

**Cleveland County Board of Commissioners**  
**August 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  
Deb Hardin, Vice-Chair  
Johnny Hutchins, Commissioner  
Ronnie Whetstine, Commissioner  
Doug Bridges, Commissioner  
Tim Moore, County Attorney  
David Cotton, County Manager  
Phyllis Nowlen, Clerk to the Board  
Martha Thompson, Chief Deputy County Attorney  
Chris Martin, Planning Director  
Betsy Harnage, Register of Deeds  
Sandra Orvig, Shooting Range Director  
Jason Falls, Business Development Director  
Clifton Philbeck, Board of Elections Director  
Sherry Lavender, Tax Assessor  
Philip Steffen, Finance Director  
Rebecca Johnson, Social Services Director

**CALL TO ORDER**

Chairman Gordon called the meeting to order, and Business Development Director Jason Falls led the audience in the Pledge of Allegiance and provided the invocation.

Chairman Gordon announced: *“The public hearings for Planning Case 24-10: Request to Re-Zone a Portion of Parcel 48083 from Residential (R) to Neighborhood Business - Conditional Use (NB-CU) for a Telecommunications Tower and Planning Case 24-11: Request to Rezone Parcel 66231 from Restricted Residential (RR) to Residential (R) have been postponed until Tuesday, September 17, 2024, at 6:00 pm in the Commissioners Chambers. The Planning Board could not meet and make a recommendation on the two cases due to a lack of quorum at their July meeting. The Planning Board is set to hear these cases at their August 27, 2024, meeting and will provide a recommendation for the Commissioners at that time.”*

**AGENDA ADOPTION**

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

**PUBLIC COMMENT**

**Robert Williams, 814 E. Stagecoach Trl, Fallston** - commented on several departments in the county’s administration building, including the legal and tax departments.

**Allison Still, 1731 Combat Road, Shelby**, spoke about her concerns with the county’s Animal Services, indicating that part of the issue is a commissioner overstepping their role in that department.

**CONSENT AGENDA**

**APPROVAL OF MINUTES**

The Clerk to the Board included Minutes from the *July 9, 2024*, regular Commissioners' meetings in Board members' packets.

**ACTION:** Commissioner Bridges made a motion, seconded by Commissioner Whetstine, 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 taken to encourage payment of uncollected taxes. The Tax Collector provided Commissioners with a detailed written report regarding taxes collected during *July 2024.*

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

CLEVELAND COUNTY 311 E MARION ST ROOM 134 P O BOX 370 SHELBY, NC			
<b>TOTAL TAXES COLLECTED JULY 2024</b>			
YEAR	AMOUNT-REAL	AMOUNT-GAP	COMBINED AMT
DEF REV	\$54,358.20	\$46,894.94	\$101,253.14
2024	\$874,067.69	\$15,917.33	\$889,985.02
2023	\$101,122.16	\$3,260.90	\$104,383.06
2022	\$33,062.75	\$1,184.44	\$34,247.19
2021	\$13,529.21	\$1,123.19	\$14,652.40
2020	\$6,465.55	\$203.60	\$6,669.15
2019	\$5,722.75	\$0.00	\$5,722.75
2018	\$4,013.43	\$0.00	\$4,013.43
2017	\$1,375.91	\$0.00	\$1,375.91
2016	\$712.49	\$0.00	\$712.49
2015	\$68.21	\$0.00	\$68.21
2014	\$53.29	\$0.00	\$53.29
			\$1,163,136.04
TOTALS	\$1,094,551.64	\$68,584.40	\$1,163,136.04
DISCOUNT	(\$4,364.04)		(\$4,364.04)
INTEREST	\$21,365.69	\$794.44	\$22,160.13
TOLERANCE	\$1.84	(\$2.72)	(\$0.88)
ADVERTISING	\$686.84	GAP BILL FEES	DEFERRED GAP
GARNISHMENT	\$2,480.97	\$2,014.29	\$0.00
NSF/ATTY	\$0.01		
LEGAL FEES	\$3,285.72		
TOTALS	\$1,118,008.67	\$71,390.41	
MISC FEE	\$346.38		GRAND TOTAL
TAXES COL	\$1,118,355.05		\$1,189,745.46
DEFERRED	\$54,358.20	\$46,894.94	\$101,253.14
	\$1,063,996.85	\$24,495.47	\$1,088,492.32
<b>TOTAL TAXES UNCOLLECTED JULY 2024</b>			
	AMOUNT-REAL	AMOUNT-GAP	COMBINED AMT
2024	\$90,925,329.09	\$316,188.45	\$91,241,517.54
2023	\$1,785,943.77	\$125,566.37	\$1,911,510.14
2022	\$946,844.33	\$92,594.03	\$1,039,438.36
2021	\$336,898.74	\$59,420.34	\$396,319.08
2020	\$260,955.28	\$31,899.04	\$292,854.32
2019	\$453,967.82	\$0.00	\$453,967.82
2018	\$218,295.53	\$0.00	\$218,295.53
2017	\$119,276.74	\$0.00	\$119,276.74
2016	\$81,099.10	\$0.00	\$81,099.10
2015	\$87,016.14	\$0.00	\$87,016.14
2014	\$100,853.66	\$0.00	\$100,853.66
		\$0.00	\$0.00
TOTAL UNCOLLECTED	\$95,316,480.20	\$625,668.23	\$95,942,148.43

**TAX ADMINISTRATION: ABATEMENTS AND SUPPLEMENTS**

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during *July 2024.* The monthly grand total for tax abatements was listed as (\$20,630.78), and the monthly grand total for tax supplements was listed as \$20,425.47.

