutes from the February 6, 2024, Regular Commissioners Meeting

Agenda Summary:

Proposed Action:

ATTACHMENTS:

File Name	Description
<input type="checkbox"/> 02062024_Meeting_DRAFT.pdf	Draft 02/06/24 Minutes

Cleveland County Board of Commissioners
February 6, 2024

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
Tim Moore, County Attorney
David Cotton, County Manager
Kerri Melton, Assistant County Manager
Chris Martin, Planning Director
Rebecca Johnson, Interim Social Services Director
Philip Steffan, Finance Director
Martha Thompson, Deputy County Attorney
Sherry Lavender, Tax Assessor
Scott Bowman, Maintenance Director
Colt Farrington, Inspections 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.*

SPECIAL RECOGNITION

2023 GOVERNOR'S NCWORKS AWARD OF DISTINCTION

The Governor's NCWorks Awards of Distinction honor outstanding examples from the state's workforce development system, including the students and job seekers who receive training, the professionals who provide career services, and the employers and other organizations that support a skilled workforce. Elijah James won in the category "Outstanding Teen."

Through the NCWorks "NextGen" youth program of the Foothills Workforce Development Board, Mr. James has found support and opportunities to gain skills while overcoming obstacles. He has a diagnosed disability of juvenile arthritis, which brings with it some physical limitations. Mr. James has demonstrated positivity, determination, and persistence in the face of barriers and continues to be successful both in his high school curriculum and in college-level courses. He anticipates graduating in May 2024 from Pinnacle Classical Academy with his high school diploma and an associate degree from Cleveland Community College. In the NextGen program, Mr. James participated in activities such as a Youth Summit, an entrepreneurial workshop, the Chess Club, and multiple work-based learning programs with employers such as the Cleveland County Library and Hospice of Cleveland County. As a NextGen program participant, he applied himself in his work-based learning and learned numerous critical skills, such as time management, organization, communication, customer service,

problem-solving, and teamwork. Commissioners congratulated Mr. James for his achievement and wished him continued success in his future endeavors.

PUBLIC COMMENT

No one signed up to speak.

CONSENT AGENDA

APPROVAL OF MINUTES

The Clerk to the Board included the Minutes from the *January 16, 2024, regular meeting* 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.*

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 *January 2024.*

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Bridges, and passed unanimously by the Board to, *approve the January 2024 monthly tax report submitted by the Tax Collector.*

TOTAL TAXES COLLECTED JANUARY 2024			
YEAR	AMOUNT-REAL	AMOUNT-GAP	COMBINED AMT
DEF REV	\$0.00	\$0.00	\$0.00
2023	\$17,213,201.08	\$7,265.59	\$17,220,466.67
2022	\$57,864.66	\$1,285.27	\$59,149.93
2021	\$17,917.73	\$202.15	\$18,119.88
2020	\$10,068.20	\$1,525.34	\$11,593.54
2019	\$5,948.00	\$0.00	\$5,948.00
2018	\$2,965.21	\$0.00	\$2,965.21
2017	\$2,266.10	\$0.00	\$2,266.10
2016	\$580.42	\$0.00	\$580.42
2015	\$181.41	\$0.00	\$181.41
2014	\$0.00	\$0.00	\$0.00
2013	\$0.00	\$0.00	\$0.00
			\$17,321,271.16
TOTALS	\$17,310,992.81	\$10,278.35	\$17,321,271.16
DISCOUNT	(\$11.39)		(\$11.39)
INTEREST	\$47,067.00	\$675.82	\$47,742.82
TOLERANCE	(\$2.18)	(\$0.48)	(\$2.66)
ADVERTISING	\$310.00		
GARNISHMEN'	\$1,916.05	GAP BILL FEES	DEFERRED GAP
NSF	\$202.08	\$737.48	\$10,814.69
LEGAL FEES	\$6,028.99		
TOTALS	\$17,366,503.36	\$11,691.17	
MISC FEE	\$0.00		
TAXES COLL	\$17,366,503.36		GRAND TOTAL
DEF	\$2,430.19		\$17,378,194.53
DISC	(\$8.94)		\$2,491.58
TOL	\$0.00		\$10,814.69
INT	\$70.33		\$17,391,500.80
TOTAL TAXES UNCOLLECTED JANUARY 2024			
	AMOUNT-REAL	AMOUNT-GAP	COMBINED AMT
2023	\$5,849,858.35	\$171,574.19	\$6,021,432.54
2022	\$1,249,321.94	\$101,837.76	\$1,351,159.70
2021	\$451,963.20	\$67,856.98	\$519,820.18
2020	\$357,448.06	\$34,489.43	\$391,937.49
2019	\$498,221.53	\$0.00	\$498,221.53
2018	\$256,621.18	\$0.00	\$256,621.18
2017	\$146,376.70	\$0.00	\$146,376.70
2016	\$107,799.36	\$0.00	\$107,799.36
2015	\$98,035.18	\$0.00	\$98,035.18
2014	\$108,010.66	\$0.00	\$108,010.66
2013	\$0.00	\$0.00	\$0.00
	\$9,123,656.16	\$375,758.36	\$9,499,414.52

TAX ADMINISTRATION: ABATEMENTS AND SUPPLEMENTS

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during *January 2024*. The monthly grand total for tax abatements was listed as (\$8,466.76), and the monthly grand total for tax supplements was listed as \$18,556.39.

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Bridges, and passed unanimously by the Board to, *approve the January 2024 tax abatements and supplements submitted by the Tax Assessor.*

TAX ADMINISTRATION: ORDER TO ADVERTISE

Per North Carolina General Statute §105-369, uncollected taxes for the current year that are a lien on real property must be advertised in a newspaper having general circulation in the taxing unit. Upon receipt of the Tax Collector’s report in February, the governing body must order the Tax Collector to advertise the tax liens.

Number of Parcels	7,601
Assessed Value	\$503,443,451
Base Tax	\$4,247,958.19
Assessments	\$219,955.63
Penalties	\$86,491.06
Interest	\$33,673.74
Flat Fees	\$2,526.55
Total Taxes	\$4,467,913.82
Total Additional Charges	\$122,691.35
Total Due	\$4,590,605.17

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Bridges, and unanimously adopted by the Board to, *authorize the tax collector to, during the time frame between March 18, 2024, and March 22, 2024, shall advertise tax liens on real property that remain unpaid as of March 6, 2024. Advertisements shall be made in the manner provided by North Carolina General Statute §105-369.*

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 December 4, 2023, through January 26, 2024, 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.*

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
1851	D	1/5/2024	012.530	Health Admin			Move funds to cover license fees	\$ 500.00
1851	D	1/5/2024	012.532	TB/STD/CD			Move funds to cover training	\$ 1,000.00
1851	D	1/5/2024	012.548	CODAP			Move funds to cover education and professional servs	\$ 1,243.00
1851	D	1/5/2024	012.546	CC4C/CPCM			Move funds to cover incentives	\$ 100.00
1851	D	1/5/2024	012.540	WIC			Move funds to cover dept supply, advertising/promotions, dues/subscriptions	\$ 3,920.00
1851	D	1/5/2024	012.538	Maternal Health			Move funds to cover education/certification/training	\$ 400.00
1851	D	1/5/2024	012.537	Child Health			Move funds to cover contracted services	\$ 500.00
1851	D	1/5/2024	012.534	School Health			Move funds to cover lab supplies	\$ 2,500.00
1852	D	1/11/2024	010.498	Soil & Water			Move funds to cover automotive supplies	\$ 250.00
1853	D	1/11/2024	010.498	Soil & Water			Move funds to cover automotive supplies - to correct incorrect acct # posted on BTD1852	\$ 250.00
1854	D	1/11/2024	010.415	Tax Admin			Move funds to cover travel/training	\$ 2,000.00
1855	D	1/11/2024	010.415	Tax Admin			Move funds to cover travel/training	\$ 4,000.00
1856	D	1/11/2024	010.446	EMS			Move funds to cover dues/subscriptions	\$ 5,000.00
1857	D	1/11/2024	010.413	Finance			Move funds to cover contracted services (EMS Consultant)	\$ 50,417.00
1858	D	1/16/2024	010.446	EMS			Move funds to cover dues/subscriptions	\$ 8,700.00
1859	D	1/16/2024	010.419	ROD			Move funds to cover awards/appreciation	\$ 25.00
1860	D	1/20/2024	010.422	T&T			Move funds to cover T&T Event invoices	\$ 7,000.00
1861	L	1/25/2024	010.998	Contingency	010.444	Detention Ctr	Rev Temp Bud #1819 as BNA for funding was posted	\$ 178,000.00
1862	D	1/26/2024	010.451	Tax Admin			Move funds to cover dept supplies and postage	\$ 3,600.00
1863	D	1/26/2024	012.550	Primary Care			Move funds to cover travel/training, telecommunications, capital equipment	\$ 1,010,425.00

SOCIAL SERVICES: BUDGET AMENDMENT (BNA #039)

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Bridges, 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>
011.508.4.350.11		Income Maintenance/State Grants-Medicaid	\$121,361.00	
011.508.5.700.01		Income Maintenance/Grants-Medicaid	\$121,361.00	
<u>Explanation of Revisions:</u> Budget allocation of \$121,361 in grant funds for Medicaid Expansion.				

FINANCE DEPARTMENT: BUDGET AMENDMENT (BNA #040)

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Bridges, 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>
060.651.4.840.00		Property-Liability/Insurance Settlement	\$23,719	
060.651.5.910.00		Property-Liability/Capital Equipment	\$23,719.00	
<u>Explanation of Revisions:</u> Budget allocation of \$23,719 in funds received from an insurance settlement for a wrecked vehicle from the Sheriff's office. The funds will help offset the costs of the replacement vehicle.				

SOCIAL SERVICES: BUDGET AMENDMENT (BNA #041)

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Bridges, 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>
011.504.4.410.00		Title XX/Local & Other Grants	\$25,000.00	
011.504.5.700.00		Title XX/Grants	\$25,000.00	
<u>Explanation of Revisions:</u> Budget allocation of \$25,000 in grant funds from Kintegra Health for opioid awareness and prevention, targeting families presently involved with Child Protective Services.				

SHERIFF'S OFFICE: BUDGET AMENDMENT (BNA #042)

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Bridges, 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		Sheriff's Office/Fund Balance Approp	\$20,000.00	

010.443.5.910.00

Sheriff's Office/Capital Equipment

\$20,000.00

Explanation of Revisions: Budget allocation of \$20,000 to assist in the purchase of vehicles.

PLANNING DEPARTMENT: REQUEST TO SET A PUBLIC HEARING ON TUESDAY, MARCH 19, 2024, TO CONSIDER AMENDMENTS TO CHAPTER 12 OF THE UNIFIED DEVELOPMENT ORDINANCE INCLUDING:

- **CASE 23-07: TEXT AMENDMENT TO SECTION 12-124 – ADDING RURAL RESIDENTIAL (RU) ZONING DISTRICT**

The 2005 and 2021 Land Use Plans both encourage policies for the most rural parts of the County, which promote maintaining the rural character while providing more flexibility in uses. The plans recognize that development is sparser in these areas, and the communities desire to maintain that rural feel. Due to the larger properties in the rural area, some limited non-residential uses typically found in those areas could be compatible. Staff proposes the Rural Residential (RU) Zoning District, which was drafted using guidance from the Land Use Plan, the Board of Commissioners' direction, and comments from the Planning Board. This district has subdivision standards that assist in maintaining a rural character and a list of permitted uses, allowing some non-residential land uses that fit into rural areas.

