

Cleveland County Board of Commissioners

July 7, 2020

The Cleveland County Board of Commissioners met in a regular session on this date, at the hour of 6:00 p.m. at the LeGrand Center located at 1800 E. Marion St., Shelby.

PRESENT: Susan Allen, Chairman
Ronnie Whetstine, Vice-Chair
Johnny Hutchins, Commissioner
Doug Bridges, Commissioner
Deb Hardin, Commissioner
Brian Epley, County Manager
Tim Moore, County Attorney via Conference Call
Phyllis Nowlen, Clerk to the Board
Elliot Engstrom, Deputy County Attorney
Chris Green, Tax Assessor
Jason Falls, LeGrand Center Director
Betsy Harnage, Register of Deeds

CALL TO ORDER

Chairman Allen called the meeting to order and Commissioner Bridges provided the invocation and led the audience in the Pledge of Allegiance.

AGENDA ADOPTION

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

CITIZEN RECOGNITION

Ned Cash, Oak Grove Road Community, Shelby – spoke in support of the monument located in uptown Shelby. He stated the monument is a place of remembrance for those who lost relatives during the Civil War and is a part of Cleveland County's history.

Sam Lail, No Address Given - spoke in support of the monument. He feels it represents the lives lost during the Civil War and is a headstone for those soldiers who never returned home.

Teresa Roane, Sons of the Confederate Veterans, Cleveland Regiments Camp 1663 - spoke in support of the monument. She gave the history of the Civil War and talked about the importance of not repeating it.

Vallery McCoy, 1516 Cherryville Rd, Cherryville – spoke in support of the monument. She reviewed her family's history and echoed the previous comments of the monument being a place of remembrance.

Tom McCoy – 1516 Cherryville Rd, Cherryville – spoke in support of the monument. He also talked about his family's history and the importance of keeping monuments.

Michael Ledbetter, No Address Given – spoke in support of the monument and echoed the previous comments in support of keeping the monument in uptown Shelby.

Gloria Day, No Address Given – spoke about her recent visit to the Foothills Public Shooting Complex, COVID-19 and inquired about the County's face mask policy.

Stan Anthony, No Address Given – advised he is speaking solely as a citizen of Cleveland County and not as the Mayor of the City of Shelby. He shared his opposition to keeping the monument in uptown Shelby. He suggested having more dialog within the community and moving the monument to a proper historical location.

Benjamin Schaeffer, 1403 Lackey Street, Shelby – spoke about the county’s website, racism within the county and the importance of community dialog.

Keelyn Surratt, 1721 Kings Road, Shelby – spoke in opposition of the monument and racism that is still going on in the community and the country. He suggested to relocate the monument to a more appropriate location.

Dale Guffey, No Address Given – spoke in opposition of the monument. She detailed the history of the United Daughters of the Confederacy and the monies they raised for the erection of the monument. She suggested moving the monument to a private location, not on county property.

Alexis Vinson, No Address Given – spoke in opposition of the monument and what it represents. She echoed the comments of encouraging community dialog and growth.

Robert Williams, 814 E. Stagecoach Trail, Fallston – spoke in support of the monument. He suggested placing a referendum on the ballot in November for the citizens of Cleveland County to vote whether to leave the monument or remove it.

Emmanuel Wallace, No Address Given – stated the views of the confederate monument are subjective to each person’s opinion and he can see validity in both sides of the argument.

Brendan LeGrand, No Address Given – spoke in support of the monument. She gave a history of her family in the community and the importance of remembering history.

CONSENT AGENDA

APPROVAL OF MINUTES

The Clerk to the Board included the Minutes from the *June 2 and June 16, 2020 regular meetings*, in board members packets.