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



CLEVELAND COUNTY, NORTH CAROLINA						
Settlement for Current-Year Taxes and Delinquent Taxes						
REAL AND PERSONAL PROPERTY						
SCHEDULE OF AD VALOREM TAXES RECEIVABLE						
YEAR ENDED JUNE 30, 2024						
	UNCOLLECTED				ABATEMENTS AND OTHER CREDITS	UNCOLLECTED
FISCAL YEAR	BALANCE 06/30/23	ORIGINAL LEVY	DISCOVERIES SUPPLEMENTS	COLLECTIONS		BALANCE 06/30/24
2023		\$91,833,113.61	\$9,756,920.32	\$99,591,165.54	\$113,476.45	\$1,885,391.94
2022	\$1,866,363.69		\$183.72	\$876,887.41	\$9,415.11	\$980,244.89
2021	\$622,730.55		\$21.63	\$267,876.59	\$4,158.45	\$350,717.14
2020	\$512,958.13		\$141.38	\$243,178.38	\$2,478.25	\$267,442.88
2019	\$538,548.12		\$159.45	\$77,102.51	\$1,914.49	\$459,690.57
2018	\$282,209.93			\$59,003.37	\$897.60	\$222,308.96
2017	\$181,324.77			\$59,890.90	\$781.22	\$120,652.65
2016	\$128,121.50			\$45,569.95	\$739.96	\$81,811.59
2015	\$106,563.63			\$18,740.27	\$739.01	\$87,084.35
2014	\$114,338.31			\$12,692.35	\$739.01	\$100,906.95
2013	\$86,605.40		-\$3,519.73	\$2,613.80	\$80,471.87	\$0.00
2012						\$0.00
Total	\$4,439,764.03	\$91,833,113.61	\$9,753,906.77	\$101,254,721.07	\$215,811.42	\$4,556,251.92
			Discounts	-\$253,362.87		
			Interest & Penalties	\$505,193.81		
			Costs	\$112,556.44		
			Total	\$101,619,108.45		
			2023 Deferred	\$76,255.60		
			2023 UNCOLLECTABLE BANKRUPTCY FILINGS	\$256,806.80		

State of North Carolina  
Cleveland County

ORDER OF THE BOARD OF COUNTY COMMISSIONERS  
IN ACCORDANCE WITH G.S. 105-373, G.S. 105-321 AND 105-330.3

TO: SHERRY LAVENDER, Tax Administrator

TO: NECOLE' RICHARD, Tax Collector

You are hereby authorized, empowered, and commanded to collect the taxes remaining unpaid as set forth in the 2014 through 2023 tax records filed in the office of the Cleveland County Tax Collector, and in the 2024 tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. You are further authorized, empowered, and commanded to collect the 2014 through 2024 taxes charged and assessed as provided by law for adjustments, changes, and additions to the tax records and tax receipts delivered to you which are made in accordance with law. Such taxes are hereby declared to be a first lien on all real property of the respective taxpayers in Cleveland County. This order shall be a full and sufficient authority to direct, require, and enable you to levy upon and sell any real or personal property and attach wages and/or other funds of such taxpayers, for and on account thereof, in accordance with law.

You are further authorized to call upon the Sheriff to levy upon and sell personal property under execution for the payment of taxes.

Within available funds in the budget ordinance and personnel positions established, the Tax Collector may appoint employees and they have authority to perform those functions authorized by the Machinery Act of Chapter 105 of North Carolina General Statutes and other applicable laws for current and previous years' taxes.

WITNESS my hand and official seal, this the 6<sup>th</sup> day of August 2024



KEVIN GORDON, CHAIRMAN, BOARD OF COMMISSIONERS OF  
CLEVELAND COUNTY

ATTEST:



PHYLLIS NOWLEN, CLERK TO THE BOARD OF COMMISSIONERS OF CLEVELAND  
COUNTY



**TAX ADMINISTRATION: REVIEW OFFICER RESOLUTION**

North Carolina General Statute §47-30.2 requires the County to, by resolution, designate by name one or more persons as review officers experienced in mapping or land records management as a Review Officer. The designated Officer will review each map and plat (when required) to certify compliance with all statutory requirements for recording. Sarah Pruett and Michael Shuford have been employed with the Cleveland County Tax Office in the Mapping Division since 2022, and both have successfully completed the Pat Review Officer workshop offered by the North Carolina Secretary of State, Land Records Division.

**ACTION:** Commissioner Bridges made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, ***approve the Review Officer resolution.***



**Resolution**

17-2024

**REVIEW OFFICER RESOLUTION**

WHEREAS, pursuant to North Carolina General Statute § 47-30.2, the Board of Commissioners "shall, by resolution, designate by name one or more persons experienced in mapping or land records management as a Review Officer to review each map and plat required to be submitted for review before the map or plat is presented to the register of deeds for recording."

NOW THEREFORE, BE IT RESOLVED, the Cleveland County Board of Commissioners confirms the appoints of the following staff members as Review Officers for Cleveland County:

- Donna Mellon (appointment effective January 16, 2016)
- Shana Camp (appointment effective January 19, 2021)
- Sarah Marie Pruett (appointment effective August 6, 2024)
- Michael Shuford (appointment effective August 6, 2024)

BE IT FURTHER RESOLVED that upon discontinuing employment with Cleveland County, the duties of these persons as Review Officers shall cease.

BE IT FURTHER RESOLVED that a copy of this Resolution appointing these staff members as Review Officers for Cleveland County shall be recorded in the Cleveland County Register of Deeds' Office and indexed in the name of the Review Officer.

Adopted this 6<sup>th</sup> day of August 2024.