- **CASE 23-08: TEXT AMENDMENT TO SECTION 12-21 AND 12-124 – PRIVATE STORAGE BUILDING**

The Board of Commissioners asked staff to evaluate the use of private storage as a principal use and determine if and where this can be compatible and if any development standards should be applied, such as lot size, building size, building placement, and property line setbacks. Staff evaluated and drafted an ordinance for consideration. Private storage buildings are not permitted for principal use on a property. They must be located as an accessory for the principal use they are supporting. For example, a storage building can be on the same lot as the residence it supports but not as standalone use.

- **CASE 23-09: TEXT AMENDMENT TO SECTION 12- 137 – RURAL HOME OCCUPATION**

At its January 17, 2023, meeting, the Board of Commissioners held a public hearing regarding an amendment to the Rural Home Occupation text, specifically creating a Type B Rural Home Occupation. At the meeting, the Board stated they wanted the Planning Board to reevaluate the proposed text, including the allowances in the new Rural Home Occupation text, and bring a proposal back to the Board of Commissioners. As proposed, this Type B Rural Home Occupation would only be allowed in the new Rural Residential and Rural Agriculture districts. This Type B use would require a five-acre minimum, increased setbacks, and screening from adjoining properties.

Rural home occupations allow citizens to operate a small business from their residence so long as they can comply with standards outlined in Section 12-137 of the Unified Development Ordinance. These standards are meant to allow home occupations while maintaining the residential character of the property so that it doesn't affect neighboring properties.

• **CASE 23-19: TEXT AMENDMENT TO SECTION 12-124 – MODIFYING RURAL AGRICULTURE (RA) ZONING DISTRICT**

The Rural Agricultural District was first adopted in 1997 before county-wide zoning, covering an area between Waco and Fallston, totaling approximately 13,500 acres. Several phases followed, expanding the original district, and adding separate areas of the Rural Agriculture (RA) district across the County, now covering approximately 15,762 acres. The town of Mooresboro used the Rural Agriculture (RA) district as its base district. Per Section 12-121 of our Unified Development Ordinance, the purpose of the Rural Agriculture (RA) district is to accommodate agricultural and residential uses in the rural parts of the County at a maximum of one dwelling per three acres. Given the very low density of development, a limited number of nonresidential uses are also allowed in this district, which are not permitted in the other residential zoning districts. At the July 11, 2023, meeting, the Board of Commissioners discussed the Rural Agriculture (RA) zoning district and the number of uses permitted within this district. The Board gave staff directions to work with the Planning Board to evaluate the district and see that the list of uses is compatible with the district and its intent.

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

SOLID WASTE DEPARTMENT: LAND EXCHANGE

Cleveland County operates a landfill on Fielding Drive, parcel 16732. April Smith, David Kevin Smith, and Brenda Lail Walker own a neighboring parcel. Staff have worked with the owners on a proposed land exchange, which would swap two 0.158-acre pieces of property, like for like. The Commissioners ' packets include a survey of the proposed land swap. The result would create a better buffer for the landfill.

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Bridges, and unanimously adopted by the Board to, *approve the resolution authorizing the land exchange.*



Resolution

03-2024

Resolution Authorizing Exchange of Property

WHEREAS, Cleveland County (the "County") owns a 918-acre tract of land, known as parcel 16732, described in Book 1540 Page 1996 of the Cleveland County Registry, located at Airport Road, Cherryville Road and Fielding Road; Plat Book 48, Page 163 of the Cleveland County Registry references Tract 1, 0.158 acres; and

WHEREAS, April Walker, David Kevin Smith and Brenda Lail Walker own a 1.55-acre tract of land, known as parcel 60859, described in Book 1882 Page 1112 of the Cleveland County Registry, located at 136-1 Fielding Road; Plat Book 48, Page 163 of the Cleveland County Registry references Tract 2, 0.158 acres; and

WHEREAS, the County and the owners of parcel 60859 wish to make an even exchange of two 0.158-acre portions of these two properties, as portrayed on the Attached Exhibit A, which would create a better buffer for the County's landfill; and

WHEREAS, the County estimates at each of these 0.158-portsions is valued at approximately \$500; and

WHEREAS, North Carolina General statute, section 160A- 271 authorizes the County to make such an exchange, if authorized by the Commissioners by Resolution adopted at a regular meeting of the Board upon at least 10 days' public notice; and

WHEREAS, the County has given the required public notice, and the Board of Commissioners is convened in a regular meeting.


NOW, THEREFORE, BE IT RESOLVED THAT the Board of Commissioners of Cleveland County resolves that:

1. The exchange of properties described above is authorized.
2. The appropriate county officials are directed to execute all appropriate instruments necessary to carry out the exchange.

Adopted this on the 6th day of February 2024.


Kevin Gordon, Chairman
Cleveland County Board of Commissioners


ATTEST:


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



FINANCE DEPARTMENT: ARPA POLICIES

Policies required for the American Rescue Plan Act (ARPA) Funding. *(a full copy of the policies is on file in the Clerk’s Office and Finance Department).*



Resolution

05-2024

Resolution for Adoption of a Civil Rights Compliance Policy

WHEREAS, Cleveland County has received an allocation of funds from the “Coronavirus State Fiscal Recovery Fund” or “Coronavirus Local Fiscal Recovery Fund” (together “CSLFRF funds”), established pursuant to Sections 602 and 603 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (the “ARP/CSLFRF award”).

WHEREAS, CSLFRF funds are subject to the U.S. Department of Treasury (“Treasury”) regulations, including the Final Rule, Interim Final Rule, the Award Terms and Conditions, and the Title VII implementing regulations at 31 C.F.R. Part 22.


WHEREAS, pursuant to the ARP/CSLFRF Award Terms and Conditions, and as a condition of receiving CSLFRF funds, Cleveland County agrees to follow all federal statutes and regulations prohibiting discrimination in its administration of CSLFRF under the terms and conditions of the ARP/CSLFRF award, including, without limitation, the following:

- i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury’s implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin within programs or activities receiving federal financial assistance;
- ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
- iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving Federal financial assistance;
- iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury’s implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and
- v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.

RESOLVED, That the governing board of Cleveland County hereby adopts and enacts the following nondiscrimination policy, which shall apply to the operations of any program, activity, or facility that is supported in whole, or in part, by expenditures CSLFRF pursuant to the ARP/CSLFRF award.

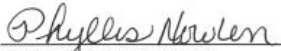
Adopted this the 6th day of February, 2024.

By:




Kevin Gordon, Chairman
Board of Commissioners of Cleveland County

ATTEST:



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





Resolution

06-2024

ARPA/CSLFRF ELIGIBLE USE POLICY RESOLUTION

WHEREAS the Cleveland County Board of Commissioners, has received an allocation of funds from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF); and

WHEREAS US Treasury is responsible for implementing ARP/CSLFRF and has enacted a Final Rule (2022 Final Rule) outlining eligible projects; and

WHEREAS US Treasury has enacted an Interim Final Rule (2023 IFR) providing additional flexibility for recipients to use funds for three new eligible use categories; and

WHEREAS the funds may be used for projects within these categories, to the extent authorized by state law.

1. Support COVID-19 public health expenditures, by funding COVID-19 mitigation and prevention efforts, medical expenses, behavioral healthcare, preventing and responding to violence, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to households, small businesses, non-profits, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors;
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet; and
6. Invest in certain disaster recovery/mitigation projects, Title I projects, and Surface Transportation projects; and

WHEREAS the ARP/CSLFRF are subject to the provisions of the federal Uniform Grant Guidance, 2 CFR Part 200 (UG), as provided in the Assistance Listing 21.027; and

WHEREAS US Treasury has issued a Compliance and Reporting Guidance (most recent v.5.4 (December 14, 2023)) dictating implementation of the ARP/CSLFRF award terms and compliance requirements; and

WHEREAS the Compliance and Reporting Guidance states on page 6 that

Per 2 CFR Part 200.303, your organization must develop and implement effective internal controls to ensure that funding decisions under the SLFRF award constitute eligible uses of funds, and document determinations.

BE IT RESOLVED that the Cleveland County Board of Commissioners hereby adopts and enacts the following Eligibility Determination Policy for ARP/CSLFRF funds, retroactively to 06/08/2021.

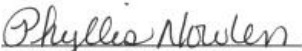
Adopted this the 6th day of February, 2024.

By:



Kevin Gordon, Chairman
Board of Commissioners of Cleveland County

ATTEST:



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





Resolution

04-2024

RESOLUTION FOR ALLOWABLE COSTS AND COST PRINCIPLES FOR EXPENDITURE OF AMERICAN RESCUE PLAN ACT CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

WHEREAS Cleveland County, has received an allocation of funds from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF); and

WHEREAS the funds may be used for projects within these categories, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet; and

WHEREAS the ARP/CSLFRF are subject to the provisions of the federal Uniform Grant Guidance, 2 CFR Sect. 200 (UG); and

WHEREAS the Compliance and Reporting Guidance for the State and Local Fiscal Recovery Funds provides, in relevant part:

Allowable Cost Policy for ARP/CSLFRF Grant

1

WHEREAS Subpart E of the UG dictates allowable costs and cost principles for expenditure of ARP/CSLFRF funds; and

WHEREAS Subpart E of the UG (specifically, 200.400) states that:

The application of these cost principles is based on the fundamental premises that:

- (a) The non-Federal entity is responsible for the efficient and effective administration of the Federal award through the application of sound management practices.
- (b) The non-Federal entity assumes responsibility for administering Federal funds in a manner consistent with underlying agreements, program objectives, and the terms and conditions of the Federal award.
- (c) The non-Federal entity, in recognition of its own unique combination of staff, facilities, and experience, has the primary responsibility for employing whatever form of sound organization and management techniques may be necessary in order to assure proper and efficient administration of the Federal award.
- (d) The application of these cost principles should require no significant changes in the internal accounting policies and practices of the non-Federal entity. However, the accounting practices of the non-Federal entity must be consistent with these cost principles and support the accumulation of costs as required by the principles, and must provide for adequate documentation to support costs charged to the Federal award.
- (e) In reviewing, negotiating and approving cost allocation plans or indirect cost proposals, the cognizant agency for indirect costs should generally assure that the non-Federal entity is applying these cost accounting principles on a consistent basis during their review and negotiation of indirect cost proposals. Where wide variations exist in the treatment of a given cost item by the non-Federal entity, the reasonableness and equity of such treatments should be fully considered.
- (f) For non-Federal entities that educate and engage students in research, the dual role of students as both trainees and employees (including pre- and post-doctoral staff) contributing to the completion of Federal awards for research must be recognized in the application of these principles.
- (g) The non-Federal entity may not earn or keep any profit resulting from Federal financial assistance, unless explicitly authorized by the terms and conditions of the Federal award;

Allowable Costs/Cost Principles. As outlined in the Uniform Guidance at 2 CFR Part 200, Subpart E regarding Cost Principles, allowable costs are based on the premise that a recipient is responsible for the effective administration of Federal awards, application of sound management practices, and administration of Federal funds in a manner consistent with the program objectives and terms and conditions of the award. Recipients must implement robust internal controls and effective monitoring to ensure compliance with the Cost Principles, which are important for building trust and accountability.

Funds may be, but are not required to be, used along with other funding sources for a given project. Note that Funds may not be used for a non-Federal cost share or match where prohibited by other Federal programs, e.g., funds may not be used for the State share for Medicaid.

