

Cleveland County Board of Commissioners
January 15, 2019

The Cleveland County Board of Commissioners met in a regular session on this date, at the hour of 6:00 p.m. in the Commission Chamber of the Cleveland County Administrative Offices.

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
Phyllis Nowlen, Clerk to the Board
Kerri Melton, Assistant County Manager
Chris Green, Tax Administrator
Shane Fox, Chief Financial Officer
Lorie Poston, E-911 Communications Director
Jason Falls, LeGrand Center Director
Allison Mauney, Human Resources Director
Jane Shooter, Interim DSS Director
Perry Davis, Emergency Management Director/ Fire Marshal
Marty Gold, Information Technology Director
Daryl Sando, Electronic Maintenance Director

CALL TO ORDER

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

AGENDA ADOPTION

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

SPECIAL PRESENTATION

Come Hear North Carolina Year of Music 2019: Chairman Allen recognized Mary Beth Martin, Executive Director of the Earl Scruggs Center and Brownie Plaster with Destination Cleveland County (DCC) to present Come Hear North Carolina Year of Music 2019. Ms. Plaster spoke about the 2006 creation of DCC and the purpose it continues today by serving the citizens of Cleveland County. She also talked about the proclamation issued from the governor's proclaiming 2019 as the Year of Music in the state of North Carolina. Mrs. Martin advised the Earl Scruggs Center recently celebrated its five-year anniversary and informed the Board of the many upcoming concerts and events scheduled in the coming months to celebrate the Year of Music 2019. The Board thank Mrs. Martin, Ms. Plaster and the other members of DCC who were present for their contributions and continued service in keeping Cleveland County's rich music history alive in the community.



Proclamation

Number 01-2019

Come Hear North Carolina Year of Music 2019

WHEREAS, Governor Roy Cooper has proclaimed 2019 the Year of Music to recognize North Carolina's influence on America's most important musical categories and to celebrate, support and sustain the state's strong music heritage; and

WHEREAS, North Carolina has made groundbreaking contributions to many of America's musical genres which include blue grass, folk, jazz, gospel, country, rock and more; and

WHEREAS, Cleveland County musicians including banjo and guitar innovator Earl Scruggs, music artists Don Gibson, Calvin Edwards, Travis Powell, David Lee, Acoustic Syndicate and Brooke and Darin Aldridge as well as many others have made outstanding contributions to our county and state's musical legacy; and

WHEREAS, venues such as the Don Gibson Theater and the Earl Scruggs Center showcase a variety of musical and social events which entertain and celebrate the history and cultural traditions of Cleveland County; and

WHEREAS, in addition to those venues, the Cleveland County Arts Council helps enhance Cleveland County by enriching our civic life, encouraging cultural and educational activities and exerting a positive artistic influence to our citizens;

NOW THEREFORE BE IT RESOLVED the Cleveland County Board of Commissioners hereby support's Governor Cooper's proclamation which declares 2019 as the "Year of Music" and encourages all citizens to explore, celebrate and participate in the rich arts and musical culture in Cleveland County.

Adopted this the 15th day of January, 2019.

Susan Allen, Chairman

J. Ronnie Whetstine, Vice-Chairman

Johnny Hutchins, Commissioner

Douglas Bridges, Commissioner

Deb Hardin, Commissioner



Certified Entrepreneurial Communities Update: Chairman Allen called Steve Padgett, Director of the Small Business Center to the podium to give the Certified Entrepreneurial Communities (CEC) Update. The CEC program celebrated its second Anniversary in December 2018. Mr. Padgett continues to see an increase in the number of referrals and applications at the Small Business Center. He is working with the Isothermal Planning and Development Commission (IPDC) who has partnered with Mountain Biz Works, a financial business institution based in Asheville that is focusing on small business funding. Mr. Padgett sees Cleveland County as an entrepreneurial magnet for small businesses around the area which in turn will help build the county's workforce and economy. He thanked the Board for their support and enthusiasm for the CEC program. The Board thanked Mr. Padgett for his continued vision and dedication in making the CEC a growing success.

CITIZEN RECOGNITION

No one registered to speak.

CONSENT AGENDA

APPROVAL OF MINUTES

The Clerk to the Board included the Minutes from the *December 18, 2018 regular meeting*, in board members packets.