  
Kevin Gordon, Chairman  
Cleveland County Board of Commissioners

ATTEST:

  
Phyllis Nowlen, Clerk To The Board  
Cleveland County Board of Commissioners

  
Doc No: 200103896  
Recorded: 08/21/2024 03:37:23 PM  
Fee Amt: \$25.00 Page 1 of 1  
Cleveland County North Carolina  
Betsy S. Harnage, Register of Deeds  
BK 1927 PG 1813 - 1813 (1)



**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 June 21, 2024, through July 26, 2024, is included in Commissioner packets.

**ACTION:** Commissioner Bridges made a motion, seconded by Commissioner Whetstine, 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
2044	D	6/24/2024	012.550	Primary Care			Move funds to cover automotive supplies/motor fuels	\$ 25,000.00
2045	D	6/25/2024	010.412	Manager's Office			Move funds to cover miscellaneous exp	\$ 250.00
2046	D	6/25/2024	010.444	Detention Center			Move funds to cover professional servs	\$ 2,000.00
2047	D	6/25/2024	010.542	Animal Services			Move funds to cover auto repair	\$ 2,000.00
2048	D	6/26/2024	010.419	Register of Deeds			Move funds to cover printer purchase	\$ 1,494.00
2049	D	6/27/2024	013.660	Employee Health			Move funds to cover accounts thru EOY	\$ 1,050.00
2049	D	6/27/2024	012.550	Primary Care			Move funds to cover capital equipment	\$ 1,328.00
2049	D	6/27/2024	012.548	CODAP			Move funds to cover accounts thru EOY	\$ 6,177.00
2049	D	6/27/2024	012.546	COVID			Move funds to cover accounts thru EOY	\$ 7,186.00
2049	D	6/27/2024	012.544	Dental			Move funds to cover accounts thru EOY	\$ 12,775.00
2049	D	6/27/2024	012.541	Environmental Hlth			Move funds to cover accounts thru EOY	\$ 1,500.00
2049	D	6/27/2024	012.540	WIC			Move funds to cover accounts thru EOY	\$ 15,087.00
2049	D	6/27/2024	012.539	Family Plan			Move funds to cover accounts thru EOY	\$ 3,500.00
2049	D	6/27/2024	012.538	Maternal Hlth			Move funds to cover accounts thru EOY	\$ 154.00
2049	D	6/27/2024	012.537	Child Hlth			Move funds to cover accounts thru EOY	\$ 952.00
2049	D	6/27/2024	012.536	Adolescent Preg Prev			Move funds to cover accounts thru EOY	\$ 1,725.00
2049	D	6/27/2024	012.535	Health Promotions			Move funds to cover accounts thru EOY	\$ 341.00
2049	D	6/27/2024	012.531	HIV-AIDS			Move funds to cover accounts thru EOY	\$ 30.00
2049	D	6/27/2024	012.530	Health Admin			Move funds to cover accounts thru EOY	\$ 3,135.00
2050	D	6/27/2024	010.446	EMS			Move funds to cover repairs on equipment	\$ 1,965.00
2051	D	6/27/2024	010.444	Detention Center			Move funds to cover inmate meals	\$ 44,000.00
2052	D	6/27/2024	010.433	JCPC			Move funds to align with State and cover exps	\$ 2,150.00
2053	D	6/28/2024	010.492	Economic Development			Move funds to cover dept supply	\$ 50.00
2054	D	6/28/2024	010.411	Commissioners			Move funds to cover advertising	\$ 1,000.00
2055	D	6/28/2024	010.416	Legal			Move funds to cover accounts thru EOY	\$ 750.00
2056	D	6/28/2024	010.453	Haz-Mat			Move funds to cover professional servs	\$ 470.00
2057	D	6/28/2024	010.446	EMS			Move funds to cover utilities	\$ 30,000.00
2058	D	6/28/2024	010.542	Animal Services			Move funds to cover utilities	\$ 1,000.00
2059	D	6/28/2024	010.438	Law Enforcement Grants			Move funds to cover accounts thru EOY	\$ 22,350.00
2060	D	6/28/2024	010.542	Animal Services			Move funds to cover controlled property exp	\$ 6,553.00
2061	D	6/28/2024	010.449	Electronic Maint			Move funds to cover controlled property exp	\$ 249,263.00
2064	D	6/28/2024	010.418	Board of Elections			Move funds to cover equip purch corrs	\$ 20,587.00
2066	D	6/28/2024	012.550	Primary Care			Move funds to cover equip purch corrs	\$ 22,364.00
2068	D	6/28/2024	010.446	EMS			Move funds to cover equip purch corrs	\$ 98,773.00
2070	D	6/28/2024	010.444	Detention Center			Move funds to cover equip purch corrs	\$ 49,523.00

