Did Something else happened on Election Day, Besides the Election? It WAS the County Commissioner's Meeting!! AND, it was Interesting!! The 2022-23 Budget!!! It was scary, But NOT Very Informative. The Devil is always in the Details—Hidden spending & Tax Increases too!! Report and musings by Robert A.

Shelby-May 17, 2022 (Primary Election Day) at the Cleveland County Commissioner's Meeting!!!

Robert A. was the only "Citizen" present. Except for the American Legion "Honor Guard" who led the Pledge of Allegiance ceremony and Shelby City Council member Andrew Hopper. And maybe a few who might have been watching the video live broadcast. Perhaps they should count too.

This Commissioner's Meeting, being on the 2022 Primary Election Day, this Commissioner's meeting agenda was relatively short as everyone wanted to go to the Shelby Uptown Fire station and watch the live feed of election results/ It is an old tradition. (Robert A. also attended the gathering at

the Fire station.) The Agenda included only two items on the Regular Agenda portion and only one Commissioner's Board Appointment. Which was the last order of business. We will start with that last item.

The Commissioner's Board Appointments were for the Cleveland Community College Board of Trustees. The Commissioners had two appointments to make and the General Assembly Has one appointment this year. The Commissioner's Appointments were for the positions currently held by Wes Westmoreland and Chris Monroe. The General Assembly Appointment will be for the position presently held by Wayne King.

Of course, EVERYBODY remembers the Robert "Luke" Queen debacle last year, where the Commissioners DID NOT re-appoint Robert "Luke" Queen to the Community College Board, and the Rogue Republican, Wes Westmoreland, Dennis Bailey, Rev. Dr. Lamont Littlejohn, and others "sneaked up" on Senator Ted Alexander and had Alexander re-appoint Queen to the Community College Board of Trustees. NOOOooobody has forgotten about that. Robert A. has previously recommended the Commissioners get rid of every CCC BoT member, over time, until they are all replaced with reliable people that are not Republican elitist Snub-licans.

And, guess what, Wes Westmoreland and Chris Monroe are **gone from the CCC BoTs no**w. The Commissioners appointed Anthony "Tony" Berry and Kenneth Ledford without discussion. Of course, Westmoreland has been going around town, like Luke Queen did, saying he didn't want to "serve" another term on the CCC BoTs anyway. Many, including Robert A. believe Wes Westmoreland never "served" CCC to begin with. He only served himself and his own oversized EGO by being in a position of power over others he looked down upon. No word yet on who the General Assembly has or will appoint for the "open" Wayne King position on the CCC Board of Trustees. We will find out soon enough and let you know.

Looking at the CCC BoT list, Dennis Bailey, Craig DeBrew and Larry Hamrick's positions on the CCC Board of Trustees are up for re-appointment about this time next year. Robert A. recommends the Commissioners and the General Assembly continue cleaning house. That way a full half of the BoTs will be gotten rid of. And with Commissioner Kevin Gordon still on the CCC BoT's, these present Commissioners will have a 7-5 majority. Enough to put Cleveland Community College on the right track. ONCE and FOR ALL!!!

Item A on the Regular Agenda: **Solid Waste Residential Curbside Pickup Franchise Agreement**

Folks, The Solid Waste Franchise has been on Robert A.'s "Radar Scope" for around 30-plus years. Robert A. says this Solid Waste Franchise is about the closest thing to a self-designed opportunity for political graft and corruption that he has EVER SEEN. It's been "a license to steal" from the git-go. And a perfect hiding place for all kinds of criminal enterprise under the Health Department where everything is kept secret, to begin with. Corruption is camouflaged as management incompetence. Corruption is camouflaged by enforced silence. Plus, a little sexual "hanky-panky" cover-up to boot.

Oh! the sexual cover-ups. It seems there is always sexual cover-up among so many other cover-ups. From the Trash Dump to the School Board, through and around DSS and CCC. And about everywhere in between. Lawsuits too. Will it ever stop??? Apparently not anytime soon. And nobody is held accountable. Maybe a few, a very few at the highest levels are let go. Some with great and well-talked fanfare. Only to undergo a complete Public Relations makeover where those caught were officially allowed to "resign" in such a way that all pay and benefits are maintained. Leaving the harassed women and retaliating against men caught up in a legal battle against city hall. Where the taxpayers pay the offender's, lawyer bills.