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

MONTHLY MANAGER'S REPORT

- The County has earned approximately \$600,000 in Investment Income year to date through December 31, 2018.
- The County has received a total of \$4,784,621 in local option sales tax for the first quarter of 2018-2019, this marks a 2% increase over the first quarter 2017-2018. Local option sales tax is received and recorded 3 months in arrears.
- The County CAFR has been approved by the LGC, with no comments or changes recommended. The external Auditor presentation is scheduled to be conducted at the February 5, 2019 Board of Commissioner meeting.
- The Finance Department has begun the annual budget process and will be distributing budget packets to operational departments on 1/15/19. Budget calendar with preliminary target dates are included.

County of Cleveland, North Carolina
 Presented at the January 15, 2019 BOC Meeting
 Time Period Covered 12/1/18 - 12/31/18 - Fiscal Year Ending June 30, 2019
 Departmental Line Item and Lateral Transfers

D = Departmental Transfers
 L = Lateral Transfers

BUDGET TYPE	DEPT NAME TO	DEPT NAME FROM	EXPLANATION	BUDGET AMOUNT
D	DSS-Title XX		To cover Mental Health services	\$ 801
L	DSS-Title XX	DSS-Income Maint	To cover Guardianship program - Grant	\$ 53,000
D	Cap Proj-ERP Conv		To cover maint contract on Keystone Software	\$ 40,936
D	Register of Deeds		To cover Sterling CC monthly processing fees	\$ 730
D	Environmental Health		To cover bed cover for new truck	\$ 880
D	Carolina Access		To cover phonevite invoice	\$ 100
D	Maintenance		To cover purchase of ac/heat unit @ PATJ building	\$ 2,000

**CLEVELAND COUNTY BUDGET CALENDAR
 FOR THE YEAR ENDED JUNE 30, 2020**

<u>Budget Action</u>	<u>Target Date</u>
<u>2019-2020 Budget Goals</u>	
Budget Process Kickoff & Roll Out - Department Head Meeting	January 8th
Send out Budget Packets (personnel, operations, capital, & rate structure) to departments	January 15th
Capital Plans due back to Finance Department	January 25th
User Fee Forms Back from Departments	January 25th
Board Budget Workshop - Priority Setting/Direction	January 31st/February 1st
Budget Committee Completion of Capital Budget	February 13th
Operations Budgets due back to Finance from Each Department	February 22nd
Individual Meetings with Budget Committee	February 22 - March 22nd
Finance Office Budget Initial Summary For Manager	April 5th
BOCC Meeting - Formal Presentation and Adoption of Capital Improvement Plan	April 16th
BOCC Budget Workshops	April 25 - 26th
Remaining Budget Items:	
- Distribution of Managers Budget Message	May 21st
BOCC Formal Meeting	May 21st
- Proposed Budget Presentation	
- Set Public Hearing	
BOCC Formal Meeting:	June 4th
- Budget Public Hearing	
BOCC Formal Meeting:	June 4th
- Adopt Budget	

TAX COLLECTOR'S MONTHLY REPORT

The Tax Collector provided Commissioners with the following detailed written report regarding taxes collected during *December 2018*.

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board, *to approve the Abatements and Supplements and Pending Refunds/Releases as submitted by the Tax Assessor.*

SALE OF PARCEL 57279; 111 ALEXANDRA DRIVE, SHELBY

The County owns parcel number 57279 located at 111 Alexandra Drive, Shelby, NC 28150. Brett and Mary Cohen have made an offer of \$1,500.00 for this property. At its November 20, 2018 meeting, the Board of Commissioners proposed to accept this offer and authorized County staff to take the procedural steps required by statute to do so, including publication of the offer and an upset bid process. The required publication appeared in the Shelby Star on December 2, 2018, and the County received no upset bids.