BUD #	BUDGET TYPE	DATE SUBMITTED BY DEPT	DEPT #	DEPT TO NAME	DEPT #	DEPT FROM NAME	EXPLANATION	BUDGET AMOUNT
2072	D	6/28/2024	026.454	E911			Move funds to cover equip purch corrs	\$ 5,946.00
2073	D	6/28/2024	011.508	Income Maintenance			Move funds to cover equip purch corrs	\$ 17,200.00
2074	D	6/28/2024	010.441	Sheriff's Office			Move funds to cover equip purch corrs	\$ 132,181.00
2075	D	6/28/2024	010.443	State Forfeiture Fds			Move funds to cover equip purch corrs	\$ 51,719.00
2062	D	7/3/2024	010.446	EMS			Move funds to cover equip purch corrs	\$ 98,773.00
2063	D	7/3/2024	010.444	Detention Center			Move funds to cover equip purch corrs	\$ 49,523.00
2065	D	7/3/2024	026.454	E911			Move funds to cover equip purch corrs	\$ 5,946.00
2067/2078	D	7/3/2024	010.446	EMS			Reverse BTD2067 posted incorrectly	\$ (98,773.00)
2069	D	7/3/2024	010.444	Detention Center			Reverse BTD2063 posted incorrectly	\$ (49,523.00)
2071	D	7/3/2024	026.454	E911			Reverse BTD2065 posted incorrectly	\$ (5,946.00)
2076	L	7/5/2024	010.412	Manager's Office	010.998	Contingency	Transfer funds to cover ICMA Video Production	\$ 26,300.00
2077	L	7/11/2024	010.430	Municipal Grants	010.998	Contingency	Transfer funds to cover Retail Strategies -Boiling Springs	\$ 35,000.00
2079	L	7/17/2024	010.441	Sheriff's Office	010.998	Contingency	Transfer funds to cover part of NeoGov/Power DMS	\$ 31,500.00
2080	D	7/17/2024	010.448	Communications			Move funds to cover uniforms/clothing	\$ 100.00
2081	D	7/17/2024	010.418	Board of Elections			Move funds to appropriate account for voting booths	\$ 20,000.00
2082	D	7/17/2024	060.650	Workers Comp			Move funds to cover insurance fees	\$ 49,034.00
2083	D	7/17/2024	060.651	Property/Liability			Move funds to cover insurance fees	\$ 150,112.00
2084	D	7/22/2024	010.492	Economic Development			Move funds to cover maint contracts-equip	\$ 2,100.00
2085	D	7/26/2024	060.651	Property/Liability			Move funds to cover insurance fees	\$ 150,112.00
2086	D	7/26/2024	060.651	Property/Liability			Reverse BTD2085 duplicate posting of BTD2083	\$ (150,112.00)

**SHERIFF'S OFFICE: BUDGET AMENDMENT (BNA #001)**

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

Account Number	Project Code	Department/Account Name	Increase	Decrease
010.441.4.991.00		Sheriff's Office/Fund Balance Approp	\$64,607	
010.441.5.910.00		Sheriff's Office/Capital Equipment	\$64,607	

**Explanation of Revisions:** Budget allocation of \$64,607 in monies collected from the highway use tax for the purchase of a Tahoe.

**SHERIFF'S OFFICE: BUDGET AMENDMENT (BNA #002)**

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

Account Number	Project Code	Department/Account Name	Increase	Decrease
010.443.4.991.00		Sheriff's Office/Fund Balance Approp	\$20,000	

010.443.5.910.00	Sheriff's Office/Capital Equipment	\$20,000
010.444.4.991.00	Sheriff's Office Detention/Fund Balance App	\$11,500
010.444.5.910.00	Sheriff's Office Detention/Capital Equipment	\$11,500

*Explanation of Revisions: Budget for partial funds for the purchase of PowerDMS/NEOgov program for the Sheriff's Office. Forfeiture funds \$20,000 and \$11,500 in SS finder fees.*

**SHERIFF'S OFFICE: BUDGET AMENDMENT (BNA #003)**

**ACTION:** Commissioner Bridges made a motion, seconded by Commissioner Whetstine, 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>
010.443.4.991.00		Sheriff's Office Forfeiture/Fund Balance App	\$41,066	
010.443.5.461.00		Sheriff's Office Forfeiture/License-Certification	\$41,066	

*Explanation of Revisions: Budget allocation of \$41,066 in funds for the cost of GreyKey/Axiom digital forensic tool licenses.*

**PLANNING DEPARTMENT: REQUEST TO SET A PUBLIC HEARING FOR TUESDAY, SEPTEMBER 17, 2024, FOR REZONING CASE 24-12; REQUEST TO REZONE PARCEL 59918 FROM RESIDENTIAL (R) TO RURAL RESIDENTIAL (RU)**

S. Bowman requests to rezone parcel 59918, containing 2.938 acres, located at 863 Stony Point Road from Residential (R) to Rural Residential (RU). This property lies north of Oak Grove Road between Moss Lake and the City of Kings Mountain. Surrounding uses are single-family residential on larger tracts. The Land Use Plan designates this area as Primary Growth. The surrounding zoning districts are Residential (R) and Restricted residential (RR) to the north, and some general businesses are located in the south at the intersection of Stony Point Road and Oak Grove Road.

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

**ECONOMIC DEVELOPMENT: REQUEST TO SET A PUBLIC HEARING ON TUESDAY, SEPTEMBER 17, 2024, FOR PROJECT GUI**

Staff requests to schedule a public hearing on Tuesday, September 17, 2024, at 6:00 pm in the Commissioner's Chambers for potential economic development, Project Gui.

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

**SHERIFF'S OFFICE: REMOVAL OF SERVICE WEAPON FOR RETIRING DEPUTY JEFFREY ELLIS**

The Cleveland County Sheriff's Office wants to present retiring Deputy Jeffrey Ellis with his departmental service weapon. Deputy Ellis will retire on September 1, 2024, after 8 years of full-time law enforcement service with the Cleveland County Sheriff's Office. Deputy Ellis' service weapon requested removal from the county inventory is a Glock 9mm, model 17, serial# BDKT-777. The county asset #201186.

**ACTION:** Commissioner Bridges made the motion, seconded by Commissioner Whetstine and unanimously adopted by the Board, to approve the request to remove the service weapon from the *County inventory and issue it to Deputy Jeffrey Ellis.*



## LEGAL DEPARTMENT: SOCIAL MEDIA POLICY

Included in Commissioner's packets is the county's proposed social media policy. Included in the policy is the purpose of the policy and outlining the use of personal social media, political activity, enforcement, and interpretation.