But Robert A. needs to get to the point of the topic at hand.

The Solid Waste Franchise Agreement was unanimously approved at the May 17, 2022, Commissioner's Meeting. Writing this article, is a book about the long history of Corruption in Cleveland County NC since 1841.

The "Republic" solid waste company has had an exclusive Franchise with Cleveland County for a long time. An Exclusive Franchise means a company has the exclusive rights to perform some service at whatever price they want to charge their customers. And nobody else can perform that service. And, if anyone else does perform that service, the local government will enforce sanctions upon the usurpers who do NOT have the Franchise. It seems like a little legalized price-fixing and discouragement of free enterprise to many observers.

In this particular case, Republic would keep an exclusive franchise on hauling solid waste from "commercial" customers and other waste haulers could bid on hauling waste for county-wide residential curbside trash pickup.

At this point, Robert A. must add that he has often complained to governmental officials that he and the rest of the public have been kept in the dark about such items before they are acted upon by those governmental bodies. Keeping all of the citizens of Cleveland County in the dark about what the government officials are about to do, so the public will NOT be able to offer public comment during the public participation part of the meeting agenda. In particular, Robert A has again made this very same complaint at the past two Commissioner's meetings.

Only, this time, regarding this Solid Waste Franchise Agreement, Robert A had received a "leaked" copy of the Request for Proposal for the "Collection of Curbside Residential Solid Waste" for Cleveland County, NC" in advance of this May 17, 2022, Commissioner's meeting. As usual, Robert A inspected this 9-page document closely. Especially Page 5, which showed a map of all of Cleveland County that had been

divided into four zones. Each Zone contained essentially the same number of households.

Zone 1, the largest zone, included all of Cleveland County above Highway 182 and half of Cleveland county down to almost Shelby and East to the Gaston County Line. This represents the most rural part of Cleveland County where the residences are much farther apart.

Zone 2. Included the Moss Lake Area, all of Kings Mountain, and Grover South of Highway 150 down to the South Carolina Line and about halfway East between Kings Mountain and Shelby. Much smaller than Zones 1 and 4.

Zone 3 Included the just North of the City of Shelby down to the South Carolina Line and between Zones 1. 3 and 4. Much smaller than Zones 1 and 4. With about the same number of households.

Zone 4. the second largest zone, included the Eastern part of Cleveland County below Highway 182 and West of Lawndale, all the way down to the South Carolina line. Also mostly rural where the residences are also farther apart.

Looking at this map, several things were obvious.
1.Collecting residential solid waste in Zones 2 and 3 would be the most profitable. The households are closer together and less travel means large savings in fuel consumption. Not to mention paying employees for “riding around” time.
2.Collecting residential solid waste in Zones 1 and 4 would include the most road travel. And with fuel prices skyrocketing, the most costly by far. Lots of employee time spent “riding around.”

3.The map closely resembles the PRESENT Burns, Kings Mountain, Shelby and Crest High School attendance zones. But also showed a much more economical siting and construction plan for the future construction of three future High Schools to serve CLEVELAND COUNT than the present four high schools and their

attendance zones. MORE on that later.

But, in this instance, Robert A, having that “leaked” information provided a clear understanding, in real time, of how the Commissioners were manipulated into continuing with corrupt practices in the garbage hauling “franchise” system in Cleveland County. Robert A also is old enough to remember way back when Cleveland County (outside of Shelby and Kings Mountain) had no county owned landfill or garbage pickup of any kind.

Residents would find and old 55-gallon drum and burn their trash as best they could. Or dump their trash in a big gully over on Sugar Hill Road. Other rural areas did the same thing.

Then, Upper Cleveland County entrepreneurs bought an old garbage truck from somewhere and started the Upper Cleveland County Sanitary Company, or something along those lines. They grew and grew over time to other areas in Cleveland County. They started their own privately owned landfill down near Grover. Somewhere along the line, the County built their first landfill over near the present location. A former brother-in-law worked at the landfill and a number of us would go over there on weekends to target practice. WAY before the “Foothills Shooting Range” was a thought in anybody’s mind. Later, a Health Department self-declared “Honcho” would set animal control caught cats loose over there and do some target practice of his own.