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

ECONOMIC DEVELOPMENT: BUDGET AMENDMENT (BNA #001)

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board to, *approve the following budget amendment:*

<i>Account Number</i>	<i>Project Code</i>	<i>Department/Account Name</i>	<i>Increase</i>	<i>Decrease</i>
010.492.4.409.00	0LEAF-ACCEL	Economic Development/Local Revenues	\$239,298.00	
010.492.5.700.00	0LEAF-ACCEL	Economic Development/Local Revenues	\$239,298.00	

Explanation of Revisions: Budget \$239,298 in funds received from the Golden Leaf Foundation to provide funding to Cleveland County for the expansion of the Accelerate Cleveland County Program.

REGISTER OF DEEDS: BUDGET AMENDMENT (BNA #002)

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Hutchins, 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>
010.419.4.991.00		Register of Deeds/Donations-Contributions	\$20.00	
010.419.5.790.00		Register of Deeds/Donations-Contributions	\$20.00	

Explanation of Revisions: Budget allocation for \$20 in donation received from W. and A. Gray Road Boring for outstanding support/customer service provided by the Register of Deeds staff. Funds will be used towards lunch for staff appreciation.

PLANNING DEPARTMENT: SET PUBLIC HEARING FOR CASE 20-03: TEXT AMENDMENT FOR

KENNELS AND ANIMAL BOARDING FACILITIES (Schedule Public Hearing for August 4, 2020)

Daniel Blanton has requested an amendment to the Cleveland County Unified Development Ordinance (UDO) to allow boarding and kennels in various residential districts. Currently, kennels and animal boarding facilities are classified in the UDO table of uses under “Other Personal Services” and are only allowed in General Business (GB) zones. The requested amendment would allow this use to be placed in the Rural Agriculture (RA), Residential (R), Manufactured Home Park and Neighborhood Business district as well as create standards for future kennels. Standards proposed under this requested amendment would be a minimum two-acre parcel and fifty-foot setbacks for all indoor and outdoor uses associated with the kennel.

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board to, *approve scheduling the public hearing for August 4, 2020.*

COMMISSIONERS: NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS (NCACC)

VOTING DELEGATES

In order to facilitate the voting process, the NCACC asks each county to designate one voting delegate prior to the 2020 Annual Conference in August.

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board to, *appoint Commissioner Bridges to serve as the voting delegate and Commissioner Hutchins to serve as the voting alternate for the 2020 North Carolina Association of County Commissioners virtual business meeting.*

COMMISSIONERS: NATIONAL ASSOCIATION OF COUNTIES (NACo) VOTING DELEGATES

In order to facilitate the voting process, NACo asks each county to designate one voting delegate prior to the 2020 Annual Conference in July.

ACTION: Commissioner Hardin made a motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board to, *appoint Commissioner Bridges to serve as the voting delegate and Commissioner Hutchins to serve as the voting alternate for the 2020 National Association of Counties virtual business meeting.*

PUBLIC HEARINGS

SMALL BUSINESS INCENTIVE GRANT – AC INDIGO PROPERTIES, LLC

Chairman Allen called Chris Green, Tax Assessor, to the podium to present the Small Business Incentive Grant for AC Indigo Properties, LLC. AC Indigo Properties, LLC has made application for participation in the

Small Business Investment Grant Program for renovations of their business located at 112 North Lafayette Street in Uptown Shelby. Under the Program, a qualifying net new investment of \$50,000 to a maximum of \$1,000,000 would be eligible for a grant equal to fifty percent of taxes paid on the new taxable investment for three years. The grant amount will be calculated on a \$0.57 per \$100 value of net new taxable investment. The applicant has a qualifying investment of \$1,000,000 and has met the listing and investment requirements. The taxes have been paid and there are no unresolved appeals. Per North Carolina General Statute 158-7.1(c), any appropriation or expenditure pursuant to this section (158-7.1) must be approved by the county after a public hearing is held.

Chairman Allen opened the Public Hearing at 7:17 pm for anyone wanting to speak for or against the Small Business Incentive Grant for AC Indigo Properties, LLC. (*Legal Notice was published in the Shelby Star on Friday, June 26, 2020*).