**ACTION:** Commissioner Bridges made a motion, seconded by Commissioner Whetstine, and unanimously approved by the Board to, ***adopt the social media policy as presented.*** (a copy of the Social Media policy is on file in the Clerk's Office, Legal Department, and Human Resources Department).

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CLEVELAND COUNTY  
SOCIAL MEDIA POLICY -  
EMPLOYEES' PERSONAL NETWORKING  
August 6, 2024

### I. PURPOSE

This document aims to establish policies and procedures related to the use of electronic communication by County employees as to personal webpages, internet postings, social networking websites, weblogs "blogs," and recording or broadcasting devices ("sites") and to ensure such personal social media usage is not confused with official county speech, nor replacing official county postings for conduct of county business. This policy is designed to protect County employees' personal social media communication from being misinterpreted by the public as county speech, particularly in light of the recent Supreme Court case of *Lindke v. Freed* ([full case here](#)). Personal social media sites should contain disclaimers to make it clear that personal sites are not official County sites. Sharing of official County posts on personal sites is welcome.

For the purpose of this policy, the phrases "Social Media," "Social Networking" or "Social Networking Site" shall mean blogs, networking sites (such as Twitter, LinkedIn, Instagram and Facebook), photo sharing, dating websites, online internet forum, chat rooms, video sharing, microblogging, podcasts, Twitter, and other similar websites, webpages, programs, apps, computer applications, and computer programs that are intended for one person to communicate with others. The absence of, or lack of specific or explicit reference to a particular site does not limit the extent of the application of this policy.

Moreover, for the purpose of this policy, Cleveland County Government shall be abbreviated to "County" and the phrases "Posting," or "Post," shall mean disseminating information or data through social media, regardless of the method of dissemination.

All County employees (except employees of Sheriff and Register of Deeds) shall adhere to the guidelines outlined in this document to ensure that these forms of communication are not mistaken as official sites for the purpose of conducting County business or expressing County opinion. County sites are the *only* authorized social media sites to be used to disseminate information to County residents, visitors, and the public at large. Those who violate the procedures outlined in this social media policy will be subject to disciplinary action, up to and including termination of employment, pursuant to the Employee Personnel Policy.

### II. POLITICAL ACTIVITY

Employees are reminded that they are prohibited from engaging in political activity during work hours, which shall include personal social media communications, and are to follow State Law as set forth in N.C.G.S. § 153A-99 ([full text here](#)), reads in part:

**§ 153A-99. County employee political activity.**

(a) Purpose. The purpose of this section is to ensure that county employees are not subjected to political or partisan coercion while performing their job duties, to ensure that employees are not restricted from political activities while off duty, and to ensure that public funds are not used for political or partisan activities.

The County, at its option, may change, delete, suspend, or discontinue parts of or the policy in its entirety, at any time without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing, as well as to future employees.

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except to provide contact information for the county manager's office.

- F. Employees shall not misappropriate or use the County's brand, logo, or slogan without authorization from the County Manager or his designee, as such violates copyright and fair use laws as outlined in the [Copyright Act of 1976](#).
- G. If commenting on County business in their personal capacity, Employees must use a disclaimer, which establishes that their comments represent their own opinions and do not represent those of the County.
- H. Any conduct deemed impermissible under the law, if expressed in any other form or forum, is impermissible if expressed through personal social media outlets. For example, posted material that is discriminatory, obscene, defamatory, libelous, or malicious is prohibited.
- I. The County expects its Employees to be truthful, courteous, and respectful toward supervisors, co-workers, residents, customers, and other persons or entities associated with or doing business with the County. When a person can be identified as a County Employee or Agent, those Employees and Agents must not engage in name-calling or personal attacks or other such demeaning behavior if the conduct would adversely affect their duties or workplace for the County. This Section and its limitations apply when the action of the Employee adversely affects the Employee's work, job duties or ability to function in the Employee's position or creates a hostile work environment.
- J. Incidental and occasional access to personal social media websites during work hours may be permitted, but Employees must adhere to the guidelines outlined in the County's Computer Use policy and the County's Personnel Respectful Workplace policy.
- K. There may be times when personal use of social media (even if it is off-duty or using the Employees' and Agents' own equipment) may affect or impact the workplace and become the basis for employee coaching or discipline. Employees shall not post, transmit, reproduce, share, and/or disseminate information (text, pictures, video, audio, etc.) to social media (public or private) any personal information about themselves, another employee of the County, any County asset, the organization, a citizen, or a customer, that:
  - 1. Violates the County Personnel Policy;
  - 2. Disrupts the smooth and orderly flow of work within the County or the delivery of services to the County's citizens;
  - 3. Discloses any information that would jeopardize the safety of County staff;
  - 4. Involves the employee, their coworkers, or the County in a dispute or conflict with any other employees or third parties;
  - 5. Interferes with the work of any employee;
  - 6. Creates a harassing, demeaning, or hostile work environment for any employee;
  - 7. Tends to harass, threaten, disparage, or discriminate against employees or anyone associated with or doing business with the County;
  - 8. Harms the goodwill and reputation of the County to citizens or the community-at-large;
  - 9. Erodes the public's confidence in the County organization;
  - 10. Tends to place in doubt the reliability, trustworthiness, or sound judgment of the person who is the originator or subject of the information;

The County, at its option, may change, delete, suspend, or discontinue parts of or the policy in its entirety, at any time without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing, as well as to future employees.