And, there was the landfill “land scam.” Back before the turn of the Century.

The land scam went down like this. Somebody in the County Government figured the first Cleveland County Landfill would be filling up soon and more land was required for expansion. Adjacent property previously owned by Mr. Ralph Gardner had been bequeathed to Gardner Webb University (GWU) upon Mr. Gardner’s death. A “Middleman” later approached GWU with an

offer to purchase a 180 day “Option” on the old Gardner property for $10,000 at a certain price per acre. GWU accepted that offer. The Old Ralph Gardner Property was transferred to the Middleman, who in turn transferred the property to a former Cleveland County elected official, Robert Morgan. Exactly 60 seconds later most of the land was transferred to Cleveland County at over double the price that was paid to GWU. A little later the rest of the land was transferred to Cleveland County at the higher rate per acre in order to “square up” the property lines. Then Mr. Morgan was allowed to cut all the timber off the entire property. When Robert A published an article about this “land scam” the Chairman of the County Commissioners, Joe Cabiness, (who was also on the Board of Trustees at GWU) made the statement that all the steps taken during this land transaction were “performed in an ethical manner.” And NO prosecutions were ever made by the Cleveland County District Attorney.

But, folks, don’t believe me! All this is a public record all nice and recorded at the Register of Deeds office. Perhaps that original article will be re-printed sometime. There was one big change made in the way the corruption in selling property to Cleveland County was handled. The “Crooks” never-ever filed their paperwork at the Register of Deeds Office. And the middleman, option for purchase plan continues to this very day. And includes former County Officials. Latest being land purchases around the new Kings Mountain Casino. That is story for another day. And, the point here is that there has been corruption surrounding garbage disposal from day one in Cleveland County.

And this latest Cleveland County **Solid Waste Franchise Agreement** is no exception.

Like Robert A has previously stated, he received a “leaked” Request for Proposal (RFP) and read through it closely. This much was clearly obvious:
1.A statement in the RFP stated **“This RFP is NOT mandated by**

Statute, Ordinance, County Policy, and the County reserves the right to, at any time, choose the contractor who best meets the needs of the county, as determined by the County in its sole discretion. This RFP process is designed to assist the County in choosing the best contractor to meet its needs."

This very statement **COMPLETELY** leaves out the needs of the citizens as the customers who will be paying for the curbside pickup services to decide anything. Only a **fool** would sign up for such a service. Solid Waste curbside pickup service or anything else. Only a naïve and foolish company would waste their time and resources responding to this RFQ in the first place, unless they had inside information that they would get the franchise and could charge what they wanted and nobody could do a damn thing about it. Robert A. and everybody else would immediately smell a rat if they knew what the Commissioners (more likely the County Manager Brian Epley—as the Commissioners probably didn't even read the small print like Robert A does.) were trying to pull off. But, hey, overseeing what the County Manager is doing is the Commissioner's job. So, the COMMISSIONERS are ultimately responsible for making sure the County Manager is doing what he is supposed to. And when he doesn't, the Commissioners are totally responsible for doing what it takes to find a County Manager that will do what he (or she) is tasked with doing. No monkey business and especially no unethical or corrupt behavior.

Also, there is nothing in the RFP that clearly defines what the needs of the county actually are. It is all in the eye of the beholder. And the beholder is County Manager Brian Epley.

The RFP also stated that this agreement would only cover unincorporated portions of Cleveland County.

2. Zones 1 and 4 are rural, and most potential customers, like Robert A carry their own "solid waste" (garbage) to the local "dumps" around the county. Not needing curbside pickup at all.

Also, lots of customers live on country roads, not city streets, where there are no curbs (often only ditches) to start with. Making mechanical pickups with the big specialized “trash” trucks pretty much impossible.

3.The required paperwork associated with the RFP is excessive. Actually, much of the paperwork required can only be readily provided by contractors that are already doing solid waste pickup in Cleveland County. Since only one Solid Waste Franchise has been doing business in Cleveland County, this is pretty much impossible for any local new business startup or expansion of any existing local business. Which is totally opposite to the Commissioner’s Strategic Plan for Cleveland County’s Economic Development. Just another “smelling rat” that indicates something corrupt is going on.