Steve Padgett, Director of Small Business Center, Cleveland Community College – spoke in favor of the Small Business Incentive Grant. He appreciated the opportunity for small businesses to benefit and grow from these types of programs.

Danny Blanton, 1827 CreekrIDGE Rd., Shelby - spoke in support of the Small Business Incentive Grant and feels this program is something that should be encouraged to all small businesses in the community.

Hearing no further comments, Chairman Allen closed the Public Hearing at 7:20 pm.

Chairman Allen opened the floor to the Board for discussion and questions. Commissioner Hutchins talked about the purpose of the grants and the benefits they serve for the small businesses in Cleveland County.

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board, *to approve the payment of the Small Business Incentive Grant to AC Indigo Properties, LLC.*

REGULAR AGENDA

BUILDING/PERMITTING UPDATE

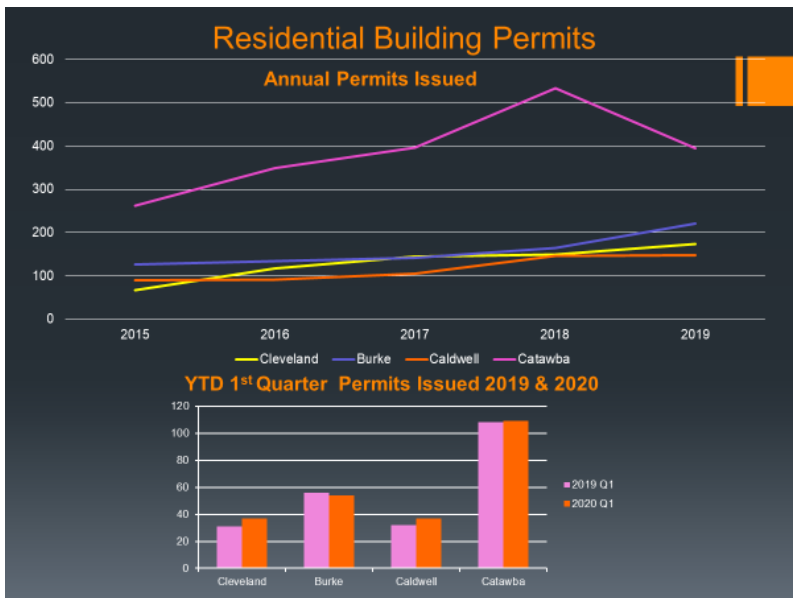
Chairman Allen recognized Paul Ezell, Chief Building Inspector, to present the Building and Permitting Update. The following PowerPoint was presented to the Board.



Residential Building Permit Trends

County	Annual Permits Issued					2019-2020 YTD Quarterly Permits Issued	
	2015	2016	2017	2018	2019	2019 Q1	2020 Q1
Cleveland	67	117	145	149	174	31	37
Burke	126	134	142	164	221	56	54
Caldwell	89	91	105	146	148	32	37
Catawba	262	349	327	514	325	108	109