*It is not the purpose of this section to allow infringement upon the rights of employees to engage in free speech and free association. Every county employee has a civic responsibility to support good government by every available means and in every appropriate manner. Employees shall not be restricted from affiliating with civic organizations of a partisan or political nature, nor shall employees, while off duty, be restricted from attending political meetings, or advocating and supporting the principles or policies of civic or political organizations, or supporting partisan or nonpartisan candidates of their choice in accordance with the Constitution and laws of the State and the Constitution and laws of the United States of America.*

### III. ENFORCEMENT AND INTERPRETATION

Any action taken by an employee involving social media that requires disciplinary action shall be addressed under the County's Personnel Policy. Whether such action constitutes unsatisfactory job performance, unacceptable personal conduct, or both shall depend on the circumstances surrounding such action. Misuse of social media is grounds for disciplinary action, up to and including termination. This Social Media Policy constitutes a known or written work rule.

### IV. USE OF PERSONAL SOCIAL MEDIA

The County does not restrict County employees, or anyone who conducts business on behalf of the County, from creating or maintaining social media/networking accounts from personal use as a private citizen outside of work and supports the right of employees to have personal webpages or blogs. However, employees are reminded that personal postings may not only be read by friends and family but also by co-workers, supervisors, County residents, the general public, and the media. Therefore, employees should exercise caution when deciding what to include in any social media post or comment. Whenever using personal social media sites, these guidelines shall be followed:

- A. All employee personal social media accounts should be clearly identifiable as personal accounts and shall not make use of official County logos or seals. A disclaimer must be posted at the top of the personal social media accounts, including accounts related to running for elected office. Acceptable examples: *"This is not an official page"* or *"These are my personal views."*
- B. Employees are expected to act responsibly and exercise good judgment when interacting with social media resources. When using social media resources for personal and private reasons, employees must ensure a distinct separation between personal and organizational views and shall not speak or appear to speak as representatives of the County.
- C. Employees shall not conduct County business on their personal social media pages, as such would give the appearance of an official county position or social media site.
- D. Employees may identify themselves as County employees on their personal social media pages. They shall not, however, represent or appear to represent the position of the County as to any matter using their personal social media pages. (This is the function of official County social media sites.) Employees shall not include pictures of themselves in their County uniform(s) as their profile photograph on their personal social media pages, in order to avoid the appearance of an official county site.
- E. Sharing County public information from a County social media page is permissible and encouraged. However, engagement with others about County posts via social media may open employees to potential liability, and is therefore discouraged,

The County, at its option, may change, delete, suspend, or discontinue parts of or the policy in its entirety, at any time without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing, as well as to future employees.

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- 11. Discloses privileged information, including personnel or confidential County-issued documents or information;
- 12. Contains photographs or names of co-workers, vendors, suppliers, citizens, persons or animals who are or have been placed in care or custody of the County, or other persons engaged in business with the County, without their consent, unless re-posting shareable posts on County public sites;
- 13. Reveals any information that in any way tend to communicate protected health information, emergency response, or investigation; and
- 14. Discloses non-public information including depictions of interiors of County buildings, unless approved by the County Manager's or County Attorney's office;
- L. Employees shall not use a County-issued work email address in connection with personal social networking activities.
- M. Employees shall not use social media that involves any kind of criminal activity or harms the rights of others may result in criminal prosecution or civil liability to those harmed, or both.
- N. Supervisors shall not send "friend" or "follow" requests to subordinates, due to inherent power imbalance in that work relationship; however, supervisors may accept "friend" or "follow" requests initiated by subordinates,
- O. The County may require the immediate removal of, and impose discipline for, material that is disruptive to the workplace or in any way impairs the mission of the County.

### V. TRAINING AND ACKNOWLEDGMENT

- A. Existing employees: Within thirty (30) days of adoption of this policy, and all employees shall be required to sign a written acknowledgement that they have received, read, understand, and agree to comply with this social media policy. This acknowledgment shall be retained by the Human Resources Director in each employee's personnel file.
- B. New hires: Upon hire, employees shall be required to sign a written acknowledgement that they have received, read, understand, and agree to comply with this social media policy. This acknowledgment shall be retained by the Human Resources Director in each employee's personnel file.
- C. A review of this material shall be included in the county manager's annual employee professional development meeting.

- VI. **EFFECTIVE DATE:** This Policy shall become effective September 6, 2024, which is thirty (30) days after its adoption.

The County, at its option, may change, delete, suspend, or discontinue parts of or the policy in its entirety, at any time without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing, as well as to future employees.



VII. ADOPTION

Adopted the 6<sup>th</sup> day of AUGUST, 2024.

  
Kevin Gordon, Chair  
Cleveland County Board of County Commissioners

ATTEST:

  
Phyllis Nowlen, Clerk to the Board of County Commissioners

**FIRE MARSHAL: FIRE INSURANCE DISTRICT MAP**

The City of Kings Mountain desires to terminate its mutual aid agreement effective 2025. To provide continued coverage to the citizens of this district, Bethlehem and Bethany-Santiago fire departments have signed an automatic aid contract effective October 1, 2024. The proposed resolution is for the Kings Mountain Rural District for the purpose of insurance ratings as prescribed in North Carolina General Statute §153A-233.