4.The RFP requires an Equipment List from contractors who respond to the RFP. At a minimum the Contractor is to already have Rear end or side loading garbage trucks, tarps and approved clean-out facilities. Nobody but the existing contractor would be able to meat this requirement. Another smelling rat that indicates the existing Franchise holder will win the bid.

5.The County, in the RFP, has an excessive list of records and reports that the winner of the RFP award must provide. Then they require that the Contractor must provide “Any other information that the board of commissioners or the licensee believes to be of importance.” Who does that in the real world?

6.The County requires major liability and auto insurances that would likely be cost prohibitive to any startup or locally owned business startup. Again, the existing contractor, Republic, seems to be favored.

Now, back to the May 17, 2022 Commissioner’s Meeting in regard to this Solid Waste Pickup Agreement. Please remember that

neither Robert A nor any member of the general public was provided anything by the Cleveland County Commissioners or the County Manager Brian Epley (as is Epley's practice) prior to this meeting. Robert A only had a "leaked" copy of the RFP with absolutely NO other information other than what Epley would provide to the Commissioners. Robert A attended this May 17, 2022 Primary Election Day Commissioner's meeting as previously stated.

The high spots regarding the Solid Waste Curbside Pickup Agreement are as follows"

- County Manager Brian Epley provided a "fast-talking" overview of the history of the RFP.
- There were only two bids:

1.Republic (the longtime existing franchisee) bid on all four zones at a cost of **$25 per month** charge to the residential customer.
2.A non-franchise contractor, **Contractor X**, only bid on Zones 2 and 3 for **$20.99 per month** per residential customer.

The Commissioners quizzed Epley about whether or not Republic could take Zones 1 and 4 while the previously non-franchised contractor, having a lower bid price, could take Zones 2 and 3. Epley replied that **Republic had made an all or nothing bid for the residential curbside pickup service.**

Since Robert A had already suspected that this whole business was a corrupt ploy to throw the Solid Waste Residential Curbside Pick-up to Republic, this tactic of all or nothing was logical. The issue for Robert A was, what would the Commissioners do??? Would they fall for the bait and issue another Franchise to Republic?

There was a bit of a pause before Commissioner Ronnie Whetstine (predictably) stated erroneously that" the whole of Cleveland County needed to be covered by this agreement." Whetstine then made the motion to **award the Franchise to Republic**. The motion passed 5-0.

Just like almost everything else, the Commissioners were fed just enough to manipulate them into violating their own policy on advocating economic development amongst local business in favor of deep pocketed outside company who might (and often do) have the inclination to somehow make illegal contributions to the Commissioners at the next election. Or some other gratuity? Like under the table cash payments to Brian Epley? Or giving Epley's wife a job somewhere at a high salary? Or providing a prime real estate property on Moss Lake to someone that is helpful to their cause? Or maybe nothing? Maybe Republic just knew they were dealing with a bunch of rubes??

Now folks, I am sure you ALL are dying to know the answer to this question. **Mr. Robert A, what would YOU have done that would have been so different???**

Folks, Robert A, if a Cleveland County Commissioner, would have made the motion to accept the bid of **Contractor X** for Zones 2 and 3 for $20.99 per month per customer. For all the reasons that have previously provided. It is NOT necessary that every nook, cranny and corner of Cleveland County, such as Zones 1 and 4 to have residential curbside solid waste pickup. Zones 1 and 4 don't have this service now in the unincorporated areas. And not many in the incorporated areas have chosen it. Robert A lives in the Incorporated limits of Fallston where this service is already available, but, like so many others, has chosen not to subscribe to this Republic service. Same with the Shelby Daily Liar which is no longer in Shelby or relevant to Cleveland County. Or Fallston.

Robert A believes that all the Commissioners have done here is to increase the opportunities for profits for Republic at the expense of Cleveland County Citizens, free enterprise and the American Way. And predicts most households in Zones 1 and 4 will be more interested in teaming up with their neighbors to haul their trash to the dump. And save that $25 per month for food, rent and gas.

Editor’s Note: This article was getting too long to include the last big item on the May 17, 2022 Commissioner’s meeting. The 2022-2023 Budget was being saved for last, but now it will be included in a separate article. Actually, this deserves another separate article.

Stay tuned folks, and be sure your blood pressure medication prescription has been filled.