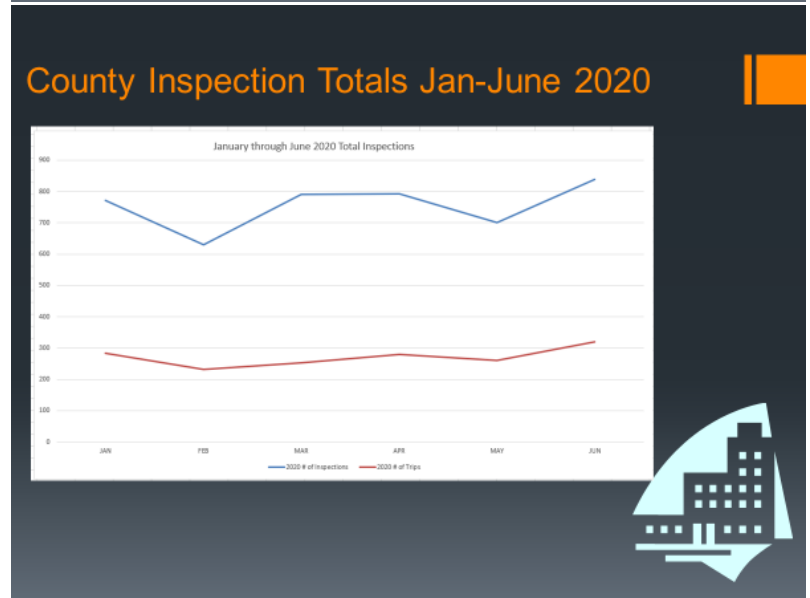
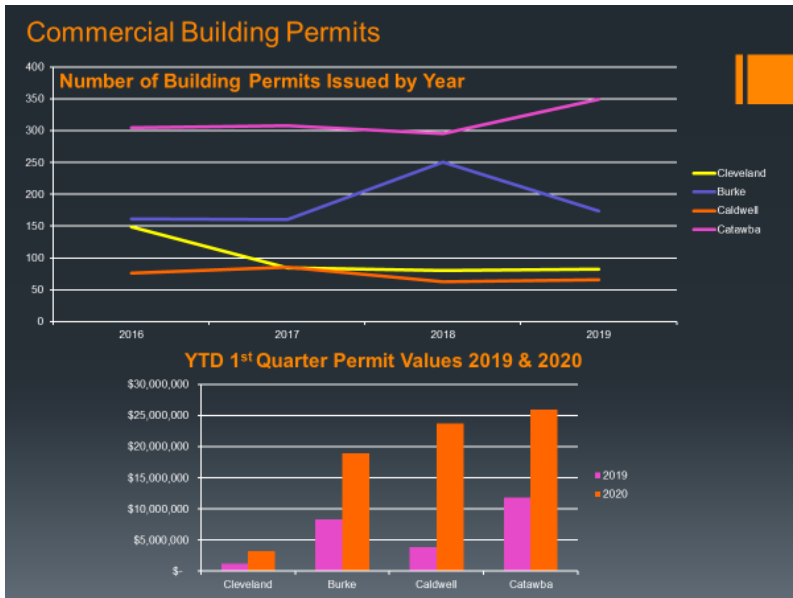
County	High End (Over 4000 Sq. Foot or Over \$400,000)					Yearly Percent Change				
	2019 Q1	2020 Q1	2017	2018	2019	2016 vs. 2015	2017 vs. 2016	2018 vs. 2017	2019 vs. 2020	Q-1 20 vs. Q1-20 YTD
Cleveland	3	3	7	10	8	75%	24%	3%	17%	19%
Burke	0	1	32	26	8	6%	6%	15%	35%	-4%
Caldwell	8	16	37	48	51	2%	15%	39%	1%	16%
Catawba	30	20	81	108	92	33%	14%	35%	-26%	1%



Commercial Building Permit Trends

County	Number of Permits Annual				YTD (Q1)	
	2016	2017	2018	2019	Q1 2019	Q1 2020
Cleveland	140	84	80	87	13	0
Burke	161	160	251	174	49	36
Caldwell	76	85	63	66	17	20
Catawba	305	308	296	350	52	77

County	Permit Value Annual			YTD (Q1)		Value % Change		
	2017	2018	2019	Q1 2019	Q1 2020	2018 vs. 2017	2019 vs. 2018	YTD Q1 2020 vs. Q1 2019
Cleveland	\$ 74,111,074	\$ 38,817,470	\$ 22,917,897	\$ 1,267,926	\$ 3,218,280	-48%	-41%	154%
Burke	\$ 36,184,212	\$ 32,114,663	\$ 157,348,628	\$ 8,379,901	\$ 19,002,264	-11%	390%	127%
Caldwell	\$ 26,601,397	\$ 35,597,728	\$ 53,264,993	\$ 3,916,900	\$ 23,696,040	34%	50%	505%
Catawba	\$ 171,628,290	\$ 165,022,178	\$ 121,533,953	\$ 11,865,387	\$ 25,933,899	-4%	-26%	119%



Questions?