**ACTION:** Commissioner Bridges made a motion, seconded by Commissioner Whetstine, and passed unanimously by the Board to, *adopt the resolution approving the updated fire insurance district map for the Kings Mountain rural district.*

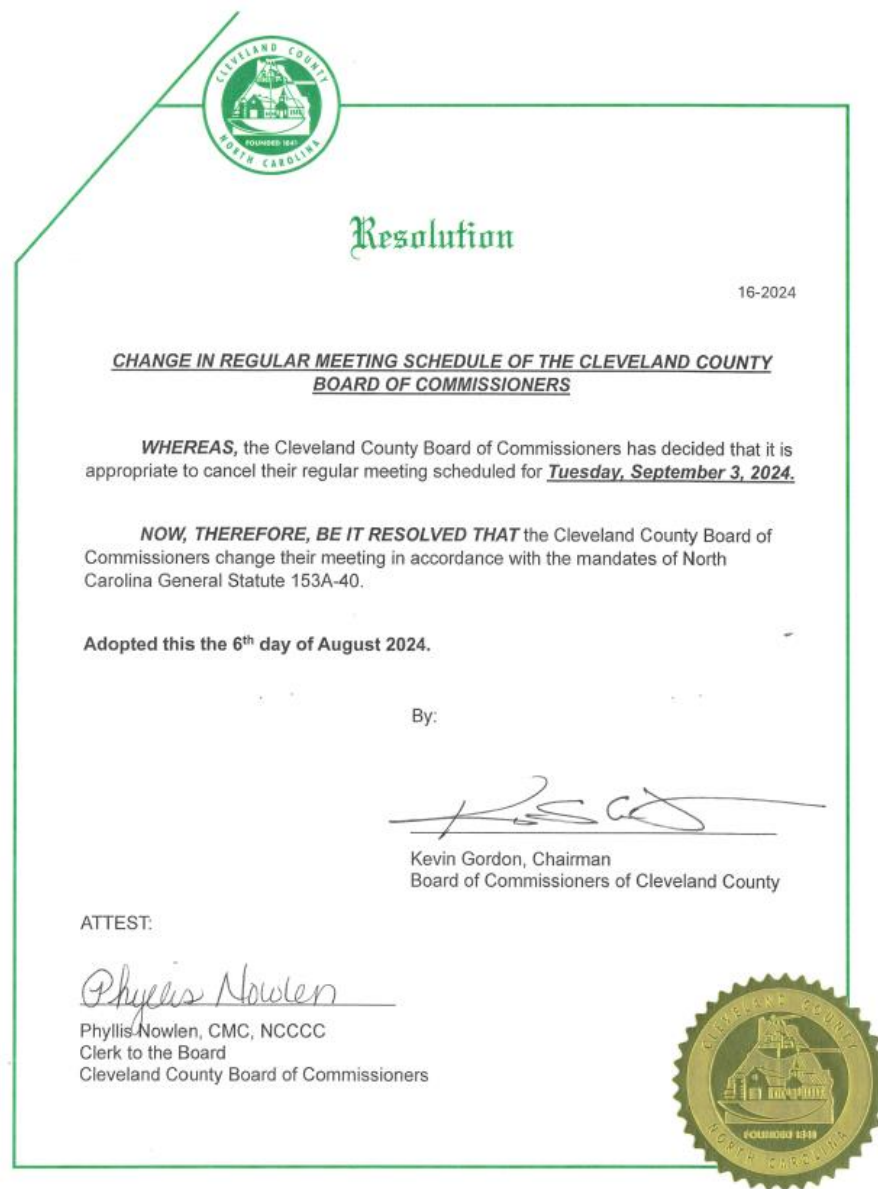


The image shows a formal resolution document from Cleveland County, North Carolina. At the top left is the Cleveland County seal. The word "Resolution" is written in a decorative green font. The resolution number "15-2024" is in the top right. The title is "Resolution Approving Updated Fire Insurance District Map for the Kings Mountain Rural District". The text contains several "WHEREAS" clauses detailing the mutual aid agreement and the City of Kings Mountain's desire to terminate it. It then states that Bethlehem and Bethany-Santiago fire departments have signed an automatic aid contract effective October 1, 2024, and that Bethlehem Fire Department will be the primary response department. The resolution is adopted on August 6, 2024. It is signed by Kevin Gordon, Chairman, and attested by Phyllis Nowlen, Clerk to the Board. A gold seal is at the bottom right.

**COMMISSIONERS: CHANGE IN 2024 MEETING SCHEDULE**

The Board of County Commissioners has decided it is appropriate to cancel their September 3, 2024, regular meeting and add a work session to Thursday, December 5, 2024, at 8:30 am and Friday, December 6, 2024, at 8:30 am.

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



## **REGULAR AGENDA**

### **2025 REAPPRAISAL UPDATE**

Chairman Gordon recognized Tax Assessor Sherry Lavender to present the 2025 Reappraisal update. North Carolina General Statute §105.317 requires the County Tax Assessor to submit the proposed Schedules, Standards, and Rules for the 2025 Reappraisal to the Board of Commissioners for review and consideration. The Tax Assessor's office will assess these schedules and rules for the upcoming four years, beginning January 1, 2025. North Carolina General Statute §105-286 requires all 100 counties to reappraise real property at least once every eight years. This statute also allows for the advancement or shortening of the reappraisal cycle for less than eight years. By conducting reappraisals more frequently, the amount of inequity between different property types is reduced.

Cleveland County sales prices have continued to rise since the last general reappraisal, effective January 1, 2021. In 2020, the county's median sales price was approximately \$103,000, which remained flat until 2022. In 2022, sales prices rose, but the county's sales ratio decreased and continued to drop. As of April 2024, the county's current median sales price is \$198,000, which has increased over the years and has caused the sales ratio to drop below the required percentage.