Treasury's Interim Final Rule and guidance and the Uniform Guidance outline the types of costs that are allowable, including certain audit costs. For example, per 2 CFR 200.425, a reasonably proportionate share of the costs of audits required by the Single Audit Act Amendments of 1996 are allowable; however, costs for audits that were not performed in accordance with 2 CFR Part 200, Subpart F are not allowable. Please see 2 CFR Part 200, Subpart E regarding the Cost Principles for more information.

- a. **Administrative costs:** Recipients may use funds for administering the SLFRF program, including costs of consultants to support effective management and oversight, including consultation for ensuring compliance with legal, regulatory, and other requirements. Further, costs must be reasonable and allocable as outlined in 2 CFR 200.404 and 2 CFR 200.405. Pursuant to the ARP/CSLFRF Award Terms and Conditions, recipients are permitted to charge both direct and indirect costs to their SLFRF award as administrative costs. Direct costs are those that are identified specifically as costs of implementing the ARP/CSLFRF program objectives, such as contract support, materials, and supplies for a project. Indirect costs are general overhead costs of an organization where a portion of such costs are allocable to the ARP/CSLFRF award such as the cost of facilities or administrative functions like a director's office. Each category of cost should be treated consistently in like circumstances as direct or indirect, and recipients may not charge the same administrative costs to both direct and indirect cost categories, or to other programs. If a recipient has a current Negotiated Indirect Costs Rate Agreement (NICRA) established with a Federal cognizant agency responsible for reviewing, negotiating, and approving cost allocation plans or indirect cost proposals, then the recipient may use its current NICRA. Alternatively, if the recipient does not have a NICRA, the recipient may elect to use the de minimis rate of 10 percent of the modified total direct costs pursuant to 2 CFR 200.414(f).
- b. **Salaries and Expenses:** In general, certain employees' wages, salaries, and covered benefits are an eligible use of ARP/CSLFRF award funds; and

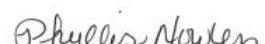
BE IT RESOLVED that the governing board of Cleveland County hereby adopts and enacts the following US Cost Principles Policy for the expenditure of ARP/CSLFRF funds.

Adopted this the 6th day of February, 2024.

By:


Kevin Gordon, Chairman
Board of Commissioners of Cleveland County

ATTEST:


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



ACTION: Commissioner Hardin made a motion, seconded by Commissioner Bridges, and unanimously adopted by the Board to, ***approve the ARPA Funding policy resolutions.***

CLEVELAND COUNTY SCHOOLS: SURPLUS PROPERTY PARCEL 8255


Parcel 8255, adjacent to East Elementary School, is a 0.42 acre, includes a house, and is located at 701 Cleveland Avenue in the Town of Grover. This property is not currently being used, and the Board of Education unanimously approved it as surplus at their July 24, 2023, meeting. The Cleveland County Board of Education Policy and North Carolina General Statute §115C require the county to have the first opportunity to obtain the

property. If Commissioners have no desire to acquire this parcel, the Board of Education will consider alternative options, including potential interest from the City of Shelby.

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Bridges, and unanimously adopted by the Board to, *decline the first opportunity from Cleveland County Schools to obtain parcel 8255.*

COUNTY MANAGER’S OFFICE: JUSTICE CENTER RIGHT-OF-WAY (ROW) DEDICATION

Cleveland County requests the City of Shelby accept the right-of-way dedication of a strip of property along the eastern edge of Juan Street. The dedicated land will be joined with Juan Street to create an expanded public street right-of-way, necessary to support the proposed Justice Center improvements and extension.



Resolution

07-2024

RESOLUTION DEDICATING LAND FOR PUBLIC RIGHT-OF-WAY AT JUSTICE PLACE

WHEREAS, Cleveland County is constructing a new courthouse, sheriff’s office, and detention center collectively known as the Justice Center; and,

WHEREAS, Cleveland County desires to create an expanded public street right-of-way, necessary to support the proposed Justice Place improvements/extension; and,

WHEREAS, Cleveland County has identified a strip of property currently located along the eastern edge of Juan Street to accomplish the expanded public street right-of-way to be joined with Juan Street, and is identified at Deed Book 1799, Page 613, (PIN 2547304021); and,

WHEREAS, Cleveland County desires to petition the City of Shelby to accept an additional right-of-way adjacent to Juan Place for the realignment of Juan Place and Justice Place; and,

WHEREAS, this widening is as proposed within the City-approved “Cleveland County Justice Center Site Plan – Phase 2” (plans prepared by WithersRavenel, last dated August 28, 2023, approved by the City of Shelby on September 19, 2023); and the proposed street dedication is further described within the “Justice Place Right-of-Way Dedication” Plat as prepared by WithersRavenel; and,

WHEREAS, The City of Shelby has indicated an interest in accepting the dedicating of said land, as both the County and the City of Shelby desire to allow for the optimal flow of vehicular traffic through this area.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CLEVELAND COUNTY, NORTH CAROLINA:


1. Cleveland County hereby dedicates land for the new right-of-way for Juan Place as shown on the attached plat produced by WithersRavenel and labeled “Justice Place Right of Way Dedication” to the City of Shelby, as a right-of-way City street network.

2. However, should the City of Shelby reject the identified land, it would revert to its current use.

3. This resolution shall be effective on February 1, 2024.

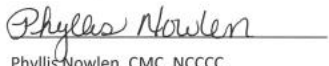
Adopted this the 6th day of February, 2024.

By:




Kevin Gordon, Chairman
Board of Commissioners of Cleveland County

ATTEST:



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



ACTION: Commissioner Hardin made a motion, seconded by Commissioner Bridges, and unanimously adopted by the Board to, *approve the resolution dedicating land for public right-of-way at Justice Place.*

The figure is a technical survey plat titled "FINAL PLAT FOR CITY OF SHELBY JUSTICE PLACE RIGHT OF WAY DEDICATION". It shows a detailed map of the land to be dedicated, including Juan Street, Justice Place, and surrounding areas. The plat includes a legend, a table of property owners, and a title block with the project name and date. The map shows the proposed right-of-way for Justice Place, which is a strip of land along the eastern edge of Juan Street. The plat also shows the proposed right-of-way for Juan Place, which is a strip of land along the northern edge of Justice Place. The plat includes a legend with symbols for various features, such as property lines, easements, and the proposed right-of-way. The title block includes the project name, the date of the plat (April 24, 2023), and the name of the surveyor (WithersRavenel). The plat is a technical drawing that provides a detailed map of the land to be dedicated, including all necessary information for the City of Shelby to accept the dedication.

COMMISSIONERS: AMENDMENT TO THE 2024 REGULAR MEETING SCHEDULE

The Board of County Commissioners has decided it is appropriate to cancel their March 14, 2024, work session.

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Bridges, and unanimously approved by the Board to, *adopt the change in meeting schedule resolution.*



PUBLIC HEARINGS

PLANNING CASE 24-01: REQUEST TO REZONE A PORTION OF PARCEL 59471 FROM RESIDENTIAL (R) TO NEIGHBORHOOD BUSINESS – CONDITIONAL USE (NB-CU) FOR A TELECOMMUNICATIONS TOWER

Chairman Gordon called Planning Director Chris Martin to the podium to present Planning Case 24-01; a request to rezone a portion of parcel 59471 from Residential (R) to Neighborhood Business – Conditional Use (NB-CU) for a telecommunications tower. Parcel 59471 lies on Webb Road, northeast of Boiling Springs. The applicant, Jonathan Yates, is asking to rezone a 100 x 100 section on the western end of the property to use a cell tower. The tower is a self-supporting monopole at a height of 178 feet, with an additional three-foot lightning rod for a total height of 181 feet. This tower's maximum height is 184 feet due to being within the airport overlay. The site plan proposes an engineered fall zone of 50 feet. The tower is set back 218 feet from the western property line, 406 feet from the northern line, and 305 feet from the northeast corner of parcel 59535. The petitioner indicates an application is being processed by the Federal Aviation Administration (FAA) for tower approval. The anchor tenant is Verizon, with three additional potential service providers.

Surrounding zoning districts are Residential (R) to the north and south. To the west is R10 zoning in the Boiling Springs Extra-Territorial Jurisdiction (ETJ), and to the northeast is R10/R20 zoning in Shelby's ETJ. Surrounding uses are single-family dwellings and large vacant tracts. The Land Use Plan designates this area as Secondary Growth. The Planning Board voted unanimously to recommend approval of the zoning map amendment. They commented that cell towers were necessary to provide adequate coverage for phones and internet services throughout the county.

Chairman Gordon opened the floor to the Board for questions and discussion. Commissioner Hutchins inquired about the fall zone, heavy winds blowing the tower into power lines and cables, and who was responsible for damages incurred. Mr. Martin stated that the information and site plan has been submitted to Duke Energy, and they have acknowledged receipt; however, they have not responded regarding concerns or issues.

Chairman Gordon called Mr. Yates to the front to answer the Commissioner's questions. Mr. Yates submitted reports to Commissioners for official records, which are filed in the Clerk's Office. He explained that the cell tower would be a monopole design and that it had been certified by engineer Robert Beacon. Mr. Beacon designs over five hundred towers annually, specializing in catastrophic conditions. Mr. Yates further outlined the design of the pole, materials and steel that will be used, tower collapse, and fall zone designs. Construction is estimated to take sixty days.

Chairman Gordon opened the Public Hearing at 6:25 pm for anyone wanting to speak for or against Planning Case 24-01; a request to rezone a portion of parcel 59471 from Residential (R) to Neighborhood Business – Conditional Use (NB-CU) for a telecommunications tower. (*Legal Notice was published in the Shelby Star on Friday, January 26, 2024, and Friday, February 2, 2024*).

Jonathan Yates, 105 Broad St., Charleston – is the applicant and spoke to approve the rezoning request. He reiterated his previous comments concerning structure materials and design, the fall zone, and the service that an additional cell tower will bring to the residents of Cleveland County.

Lyda Steele, no address given – spoke in opposition to the rezoning request, citing her health concerns, safety, and the location of the proposed tower being so close to her residence.

Hearing no further comments, Chairman Gordon closed the Public Hearing at 6:30 pm.

Chairman Gordon opened the floor to the board for questions and discussion. Commissioner Hutchins commented on Ms. Steele's comment regarding radiation from a cell tower and asked if the design team had already addressed these health concerns. Mr. Yates gave a report on the omission safety of cell towers to the Commissioners. The proposed tower will emit less than 4% of the allowable emissions per federal standards and guidelines. The radiation from the cell tower is equivalent to getting X-rays at the doctor's office while using the radiation barrier gown. It is also like the emissions from cell phones, microwaves, car radios, etc. These towers are located throughout the state, on hospital premises, and in neighborhoods. Mr. Yates thanked Ms. Steele for her concerns and questions and gave her a copy of the reports for her records. Commissioner Hardin asked how much

of the property would be cleared and road access. Mr. Yates advised that a 60 x 60 area would be cleared around the cell tower, an eight-foot-high chain link fence with three lines of barbed wire at the top would go around the tower, and the road leading to the tower site would be graded and leveled with gravel.

ACTION: Commissioner Bridges made a motion, seconded by Commissioner Whetstine, and unanimously approved by the Board to approve the rezoning of a portion of parcel 59471 from Residential (R) to Neighborhood Business—Conditional Use (NB-CU) for a telecommunications tower, citing compatibility with the Land Use Plan and cell towers being *necessary to provide adequate coverage for cell phones and internet services throughout the county.*

PLANNING CASE 24-02: REQUEST TO REZONE 350 RANGE ROAD FROM RESTRICTED RESIDENTIAL (RR) TO RESIDENTIAL (R)

Planning Director Chris Martin remained at the podium to present Planning Case 24-02: request to rezone 350 Range Road from Restricted Residential (RR) to Residential (R). Parcel 63684, containing 4.12 vacant acres, is located along Range Road, west of the City of Kings Mountain. The applicant, Bobby Pearson, is requesting a change in the zoning of his property. The Restricted Residential (RR) zoning district permits single-family dwellings such as site-built homes and modular homes. It is the most restrictive residential type of zoning district. Residential (R) zoning districts accommodate low-density single-family detached dwellings, modular homes, and manufactured homes. Multifamily housing is also permitted in this district but may be exempt from the density standards.