The Board thanked Mr. Ezell for the information and the continued hard work he and his department continues to do with new implementations such as remote inspections in response to the COVID-19 pandemic.

BOARD APPOINTMENTS

CLEVELAND COUNTY COMMISSION FOR WOMEN

ACTION: Commissioner Whetstine made the motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board, *to re-appoint Betsy Harnage, Cathy Robertson, Betsy Wells, Robert Miller, Joyce Morrow-Coleman, Debra Blanton and Martha Davis to serve as members of this board*, for a period of three-years, scheduled to conclude June 30, 2023.

CHILD FATALITY PREVENTION TEAM

ACTION: Commissioner Bridges made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board, *to appoint Tommy McNeilly, Emergency Medical Services Director, to serve as a member of this board*, for a non-expiring term.

CLEVELAND COUNTY HISTORIC PRESERVATION BOARD

ACTION: Commissioner Bridges made the motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board, *to re-appoint Leon Martin to serve as a member of this board*, to fill an unexpired term, scheduled to conclude June 30, 2023.

CLEVELAND COUNTY JUVENILE CRIME PREVENTION COUNCIL

ACTION: Commissioner Hardin made the motion, seconded by Commissioner Bridges, and unanimously adopted by the Board, *to re-appoint Mike Mittleman, Sandy Hamrick, Jeanne Patterson and appoint Omar Porter to serve as members of this board*, for a period of two-years, scheduled to conclude June 30, 2022.

CLEVELAND COUNTY NURSING HOME ADVISORY BOARD

ACTION: Commissioner Bridges made the motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board, *to re-appoint Wanda Robinson, Elaine Champion and Judy Barrett to serve as members of this board*, for a period of three-years, scheduled to conclude June 30, 2023.

CLEVELAND COUNTY PLANNING BOARD

ACTION: Commissioner Hardin made the motion, seconded by Commissioner Bridges, and unanimously adopted by the Board, *to appoint Noah Saldo to serve as a member of this board*, to fill an unexpired term, scheduled to conclude December 31, 2022.

CITY OF SHELBY PLANNING AND ZONING BOARD

ACTION: Commissioner Bridges made the motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board, *to re-appoint Jeff Aderholt to serve as a member of this board*, for a period of three-years, scheduled to conclude June 30, 2023.

RUBY C HUNT YMCA LIBRARY ADVISORY BOARD

ACTION: Commissioner Bridges made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board, *to appoint Ashley Francis to serve as a member of this board*, for a period of two-years, scheduled to conclude June 30, 2022.

COMMISSIONER REPORTS

Commissioner Hardin – thanked everyone who attended the meeting. She stated, *“the Commissioners are listening to you regarding your opinions about the monument. Please give us time to hear all sides and gather all the information before a decision is made.”*

Commissioner Hutchins – has attended several board meetings virtually and thanked staff for the continued hard work and safe practices put in place due to the COVID-19 pandemic.

Commissioner Whetstine – attended the Board of Health meeting virtually. He thanked all the healthcare workers and everyone at the Health Department who have been working every day since the COVID-19 pandemic started.

Commissioner Bridges – advised the Cleveland County Fair has been cancelled due to COVID-19.

Chairman Allen- thanked everyone who attended the Commissioner’s Meeting and thanked those who shared their beliefs and feelings. She advised these are sensitive times right now and the citizens of Cleveland County are important to the Commissioners.

ADJOURN

There being no further business to come before the Board at this time, Commissioner Hardin made a motion, seconded by Commissioner Bridges, and unanimously adopted by the Board, *to adjourn the meeting.*

*Susan Allen, Chairman
Cleveland County Board of Commissioners*

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