North Carolina General Statute §105-286 requires counties to have a median sales ratio above 85% or below 115%. At the end of 2021, Cleveland County's sales ratio was 98%, within 2% of market value as the last reappraisal. The county currently has a sales ratio of 59%, and Cleveland County is not the only county impacted

by the upswing of the sales crisis since 2021. Out of the 100 North Carolina counties, 64 saw their sale ratio drop below 85% in 2024; 24 of those counties had an acceptable ratio between 86% and 97% completed reappraisals as of 2022. When the sales ratio dropped below that statutory limit, Cleveland County received a letter from the Department of Revenue (DOR) stating a reappraisal was required to be completed no later than January 1, 2025.

In 2022, Cleveland County and neighboring counties, including Burke, Gaston, Lincoln, and Rutherford, saw sales ratios drop below the 85% statutory level, and each county was required to complete a reappraisal. The four counties surrounding Cleveland County completed their reappraisal in 2023; however, as of April 2024, sales ratio numbers continue to drop. Burke County is close to falling below the required 85%, even after a completed reappraisal. This is not a Cleveland County issue but a regional and statewide issue.

Once the Tax Assessor's Office received the letter from the DOR, staff began reviewing properties and analyzing neighborhood characteristics, including locations, building type, age, condition, replacement cost, current use, and sales of comparable properties. This information was used to create the market and present use values schedule. Staff will continue monitoring the market until the last day of the calendar year before the assessment date.

Copies of the Schedules, Standards, and Rules for Market Value, and the Schedules, Standards, and Rules for Present Use Value will be available for public inspection beginning on Wednesday, August 7, 2024, in the Tax Assessor's Office, the County Manager's Office, and the library during regular business hours. An electronic copy of these documents is available for inspection on the county's website. After the schedules have been released for inspection, a public hearing is required to allow for public input on the Schedule of Values. Mrs. Lavender requested that the public hearing for the Commissioner's next regular meeting be held on Tuesday, September 17, 2024, at 6:00 p.m. in the Commissioner's Chambers. The following information and PowerPoint were presented to the Commissioners.

A slide with a dark blue background and a green header. On the left, there is the Cleveland County logo with three icons: a house, a factory, and a circular arrow. Below the logo is the text "Cleveland County NORTH CAROLINA". On the right, there is a green map of Cleveland County with the date "AUGUST 6, 2024" written in white. At the bottom, the text "2025 Reappraisal Project" is written in large white letters, with "SCHEDULE OF VALUES" in smaller white letters below it.

A slide with a dark blue background and a green header. The header text is "Reappraisal Required by State Law" in white. On the right, there is the Cleveland County logo. Below the header, there is a small image of the North Carolina state flag and the Cleveland County seal. To the right of these images, there is a block of white text explaining North Carolina General Statute 105-286. At the bottom right, there is a small number "2".

A slide with a dark blue background and a green header. The header text is "Median Sales Price & Sales Ratio" in white. On the right, there is the Cleveland County logo. Below the header, there is a block of white text on the left and a bar and line chart on the right. The chart is titled "Median Sale Price & Sales Ratio" and shows data from 2020 to 2024. The blue bars represent the Median Sales Price, and the red line represents the Sales Ratio. The text on the left explains that sales prices have continued to rise between 2021 and 2024, but assessed values have remained the same, causing the sales ratio to dip below 85%.

A slide with a dark blue background and a green header. The header text is "Sales Prices Rise in NC" in white. On the right, there is the Cleveland County logo. Below the header, there is a block of white text on the left and a document image on the right. The text on the left states that Cleveland County was not alone in the upswing of sales prices beginning in 2021. The document image on the right is a letter from NCDOR dated April 10, 2024, regarding a reappraisal requirement.



## Regional Statistics



County	Reappraisal Year	2022 Sales Ratio	2023 Sales Ratio	2024 Sales Ratio
Burke	2023	74.55%	96.52%	85.99%
Gaston	2023	68.67%	96.77%	92.61%
Lincoln	2023	75.40%	98.05%	92.73%
Rutherford	2023	65.73%	98.93%	94.89%
Cleveland	2021	74.98%	63.81%	59.18%

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## 2025 Reappraisal Project



- In 2022, appraisal staff began field reviewing properties and analyzing neighborhood characteristics.
- Staff has reviewed location, zoning, building type, age, condition, replacement cost, current use, as well as recent sales of comparable properties.
- We've done all that to create the 2025 Schedules, Standards, and Rules for both market and present use value that have been presented to you tonight.
- We are continuing to review building permits for new construction and demolition activity and sales information for market changes and will continue this up until the last day of the calendar year.

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## 2025 Reappraisal Project Wrap-Up



- The new Schedule of Values will be available for public inspection at the Assessor's Office, the County Manager's Office, the County Library and the County website [www.clevelandcountytaxes.com](http://www.clevelandcountytaxes.com)
- Request Public Hearing be set for public input on the Schedule of Values at the September 17, 2024.

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

### **BOARD APPOINTMENT**

#### **BOILING SPRINGS PLANNING AND ADJUSTMENT BOARD (ETJ POSITION)**

**ACTION:** Commissioner Whetstine made the motion, seconded by Commissioner Bridges, and unanimously adopted by the Board, *to appoint Kathryn Hamrick to serve as a member of this board*, for a three-year term, scheduled to conclude on June 30, 2027.

### **CLOSED SESSION**

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

### **RECONVENE IN REGULAR SESSION**

Chairman Gordon stated, *"The Board is in open session. During the closed session, the Board consulted with staff. No action was taken."*

### **ADJOURN**

There being no further business to come before the Board at this time, Commissioner Hardin made a motion, seconded by Commissioner Whetstine and unanimously adopted by the Board, *to adjourn.* The next meeting of the Commission is scheduled for *Tuesday, September 17, 2024, at 6:00 pm* in the Commissioners' Chambers.

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*Kevin Gordon, Chairman  
Cleveland County Board of Commissioners*

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