Surrounding zoning districts include Restricted Residential (RR) along the southern end of Range Road from Mike Ledford Road to Trotter Lane and Residential (R) to the north and west on Range Road. Surrounding uses are mostly single-family dwellings, manufactured homes, and large farm tracts. The Land Use Plan designates this area as Secondary Growth.

The Planning Board voted unanimously to recommend approval of the zoning map amendment. The Board noted that the proposed amendment aligned with the Land Use Plan's designation of Secondary Growth, and it was compatible with surrounding uses.

Chairman Gordon opened the Public Hearing at 6:40 pm for anyone wanting to speak for or against Planning Case 24-02: request to rezone 350 Range Road from Restricted Residential (RR) to Residential (R). (*Legal Notice was published in the Shelby Star on Friday, January 26, 2024, and Friday, February 2, 2024.*)

Hearing no comments, Chairman Gordon closed the Public Hearing at 6:41 pm.

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Hardin, and unanimously approved by the Board to, *approve the rezoning of parcel 63684, located at 350 Range Road, from Restricted Residential (RR) to Residential (R), citing compatibility with the surrounding zoning and the Land Use Plan.*

PLANNING CASE 24-03: REQUEST TO REZONE A PORTION OF PARCEL 5272 FROM RESIDENTIAL (R) TO NEIGHBORHOOD BUSINESS – CONDITIONAL USE (NB-CU) FOR A TELECOMMUNICATIONS TOWER

Planning Director Chris Martin remained at the podium to present Planning Case 24-03; a request to rezone a portion of parcel 5272 from Residential (R) to Neighborhood Business – Conditional Use (NB-CU) for a telecommunications tower. Parcel 5272 is located on Blacksburg Road east of the Town of Earl and the South Carolina state line. The applicant, Southern Towers, requests to rezone a 100 x 100 section on the southern end of the property for a cell tower. The tower is a self-supporting lattice tower at a height of 230 feet, with an additional nine-foot lightning rod for a total height of 239 feet. The site plan proposes a 230-foot fall zone no closer than 340 feet to any property line, 834 feet to the nearest habitable structure, and 430 feet from the road.

The surrounding zoning districts are Restricted Residential (RR) inside the town limits of Earl and Residential (R) on the north, west, and south sides. Surrounding uses include single-family dwellings and large vacant tracts. The Land Use Plan designates this area as Secondary Growth.

The Planning Board voted unanimously to recommend approval of the zoning map amendment. The Board noted that cell towers were necessary to provide adequate coverage for phone and internet services throughout the county and that the parcel was large and ideal for a telecommunications tower as it is surrounded by large vacant tracts of land.

Chairman Gordon opened the floor to the Board for questions and discussion. Commissioner Hutchins inquired if the cell tower would interfere with the airstrip in that area of the county; Mr. Martin advised he had not been able to locate a landing strip in that area, so he could not give a definitive answer. However, like the Planning Case 24-01 presented earlier, airport overlay districts must be adopted. The proposed site on parcel 5272 has no adopted district that would apply to this rezoning request. A height limit could not be enforced because of the ordinance. All towers are required to have FAA approval.

Chairman Gordon opened the Public Hearing at 6:45 pm for anyone wanting to speak for or against Planning Case 24-03; a request to rezone a portion of parcel 5272 from Residential (R) to Neighborhood Business – Conditional Use (NB-CU) for a telecommunications tower. (*Legal Notice was published in the Shelby Star on Friday, January 26, 2024, and Friday, February 2, 2024*).

Ralph Wyngarden, 678 Front Ave NW, Suite 255, Grand Rapids, MI – represents the applicants and company Southern Towers. The tower tenant is Verizon, with the capability of adding three additional tenants in the future. He spoke about the benefits that an additional cell tower will bring to the residents and businesses in Cleveland County.

Hearing no further comments, Chairman Gordon closed the Public Hearing at 6:50 pm.

Chairman Gordon opened the floor to the Board for questions and discussion. Commissioner Hutchins asked about the fall zone and tower construction safety. Mr. Wyngarden explained when a tower is over two hundred feet, the structure is lattice self-support design monopole. This tower is designed to fall in a shorter distance. Commissioner Hutchins commented on future growth in the area could be impacted by this tower if it were to fall.

ACTION: Commissioner Bridges made a motion, seconded by Commissioner Whetstine, and unanimously approved by the Board to, *approve the rezoning of a portion of parcel 5272 from Residential (R) to Neighborhood Business—Conditional Use (NB-CU) for a telecommunications tower, citing compatibility with the Land Use Plan and cell towers being necessary to provide adequate coverage for phones and internet services throughout the county.*

BOARD APPOINTMENTS

BOARD OF EQUALIZATION AND REVIEW (E&R)

ACTION: Commissioner Hardin made the motion, seconded by Commissioner Hutchins and unanimously adopted by the Board, to re-appoint Andy Dedmon, Gary Hastings, David Allen, Mike Philbeck, and Marvin Hutchinson to serve as members of this board for a period of one year, scheduled to conclude March 31, 2025.

CLOSED SESSION

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Bridges and unanimously adopted by the Board, *to go into closed session per North Carolina General Statute §143-318.11(a)(4) to discuss economic development matters relating to the location or expansion of industries or other businesses in the area served by Cleveland County, including agreement on a tentative list of economic development incentives that may be offered by the County in negotiations.* (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, no action was taken but general direction was given to the County Manager.”*

ADJOURN

There being no further business to come before the Board at this time, Commissioner Hutchins made a motion, seconded by Commissioner Whetstine and unanimously adopted by the Board, *to adjourn.* The next meeting of the Commission is scheduled for **Thursday, March 14, 2024, at 8:30 am** at the Cleveland County Health Department located at 200 S. Post Road, Shelby 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

COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Late Applications for Exemption / Exclusion / Deferral

Department: Tax Administration

Agenda Title: Late Applications for Exemption / Exclusion / Deferral

Agenda Summary:

Proposed Action:

ATTACHMENTS:

File Name	Description
<input type="checkbox"/> 2024_Late_Applications_Agenda_04-02-2024.pdf	Late Applications

STAFF REPORT

To: County Commissioners Meeting Date: April 2, 2024
Via: David Cotton, County Manager
From: Sherry Lavender, Tax Administrator
Subject: Late Applications for Exemption / Exclusion / Deferral

Summary Statement: Approve or deny late applications.

Review: Per N.C.G.S. 105-282.1 every owner of property claiming exemption or exclusion from property taxes under the provisions of this Subchapter has the burden of establishing that the property is entitled to it.

Upon a showing of good cause by the applicant for failure to make a timely application, an application for exemption or exclusion filed after the statutory deadlines may be approved by the Department of Revenue, the board of equalization and review, the board of county commissioners, or the governing body of a municipality, as appropriate.

This matter is submitted for consideration as a Consent Agenda item at the County Commissioner's Board meeting scheduled for April 2, 2024.

Fiscal Impact: Estimated \$ 872.11

Recommendation: Approve application. Property qualifies for the exclusion or exemption requested other than being untimely filed with the Assessor's Office.

Attachment:
(1) Roster of Applicants



2024 Late Applications					3/19/2024
				Estimated Value to be Exempt/Deferred	Estimated Fiscal Impact (County Tax Only)
Owner Name	Parcel/Account	Physical Location	Type		
Todd Hewatt & Jennifer Hewatt	63524	335 Range Rd	present use deferment	\$ 159,290	\$ 872.11
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
Staff Recommendation:		Approve applications. All properties qualify for the exclusion or exemption requested other than the late submission of the application.			
			Total	\$ 159,290	\$ 872.11

COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Sheriff's Office: Budget Amendment (BNA#053)

Department: Sheriff's Office

Agenda Title: Budget Amendment (BNA#053)

Agenda Summary:

Proposed Action:

ATTACHMENTS:

File Name	Description
<input type="checkbox"/> BNA053.pdf	BNA 053

BNA # 053

April 2, 2024

John

Finance Director

Henry Friesel

Department Manager

[illegible]

Explanation of Revisions: Budget grant received from NC Department of Public Safety. Funds will be used to purchase 7 mobile data computers for school resource officers.

THE ABOVE AMENDMENT HAS BEEN APPROVED AND RECORDED IN THE MINUTES OF THE COUNTY COMMISSIONERS' MEETING ON _____
(Date)

Phyllis Nowlen, Clerk to the Board

RETURN TO FINANCE OFFICE and Forward copy via email to Tonya.Brittain@clevelandcountync.gov

cc: Personnel Batch # _____
cc: Purchasing Date: _____
By: _____



STATE OF NORTH CAROLINA
DEPARTMENT OF PUBLIC SAFETY
 GOVERNOR'S CRIME COMMISSION
 1201 Front Street, Suite 200
 Raleigh, NC 27609
 Telephone: (919) 733-4564 Fax: (919) 733-4625

<http://www.ncdps.gov/gcc/>

GRANT AWARD

PIC
 16738-7MJS

Project Name: Cleveland Co Sheriff's OfficeBlock Grant

Grant Period: 10/01/2023 - 09/30/2024

Agreement Number: 2000071134

Subrecipient: County of Cleveland, NC

Implementing Agency: Cleveland County Sheriff's Office

Authorizing Official: David Cotton

Project Director: Mark Craig

Source: 2023 BYRNE-JAG AWARD

Federal Grant Number: 15PBJA-23-GG-03000-JAGX

CFDA #: 16.738

Match Funding Required (%): 0.00%

Federal Funding Award (%): 100.00%

Match Funding Required (\$): \$0.00

Federal Funding Award (\$): \$29,225.00

Grant Manager: Matthew Stuart

Total Project Budget (\$): \$29,225.00

On behalf of the Secretary of the Department of Public Safety, the Governor's Crime Commission (GCC) hereby awards this grant funding based upon the final application and in accordance with the laws and regulations of the United States and the State of North Carolina. Your funding initially is from the federal grant source listed herein. As funding levels change, the source of the funds may change. Subrecipients agree that they will abide by, and meet all match requirements, indicated above as Match Funding.

To view additional funding details, including totals by year and by expense type, you may access an Agreement Budget Summary in the [North Carolina Enterprise Business System \(EBS\)](#).

Award requirements include not only the conditions and limitations set forth in the application and special conditions, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. These requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., code of federal regulation). Therefore, all key staff should receive the special conditions, the assurances and certifications provided GCC, and the application as approved by GCC, so that they understand the award requirements. Information on all pertinent award requirements also must be provided to any subrecipient of the award. No alterations of any kind may be made to this grant award.

The Special Conditions for this grant, posted on the GCC website at www.ncdps.gov/gcc/award-special-conditions/ are incorporated into this agreement as if the same were set forth herein.

By initialing here, I certify, under penalty of perjury, on behalf of myself and the applicant, to the best of my knowledge and belief, that the following are true as of the date of this award acceptance: (1) I have conducted or there was conducted on our behalf a diligent review of all terms and conditions of, and all supporting materials submitted in connection with, this award, including any assurances and certifications (including anything submitted in connection therewith by a person on behalf of the applicant before, after, or at the time of the application submission and any materials that accompany this acceptance and certification); and (2) I have the legal authority to accept this award on behalf of the applicant.

DocuSigned by: **Authorizing Official**

 3/4/2024 | 08:58:22 EST
 Signature of Authorizing Official Date
 David Cotton
 Name of Authorizing Official

DocuSigned by: **Governor's Crime Commission**

 3/1/2024 | 14:21:15 PST
 Signature of Director Date
 Caroline Farmer, Executive Director
 Name and Title of Director

DocuSigned by: **Project Director**

 3/4/2024 | 07:55:46 EST
 Signature of Project Director Date
 Mark Craig
 Name of Project Director

Federal Award Identification Worksheet

Federal award identification : 2023 BYRNE-JAG AWARD

Project ID : 2000071134

Subrecipient : County of Cleveland, NC

Federal Award Identification # (FAIN) : 15PBJA-23-GG-03000-JAGX

Unique Entity ID (UEI) : TB6MNJMMHG85

Federal award date : October 1, 2022 To September 30, 2026

Subaward period of performance start and end date : October 1, 2023 To September 30, 2024

Federal funds obligated in this agreement : \$29,225.00

Federal funds obligated to the subrecipient : \$29,225.00

Total federal award : \$6,065,200.00

Indirect cost rate for the federal award : We do not receive an indirect cost rate

Indirect cost rate to be used by the subrecipient : 0.00%

Identification of whether the award is research and development (R&D) : We do not fund research and development

Pass through entity and awarding official : NC Governor's Crime Commission
Caroline Farmer, Executive Director
Caroline.Farmer@ncdps.gov

Federal awarding agency : Bureau of Justice Assistance

Federal award description : The Bryne JAG award will be utilized to help address public safety and criminal justice issues in the State of North Carolina.

Description	Quantity	Unit Cost	Total	Cash Match	Federal Share
MDT/Computer	7.00	\$2,000.00	\$14,000.00	\$0.00	\$14,000.00
Computer Mount with wiring and power supply	7.00	\$900.00	\$6,300.00	\$0.00	\$6,300.00
MFR/Moblan Licensing	7.00	\$425.00	\$2,975.00	\$0.00	\$2,975.00
MCT	7.00	\$850.00	\$5,950.00	\$0.00	\$5,950.00

Certification

A. Certification of Non-Supplanting

The applicant hereby certifies that federal funds will not be used to supplant or replace State or local funds, but will instead be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for project activities.

B. Certification of Filing an Equal Employment Opportunity Program

The project director certifies that the applicant/grantee has formulated an Equal Opportunity Program, which is dated 2021-02-25 in accordance with the Amended Equal Employment Opportunity Guidelines (28 C.F.R. 42.301, et seq.) and that it is on file in the office of:

Office: Administrative Office of the Sheriff
Name: Lisa Poteat
Title: Administrative Assistant to the Sheriff
Address: 100 Justice Pl. Shelby, NC 28150
Telephone: 704-484-4788

The project director certifies that the Amended Equal Employment Guidelines (28 C.F.R. 42.301, et seq.) have been read and that no Equal Employment Opportunity Program is required to be filed by the implementing agency because:

C. Certification of Submission of Annual Audit:

The financial officer certifies that a copy of the annual audit will be submitted to the Office of the State Auditor and the Governor's Crime Commission, as required by General Statute 143C-6-23. NOTE: If you receive, expend, or obligate over \$750,000 in State and Federal pass-through grants funds received directly from a State agency, then you must file a "yellow book" audit, done by a CPA, with your funding agencies and with the Office of State Budget and Management.

D. Certification of Submission of Current Annual Operating Budget:

The project director certifies that a copy of the implementing agency's current annual operating budget will be submitted upon request.

E. Certification that Applicant is Eligible to Receive Federal Funds:

The project director certifies that neither the grant applicant nor any of its officers, directors or consultants are presently debarred, proposed for debarment, suspended, declared ineligible or voluntarily excluded from receiving federal funds. [If the director cannot make this certification, an explanation must be attached. If this certification cannot be provided, the applicant will not necessarily be denied participation in this program. The certification or explanation will be considered in connection with the determination by the Governor's Crime Commission as to whether or not to approve the application. However, if neither the certification nor an explanation is provided, the application will be rejected.]

F. Certification Regarding Lobbying:(for agencies receiving \$100,000 or more)

The project director certifies that (1) no federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any agreement; (2) If any non-federal funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal grant, the project director shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in accordance with its instructions

G. Drug Free Workplace Compliance: (for state agencies only)

The project director certifies that (1) a drug-free workplace awareness program was held on and/or will be held annually on which all grant project employees are required to attend; (2) a copy of the agenda of that program, including an attendance sheet signed by all employees, will be provided to the Governor's Crime Commission; (3) a statement will be published notifying employees that any unlawful involvement with a controlled substance is prohibited in the grantees workplace and that specific actions will be taken against employees who violate this rule; (4) all employees will receive a copy of this notice; (5) all employees must agree to abide by the statement and to notify the applicant of any criminal drug statute conviction for a violation occurring in the workplace within 5 days of the conviction; (6) within 10 days of receiving such notice, the applicant will inform the Governor's Crime Commission of an employee's conviction; (7) any employee so convicted will be disciplined or required to complete a drug abuse treatment program; and (8) the applicant will make a good faith effort to maintain a drug-free workplace, in accordance with the requirements of Sections 5153 and 5154 of the Anti-Drug Abuse Act of 1988 and Sections 8103 and 8104 of Title 41 of the United States Code.

H. Certification of Compliance with General Statute 114-10.01: (for law enforcement agencies only)

The project director certifies that the implementing agency is presently in compliance and will remain in compliance with the traffic stop reporting provisions of General Statute 114-10.01 for the duration of the funded project. An agency may be in compliance with the reporting provisions of General Statute 114-10.01 where traffic stops are reported to the Division of Criminal Information, North Carolina Department of Justice, or where the agency does not meet any of the statutory criteria requiring the reporting of stops. A listing of law enforcement agencies currently required to report traffic stop information may be found at <http://www.ncdoj.gov/AgenciesRequiredList.aspx>.

I. IRS Form 990 and IRS Form 990-EZ:

The project director certifies that the most recently-filed IRS Form 990 ("Return of Organization Exempt From Income Tax") or IRS Form 990-EZ ("Short Form Return of Organization Exempt from Income Tax") for the implementing agency has been uploaded with this project application as one or more pdf (Portable Document Format) attachments.

The project director certifies that neither an IRS Form 990 nor an IRS Form 990-EZ has been uploaded with this project application for the following reason:

The implementing agency is not a nonprofit organization.

The implementing agency is a nonprofit organization that is exempt from the requirement to file an IRS Form 990 or an IRS Form 990-EZ.

The implementing agency is a nonprofit organization that is not exempt from the requirement to file an IRS Form 990 or an IRS Form 990-EZ and that has not to-date filed an IRS Form 990 or an IRS Form 990-EZ.

J. Funding of Salaried Positions

The financial officer certifies that no staff are funded more than 100% salaried effort across all funding sources including, but not limited to, funding provided by the Governor's Crime Commission.



Governor's Crime Commission
1201 Front Street, Suite 200
Raleigh, NC 27609
Phone: (919) 733-4564 Fax: (919) 733-4625

NEW

Add your comments, if any. (Max 750 characters)

SUBMIT TO FINANCIAL OFFICER

Name	Role	Status
Sherrie Geer (NCID: spgeer)	Financial Officer	Not Reviewed
Brian Epley (NCID: bcepley)	Authorizing Official	Not Reviewed
Mark Craig (NCID: mccraig)	Project Director	Not Reviewed

Project Information

Project ID	Project Status
PROJ016053	New
Project Name	Project Director
Mobile Data Terminals for SROs	Mark Craig (NCID: mccraig)
Financial Officer	Authorizing Official
Sherrie Geer (NCID: spgeer)	Brian Epley (NCID: bcepley)
Grant Planner	Grant Manager
Start Date	End Date
10/01/2023	09/30/2024
Committee	Program Priority
CRIMINAL JUSTICE SYSTEMS IMPROVEMENT	2023 LOCAL LAW ENFORCEMENT BLOCK GRANTS
Project Continuation	Name/ID of the related project(s)
No, this is a new Project application	

Project Summary

This project is aimed at providing mobile data terminals (MDTS) to several of our SROs. The SRO division has 4 computers for 15 SROs. The goal for the project is to keep SROs at their schools and to improve reporting in the division.

Organization

Name:	Tax ID:
County of Cleveland	566000288
DUNS:	UEI(Unique Entity Identifier):
089146799	
Address:	City:
P. O. Box 1210	Shelby
State:	Zip:
North Carolina	28151-1210
Phone:	Fax:
(704) 484-4900	

Fiscal Year End Date:
06/30

Implementing Agency

Name:	# Of Sworn Officers (Law Enforcement Agencies):
Cleveland County Sheriff's Office	128
Address:	City:
100 Justice Place	Shelby
State:	Zip:
North Carolina	28151-1508
Phone:	Fax:
704-476-3033	704-484-4753

General Information

NC House Districts	NC Senate Districts
110,111	44
US Congressional Districts	NC Counties
05	Cleveland

Project Area Population	Principle Place of Performance	Zip
100,359	Shelby	28150-0001

Abstract & Narrative

Project Abstract (The Problem): Briefly describe project's purpose, identify target population, and discuss program components which address the identified problem. Include local statistics to substantiate the need.

School violence seems to persistently plague our society. After the last major school shooting (Uvalde) there has been a surge to have SROs in every school, including elementary schools which commonly don't have an SRO. Prevailing wisdom suggests, violent attacks occurring on school campuses with an assigned SRO can be prevented or eliminated more quickly than schools without an SRO. In Cleveland County, all the schools within the Sheriff's Office jurisdiction have an assigned SRO. Unfortunately, there are only four MDTs shared between 15 SRO's. Aggravating the situation, is the fact that the MDTs shared were rotated out of service because of age and have been put back into service for use by the SRO's. The four MDTs currently in use are shared between our two high schools, two middle schools and two supervisors. Currently, when a report needs to be taken an officer must leave their assigned school to go get the MDT or must write reports using a Microsoft Word template. The finished report is then emailed to one of the Supervisors. The Supervisor must then review the report and send it back for any changes needed. Eventually the report is sent to the Sheriff's Office where an administrative assistant enters the information into our records management system. Adding more MDTs will allow SROs to enter data directly into RMS, reducing the number of reports entered by administrative staff, keep SROs at their assigned schools and streamline the reporting process.

Project Narrative (Operation): Include a description of how grant funded positions are integral to the project and how contractual, travel, operating, and equipment expenses will support the project. Discuss how you will collaborate with other agencies. Focus on the project – do not give agency history, do not repeat abstract. The Sheriff's Office has a need to equip its SROs with equipment and systems like MDTs which are commonly used and necessary in law enforcement. MDTs are more than computers and help support the many functions of law enforcement, including SROs. Whether in the car or on a desk an MDT will allow SROs to have access to streamlined reporting, real-time data involving their school or the surrounding area while maintaining a secure CJIS compliant connection. MDTs provide SROs a platform to send and receive information securely. For obvious reasons, often, situations investigated by SROs involve minors. Information pertaining to minors is statutorily protected and must be safe guarded. MDTs can help with this and allow SROs to input reports directly into the Sheriff's Office records management system. This provides a benefit on two fronts. First, it secures information sent by the SRO, especially pertaining to juveniles, in a secure way and eliminates sending emails which often contain protected information. Secondly, it eliminates redundancy in the reporting process. As it stands now reported information must be sent to administrative personnel so that it can be entered into RMS. MDTs will eliminate the need for that same information to be entered by administrative staff. It will also reduce the number of employees who see juvenile information. Additionally, equipping SROs with MDTs will keep schools safer by providing SROs with access to necessary data bases such as CAD, RMS, and maps, effectively allowing them to stay on campus to investigate and report as needed. CAD will give SROs access to see any incidents in the vicinity of their school that could impact the safety of students and staff. It will also give them access to mapping and the ability to search previously entered data. RMS will give SROs access to search names and incidents as necessary to protect the overall safety of the school.

Project Timeline of Activities

Work will begin as soon as authorized after award notification. MDTs will be ordered through our normal process and configured by our IT department. Once configuration has been completed MDTs will be assigned to specific SRO's, and deployed in the SROs vehicle. Assignment

will generally be determined by the SRO supervisors and where the greatest need exists. Any SRO, who is unfamiliar with MDT operation will receive training. Upon successful deployment, SROs assigned an MDT will use it for a variety of tasks daily.

Describe your formal, working sustainability plan for the project and how it will result in permanent operational funding (not GCC funding) once this grant ends. Generally, MDTs are replaced every five years. The Sheriff's Office budgets for the replacement of computers every year cycling out some every year as to avoid replacing computers all at once. The Sheriff's Office expects to replace any computers bought through this award as needed through its yearly replacement program.

Goals

Goal 1 - Improve the efficiency of report submission.

Goal 2 - Improve safety at the school.

Objectives

Objective 1 Reduce the number of employees involved in the reporting process.	Performance Measure SRO's with an assigned MDT will submit their reports through Moblan which connects directly to our records management system. Supervisors can log into the system with their MDT and approve officer reports while in the field. Once approved there is no need for Sheriff Office staff to enter the report into RMS.	Evaluation Method Supervisors will review the number of reports filed by SROs yearly. Supervisors will assess where MDTs are deployed to maximize the reduction of reports entered by administrative staff.
Objective 2 Improve security related to filing reports and reduce the amount of time needed to file reports.	Performance Measure Deputies will file reports while at school through their assigned MDT using Moblan directly into our records management system. The report will be approved by supervisors remotely. SROs will communicate with SROs about reports through the MDTs secure connection.	Evaluation Method Supervisors will ensure that SROs are sending messages through the MDTs secure connection and will review the amount of emails sent related to report submission, comparing SROs who are assigned and MDT to those SROs who don't.
Objective 3 Eliminate the need for SROs to leave their assigned school to borrow a computer and improve SROs overall awareness of incidents in and around their school.	Performance Measure SROs with an assigned MDT will file reports from their assigned school and will review the CAD and CAD notes regularly for any incidents that could potentially affect their school.	Evaluation Method Supervisors will ensure that SROs are utilizing MDTs regularly.

Budget Summary

This project requires a match of 0%. This can be either cash match or in-kind match. If you have not met the required match, you can change the match contributions by clicking the link next to each budget line. Matching funds may include local, state or private funds, but not other federal funds.

Category	Year 1	Total
SUPPLIES		
		\$29,225.00 \$29,225.00
Total Budget		\$29,225.00 \$29,225.00
(-)Match Funds		\$0.00 \$0.00
TOTAL FEDERAL REQUEST		\$29,225.00 \$29,225.00

Describe amount & source of matching funds.

Matching funds may include local, state or private funds, but not other federal funds. This project does not require a match.

Do you need to request for match waiver? If yes, state the reasons below. Else leave the field blank.

Please note: A request for match waiver does not guarantee the waiver will be granted.

This project does not require a match.

Budget Details

COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Health Department: Budget Amendment (BNA#054)

Department: Health Department

Agenda Title: Budget Amendment (BNA#054)

Agenda Summary:

Proposed Action:

ATTACHMENTS:

File Name	Description
<input type="checkbox"/> BNA054_4.2.24.pdf	CODAP-SYNAR Budget Amendment BNA#054

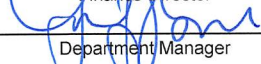
BUDGET ORDINANCE AMENDMENT

BNA # 054TO BE SUBMITTED TO BOARD MEETING April 2, 2024

FOR CONSIDERATION AT MEETING TO BE HELD ON _____

FROM: BUDGET OFFICER
THRU: FINANCE OFFICE
FOR DEPT: HEALTH
DATE: March 22, 2024

SIGNATURES:



Finance Director
Department Manager

Account Number	Project Code	Department	Account Name	Increase	Decrease
012.548.4.540.26	N/A	CODAP-SYNAR	CONTRACTED REVENUE	\$ 3,002	
012.548.5.121.00	N/A	CODAP-SYNAR	SALARIES-REG	\$ 978	
012.548.5.131.00	N/A	CODAP-SYNAR	SOCIAL SECURITY	\$ 61	
012.548.5.132.00	N/A	CODAP-SYNAR	RETIREMENT	\$ 126	
012.548.5.133.00	N/A	CODAP-SYNAR	HEALTH INSN	\$ 260	
012.548.5.134.00	NA	CODAP-SYNAR	DENTAL INSURANCE	\$ 4	
012.548.5.135.00	NA	CODAP-SYNAR	401K	\$ 59	
012.548.5.136.00	NA	CODAP-SYNAR	MEDICARE INS	\$ 14	
012.548.5.581.26	NA	CODAP-SYNAR	AWARDS/APPRECIATION	\$ 1,500	

Explanation of Revisions: Cleveland County Health Department has been received an additional \$3,002 from NCDHHS, Division of Mental Health/Developmental Disabilities/Substance Abuse Services to prevent the underage sale of tobacco products. These funds will be used to support education and training of local tobacco retailers on responsible tobacco sales. We request permission to budget these funds in the CODAP(548) department.

THE ABOVE AMENDMENT HAS BEEN APPROVED AND RECORDED IN THE MINUTES OF THE COUNTY COMMISSIONERS' MEETING ON _____

(Date)


Phyllis Nowlen, Clerk to the Board

cc: Personnel Batch # _____
cc: Purchasing Date: _____
By: _____

Synar

FY24 Synar Additional funding- Phase 2

Agency Name:

Cleveland County Health Department

Budget Narrative

Category	January 22, 2024 – June 30, 2024	Narrative (How do you intend to spend the money?)
DIRECT LABOR COSTS		
Human Resources		
Staff Salary/Wages/Benefits 121-136	\$ 1,502.00	Community Health Educator - this position will be responsible for verifying the location of all 187 tobacco retailers included on the provided retailer list verification spreadsheet as well as completing any required documentation in ECCO as it relates. It is estimated it will take approximately 40 hours to complete all verification and documentation. The hourly rate including salary and benefits of this position is \$37.54/hr x 40 hours = \$1501.60
Contracted Personnel/Youth volunteers 581	\$ 1,500.00	Coalition member volunteers: 10 Charitable gift cards @ \$150 each for coalition members conducting merchant education - 10 coalition members will conduct merchant education at 10 tobacco retailers each. Each location is estimated to take approximately 30 minutes including travel for a total of 5 hours per coalition member at \$20/hr plus \$50 for mileage reimbursement for each coalition member = \$150 per coalition member x 10 members = \$1,500
Other: Specify in Narrative		
Total Direct Labor Costs	\$ 3,002.00	
OTHER DIRECT COSTS		
Equipment		
Communication (phones, fax, postage)		
IT (Computers, copiers)		
Vehicle		
Furniture		
Equipment Insurance		
Equipment Repair and Maintenance		
Other: Specify in Narrative		
Total Equipment	\$ -	
Supplies and Materials		
Office Supplies and Materials		
Computer Supplies, Materials, and Software		
Janitorial Supplies and Materials		
Service Related Supplies and Materials		
Promotional Items (strategy specific)		
Printing, Copying, and Reprints		
Data Collection and Evaluation		
Meetings Expenses		
Other: Specify in Narrative		
Total Supplies and Materials	\$ -	
Travel		
Staff/Contract Personnel/Youth Volunteer Travel		
Staff Lodging/Meals		
Other: Specify in Narrative		
Total Travel	\$ -	
Staff and Volunteer Training		
Trainings		
Other: Specify in Narrative		
Total Staff Development	\$ -	
TOTAL OTHER DIRECT COSTS	\$ -	
Indirect Costs (up to 10%) Specify in Narrative		
Total Budgeted Expenditures	\$ 3,002.00	

Program Name: Cleveland County Health DepartmentProject Period: January 22, 2024 - June 30, 2024

	Position/Title and FTE	Position Description	Estimated # of hours (01/22/2024- 06/30/2024)	Hourly Rate	Fringe Rate Amount (\$)	Total Estimated Cost
1	Bailey Caudle, Community Health Educator	This position will be responsible for verifying the location of all 187 tobacco retailers in Cleveland County included on the provided retailer list verification spreadsheet as well as completing any required documentation in ECCO as it relates	40	\$24.46/hr	13.08/hr	\$1,502.00
2						\$0.00
3						\$0.00
4						\$0.00
5						\$0.00
6						\$0.00
7						\$0.00
8						\$0.00
9						\$0.00
10						\$0.00
11						\$0.00
12						\$0.00
13						\$0.00
14						\$0.00
15						\$0.00
						\$1,502.00

This amount should match Line B10 in the Budget and Narrative Tab

COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Finance Department: Budget Amendment (BNA#055)

Department: Finance Department

Agenda Title: Budget Amendment (BNA#055)

Agenda Summary:

Proposed Action:

ATTACHMENTS:

File Name	Description
<input type="checkbox"/> BNA055_4.2.24.pdf	Property/Liability Budget Amendment BNA#055

BUDGET NEW - ORDINANCE AMENDMENT

BNA # 055

SUBMITTED TO BOARD OF COUNTY COMMISSIONERS
FOR CONSIDERATION AT MEETING TO BE HELD ON:

April 2, 2024

SIGNATURES:


Finance Officer

FROM: BUDGET OFFICER
THRU: FINANCE OFFICE
FOR DEPT: Property/Liability Ins
DATE: 3/14/2024

Department Manager

Account Number	Project Code	Department	Account Name	Increase	Decrease
060.651.4.465.00		Property/Liability	Admin Services Allocation	\$ 75,000.00	
060.651.5.420.00		Property/Liability	Contracted Services	\$ 20,000.00	
060.651.5.586.05		Property/Liability	Ins Claims-General	\$ 5,000.00	
060.651.5.586.63		Property/Liability	Ins Claims-In House Auto	\$ 50,000.00	
010.410.4.991.00		General Revenues	Fund Balance Appropriated	\$ 75,000.00	
010.981.5.465.00		Funds Transfer	Adminstrative Services	\$ 75,000.00	

Explanation of Revisions: Budget Allocation to cover accounts thru end of year and for year end financial closing

THE ABOVE AMENDMENT HAS BEEN APPROVED AND RECORDED IN THE MINUTES OF THE COUNTY
COMMISSIONERS' MEETING ON _____
(Date)

Phyllis Nowlen, Clerk to the Board

RETURN TO FINANCE OFFICE and Forward copy via email to Tonya.Brittain@clevelandcountync.gov

cc: Personnel Batch # _____
cc: Purchasing Date: _____
By: _____

COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Request to Set a Public Hearing on Tuesday, May 7, 2024, for Case 24-07; Request to Rezone Parcel 66507 located at 646 Dixon School Road, from Residential (R) to Rural Residential (RU)

Department: Planning Department

Agenda Title: Request to Set a Public Hearing on Tuesday, May 7, 2024, for Case 24-07; Request to Rezone Parcel 66507 located at 646 Dixon School Road, from Residential (R) to Rural Residential (RU)

Agenda Summary:

Proposed Action:

ATTACHMENTS:

File Name	Description
<input type="checkbox"/> 24-07_Staff_Report_Set_Hearing.pdf	Staff Report
<input type="checkbox"/> Case_24-07_Zoning_Map.pdf	Zoning Map
<input type="checkbox"/> Case_24-07_Aerial_Map.pdf	Aerial Map
<input type="checkbox"/> Case_24-07_Land_Use_Map.pdf	Land Map

STAFF REPORT

To: Board of Commissioners
Date: April 2, 2024
From: Chris Martin, Planning Director
Subject: Rezoning Case 24-07

Summary Statement: Adam and Katie Kates are requesting to rezone parcel 66507, containing 4 acres, from Residential (R) to Rural Residential (RU).

Review: The parcel lies at the intersection of Dixon School Rd and Early Rd, south of Kings Mountain, and is currently vacant.

Surrounding zoning districts include Residential and Restrict Residential while surrounding uses are mostly single-family dwellings and larger tracts of land.

The Land Use Plan designates this area as Primary Growth.

Consistency Statement

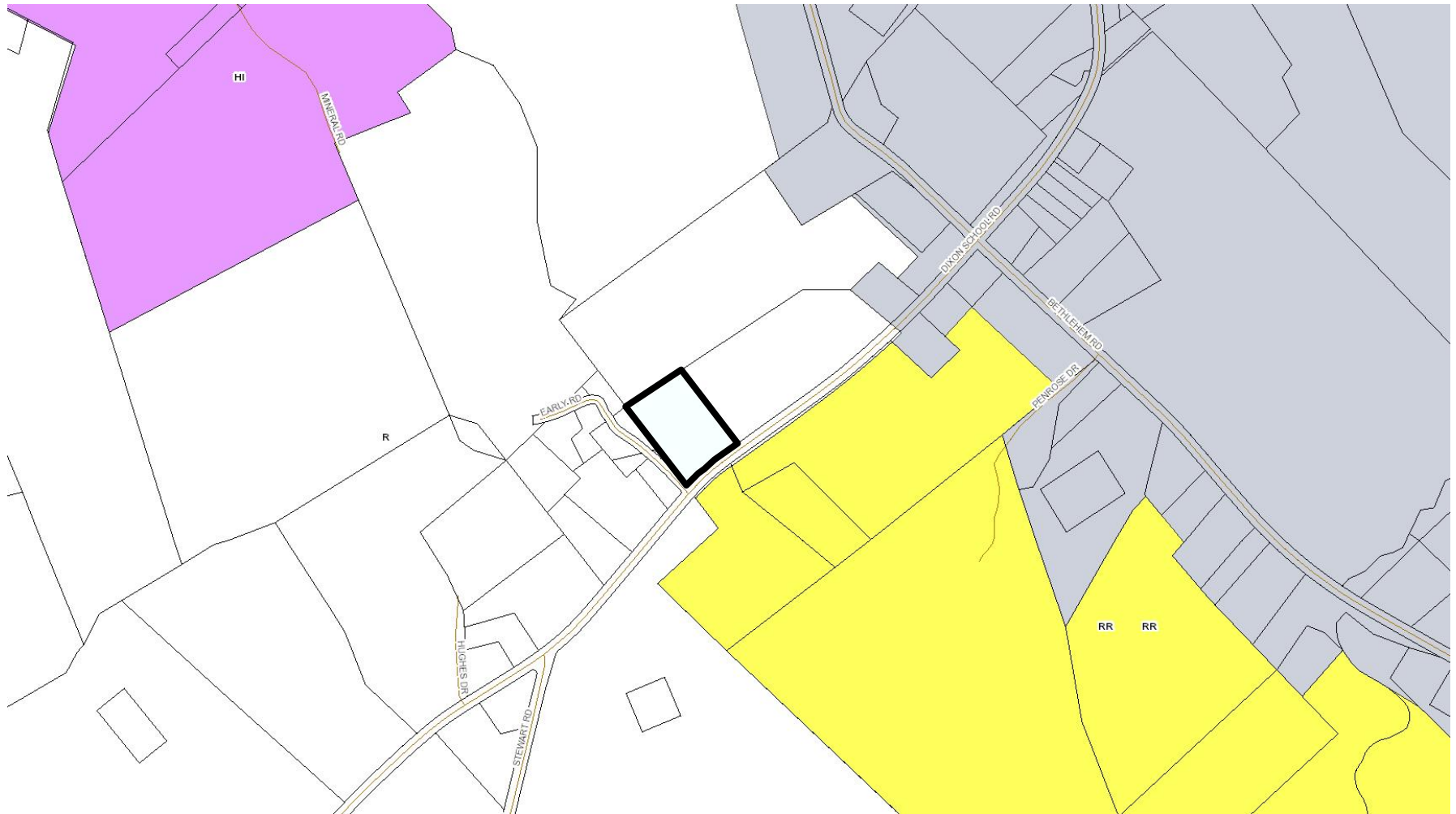
NCGS 160D-605 requires that local government boards adopt a consistency statement showing that the decision it makes fits in with the land use plan or if not, is reasonable and has a public interest.

Planning Board: Review April 30, 2024

Requested Board Action: Consider setting a hearing for May 7th, 2024.

Rezoning Case 24-07

632 Dixon School Road

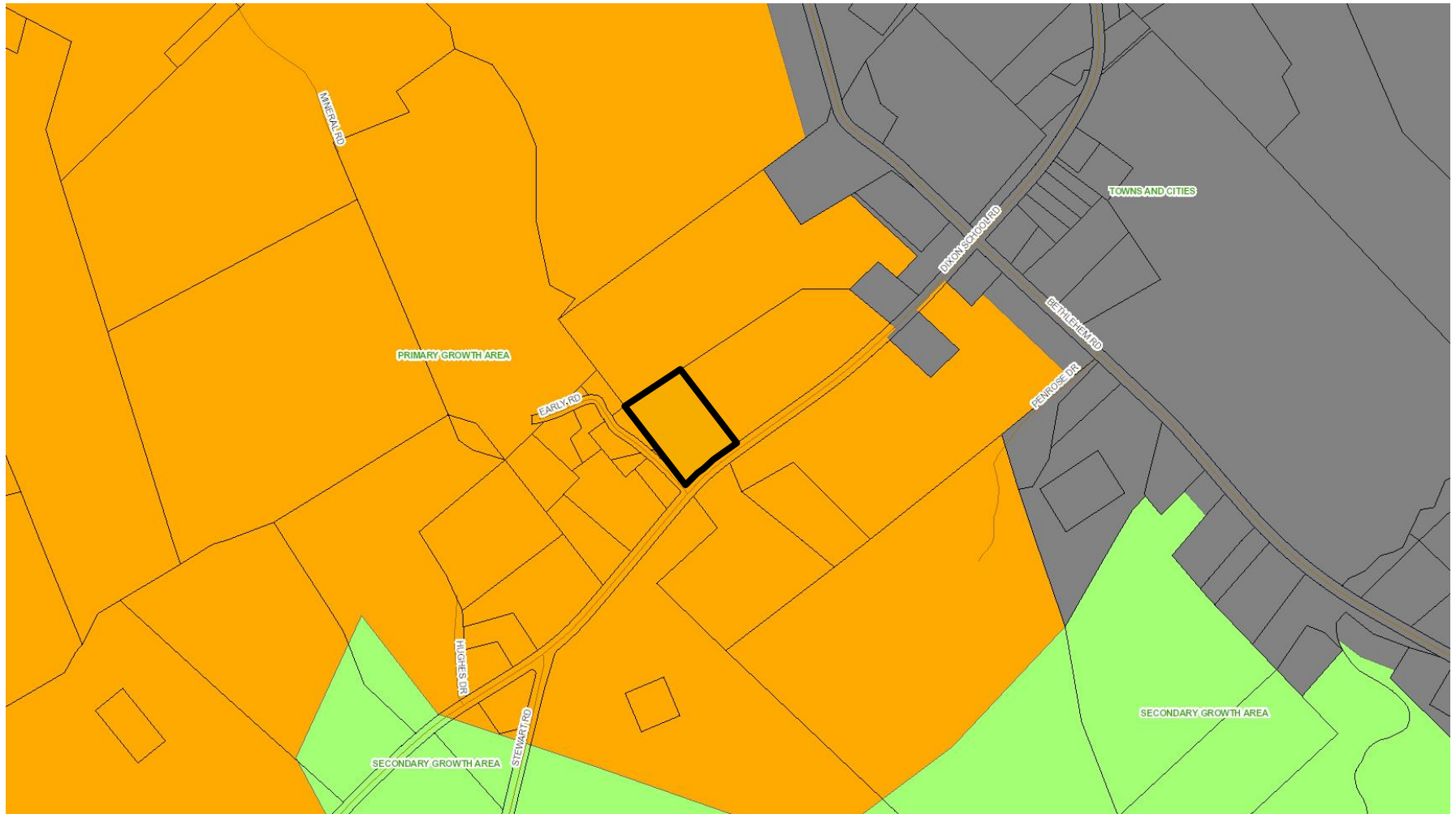


Rezoning Case 24-07
632 Dixon School Road



Rezoning Case 24-07

632 Dixon School Road



COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Request to Set a Public Hearing on Tuesday, April 16, 2024 for Project Ball

Department: Economic Development

Agenda Title: Request to Set a Public Hearing on Tuesday, April 16, 2024 for Project Ball

Agenda Summary:

Proposed Action:

ATTACHMENTS:

File Name	Description
<input type="checkbox"/> Cleveland_County__CC_Staff_Report_Project_Ball_CONFIDENTIAL_3.27.24.docx	Staff Report

CONFIDENTIAL | ECONOMIC DEVELOPMENT STAFF REPORT

To: David Cotton, County Manager
Date: March 27, 2024
From: Deputy County Attorney Martha Thompson
Subject: Project Ball

SUMMARY STATEMENT:

- Project Ball is an advanced textile company considering the former COATS facility (better known as Patrick Yarn Mills) located at 700 Railroad Ave. in Kings Mountain. This facility is currently vacant after the COATS closure on 11/30/2023.
- The company originally started with 7 sites but has narrowed the choice down to Kings Mountain and a site in Tennessee.
- 84 new jobs with \$63,298 average wage.
- \$9,500,000 real and personal property investment over 3 years.

PROJECT BALL INCENTIVE PROPOSAL:

CC EDP has brought this project to the County for consideration.

The proposed grant would reimburse the Company a total sum not to exceed \$25,000 over a three-year period. The cash grant is approximately 0.26 percent (.26 of 1 percent) of the estimated taxable value of the building renovations and personal property to be placed in service in connection with the project estimated to be approximately \$9,500,000. The County anticipates that the annual grant amount may vary due to the full investment not being completed and listed with the tax assessor until the third year. The County will fund the payments with available revenues in the County's General Fund. The cost to the County of the grant will be offset by projected tax revenues. The anticipated number of new jobs, capital investment, and tax revenues generated by the proposed investment is shown below. The grant amounts to approximately 20% of the taxes generated from the new taxable investment.

YEARS	# NEW JOBS	NEW INVESTMENT	Projected Ad Valorem Tax Revenue ¹
1	39	\$ 5,100,000.00	\$ 27,922.50
2	29	\$ 7,750,000.00	\$ 42,431.25
3	16	\$ 9,500,000.00	\$ 52,012.50
TOTAL	84	\$ 9,500,000.00	\$ 122,366.25

¹ Based upon current County tax rate of \$0.5475 per \$100 of assessed valuation.

Additionally, it is recommended that Cleveland County be the local government applicant for the NC building reuse grant and that this County grant be used, to the extent necessary, as the local match for the NC building reuse grant.

PROS: New tax revenue for County, and jobs created would be at a substantially higher average wage than the county average currently \$48,310.

CONS: None

FISCAL IMPACT: \$25,000

RECOMMENDATION: Schedule a Public hearing for the next regular BOCC meeting on April 16, 2024, at 6PM in BOCC chambers to consider the economic development incentive, pursuant to the North Carolina general statute 157-7.1.

ATTACHMENT: proposed public hearing notice

COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Case 24-06, Request to Rezone a 0.5-acre Portion of Parcel 66377 from Residential (R) to Neighborhood Business - Conditional Use (NB-CU) for a Farm Food/Grocery Store

Department:

Agenda Title: Case 24-06, Request to Rezone a 0.5-acre Portion of Parcel 66377 from Residential (R) to Neighborhood Business - Conditional Use (NB-CU) for a Farm Food/Grocery Store

Agenda Summary: Chris Martin, Planning Director

Proposed Action:

ATTACHMENTS:

File Name	Description
<input type="checkbox"/> 24-06_Staff_Report_Public_Hearing.pdf	Staff Report
<input type="checkbox"/> Site_Plan_Version_2.pdf	Site Plan
<input type="checkbox"/> Case_24-06_Zoning_Map.pdf	Zoning Map
<input type="checkbox"/> Case_24-06_Aerial_Map.pdf	Aerial Map
<input type="checkbox"/> Case_24-06_Land_Use_Map.pdf	Land Use Map

STAFF REPORT

To: Board of Commissioners
Date: April 2, 2024
From: Chris Martin, Planning Director
Subject: Rezoning Case 24-06

Summary Statement: Travis Bumgardner is requesting to rezone a portion of parcel 66377, containing 0.5 acres, from Residential to Neighborhood Business – Conditional Use for the purpose of operating a farm food/grocery store. A site plan has been submitted displaying the proposed use of the property.

Review: This property, a 0.5-acre portion of Parcel 66377, lies along Washburn Road near the intersection of Washburn Switch Rd, northwest of Shelby, and is zoned Residential. The portion Mr. Hamrick is purchasing and requesting to rezone is currently vacant.

The surrounding zoning district is Residential along Washburn Rd with Heavy Industrial nearby along Washburn Switch Rd. Surrounding uses are mostly single-family dwellings, with industrial uses to the south and a solar facility to the east. The Land Use Plan designates this area as Primary Growth.

Consistency Statement

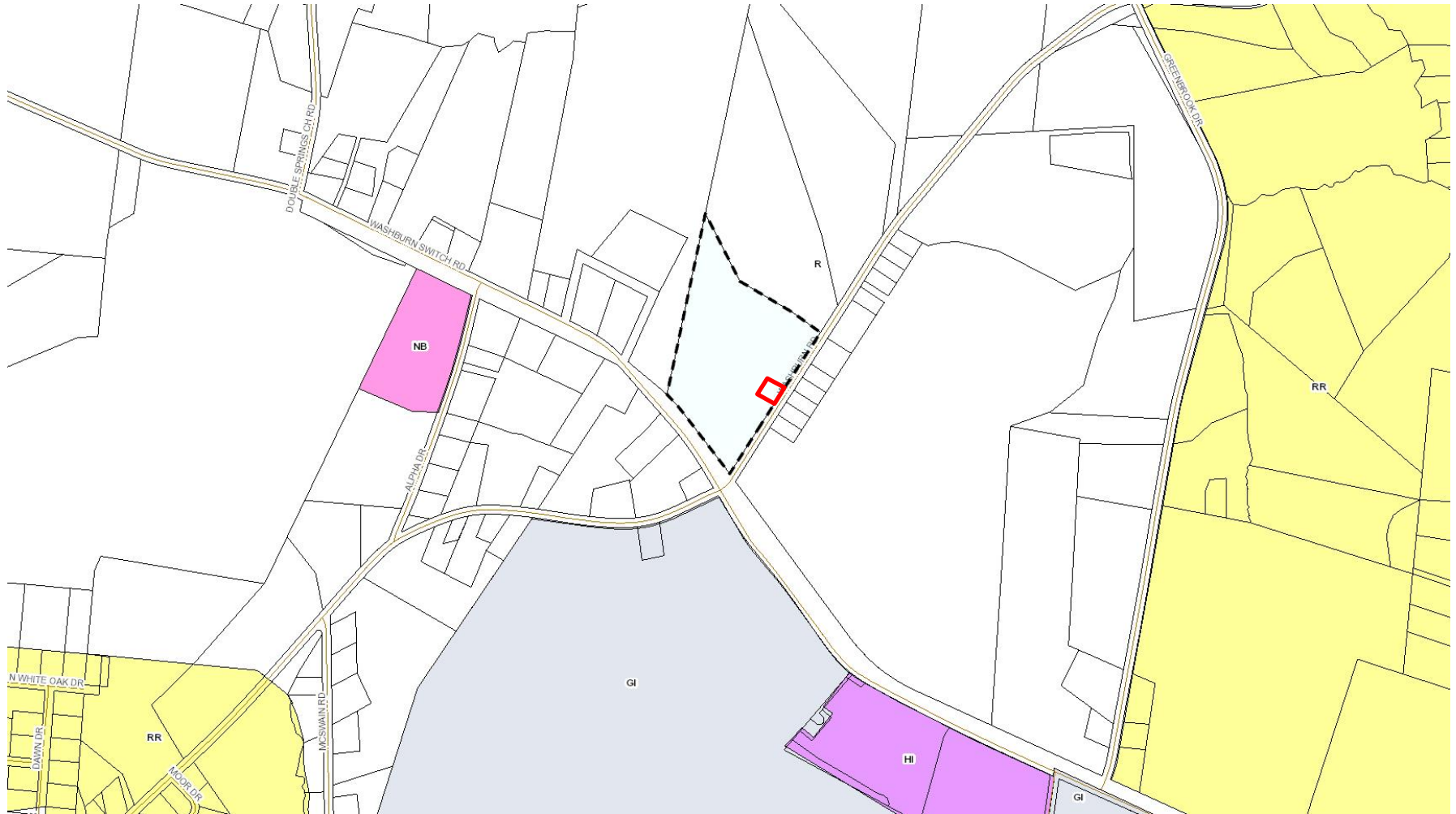
NCGS 160D-605 requires that local government boards adopt a consistency statement showing that the decision it makes fits in with the land use plan or if not, is reasonable and has a public interest.

Planning Board Review: The Planning Board reviewed the case and **unanimously recommended approval** of the rezoning request. The Board commented that the proposed rezoning request was consistent with the Land Use Plan's designation of Future Primary Growth and the use was compatible with surrounding uses.

Requested Board Action: Hold a public hearing and approve or deny the rezoning request.

Rezoning Case 24-06

2220 Washburn Road

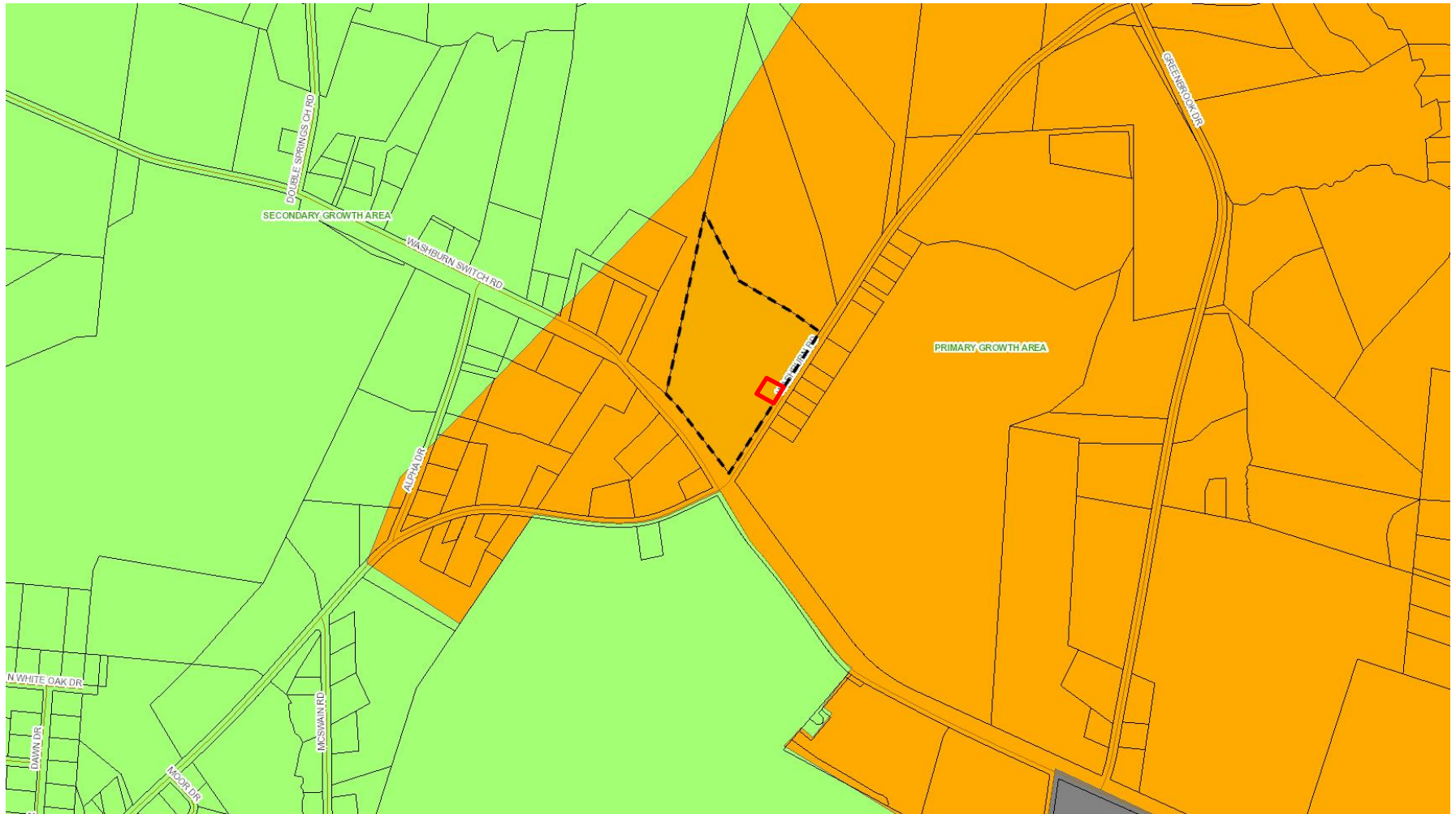


Rezoning Case 24-06
2220 Washburn Road



Rezoning Case 24-06

2220 Washburn Road



COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Justice Center Phase I GMP

Department:

Agenda Title: Justice Center Phase I GMP

Agenda Summary: David Cotton, County Manager

Proposed Action:

ATTACHMENTS:

File Name

Description

No Attachments Available

COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

The next meeting of the Cleveland County Board of Commissioners will be held on Tuesday, April 16, 2024 at 6:00pm in the Commissioners' Chambers.

Department:

Agenda Title: The next meeting of the Cleveland County Board of Commissioners will be held on Tuesday, April 16, 2024 at 6:00pm in the Commissioners' Chambers.

Agenda Summary:

Proposed Action:

ATTACHMENTS:

File Name

Description

No Attachments Available