Resolution

Number 02-2019

**RESOLUTION AUTHORIZING SALE OF PROPERTY BY NEGOTIATED OFFER
(G.S. § 153A-176; G.S. § 160A-269)**

Whereas, Cleveland County owns certain property described as 111 Alexandra Drive, Kingstown, NC 28150, Parcel # 57279; and

Whereas, North Carolina General Statute § 160A-269 permits the County to sell property by upset bid, after receipt of an offer for the property; and

Whereas, the County has received an offer to purchase the property described above, in the amount of One Thousand Five-Hundred and No/100 dollars (\$1500.00), submitted by Brett & Mary Cohen of 109 Alexandra Drive, Kingstown, NC 28150; and

Whereas, Brett and Mary Cohen have paid the required five percent (5%) deposit on their offer; and

Whereas, this Board proposed to accept this offer at its November 20, 2018 meeting, and authorized staff to publish notice of the offer beginning the upset bid process; and

Whereas, notice of this Board's intention to accept the offer and instructions for the upset bid process were published in The Shelby Star on December 2, 2018; and

Whereas, the County received no other offers for the property during the upset bid process; and

Now Therefore It Be Resolved, The Board of Commissioners authorizes sale of the property described above pursuant to North Carolina General Statute § 160A-269.

Adopted this the 15th day of January, 2019.

By: Susan Allen
Susan Allen, Chairman
Board of Commissioners of Cleveland County

ATTEST:
Phyllis Nowlen
Phyllis Nowlen, Clerk
Cleveland County Board of Commissioners



ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Hardin, and unanimously adopted by the Board to, ***approve the resolution authorizing the sale of Parcel #57279 to Brett and Mary Cohen for \$1,500.00.***

SALE OF PARCEL 26815; 1203 CARTER ROAD, SHELBY

The County conducted a foreclosure sale for Parcel 26815 on November 28, 2018. Since no one else bid on the property, the County became the highest bidder. Where the County becomes the highest bidder at a foreclosure sale, N.C.G.S. § 105-376(a) authorizes the County to assign its bid “by private sale for not less than the amount of the bid.” However, anytime the County sells property by “private sale,” it must follow the procedures in N.C.G.S. § 160A-267, which require the Board of Commissioners to adopt and advertise a resolution authorizing the sale and publish notice 10 days prior to the sale.

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Hardin, and unanimously adopted by the Board to, ***approve the resolution authorizing the sale of Parcel #26815 to Frank and Mary Lawrence for \$4,237.78.***

STATE OF NORTH CAROLINA
COUNTY OF CLEVELAND
CLEVELAND COUNTY, NORTH CAROLINA,
Plaintiff,
vs.
FRANK LAWRENCE and wife, MARIE LAWRENCE, (Owners),
Defendants.

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
17 CvD 1555

ASSIGNMENT

Cleveland County was the last and highest bidder for that certain tract or parcel of real estate described in the judgment in the above-entitled cause at a sale held on November 28, 2018, and I, Susan K. Allen, as Chair of the Board of Commissioners of the County, pursuant to authority vested in me by resolution of the Board of Commissioners dated January 15, 2019, do hereby, in consideration of Michael Mwanza's promise to pay the sum of Four Thousand Two Hundred Thirty-Seven and 78/100 Dollars (\$4,237.78), the amount negotiated in a private sale as allowed by N.C.G.S. § 105-376(a), to the commissioner upon confirmation of the sale, sell, set over, transfer and assign the County's bid unto Michael Mwanza, his heirs and assigns and Chris Green, Commissioner in the sale, is hereby instructed to execute and deliver a deed conveying the real property to Michael Mwanza, his heirs and assigns, upon the confirmation of the sale and upon payment to him by Michael Mwanza of the purchase price.

Witness my hand and official seal, this 15th day of January, 2019.

Susan K. Allen (SEAL)
Susan K. Allen
Chairman of the Board of Commissioners of
Cleveland County, North Carolina

Attested by:

Phyllis Nowlen
Phyllis Nowlen, Clerk to the Board
Cleveland County

STATE OF NORTH CAROLINA – COUNTY OF CLEVELAND

I, April N. Crofts, a Notary Public for said State, certify that Phyllis Nowlen personally appeared before me this day and being by me duly sworn, acknowledged that she is the Clerk to the Board of Commissioners for Cleveland County and that by authority duly given and as the act of the County, the foregoing instrument was signed in its name by the Chair of the Board of Commissioners, sealed with its official seal and attested by herself as Clerk to the Board.

Witness my hand and official seal, this 15th day of January, 2019.

April N. Crofts
Notary Public

My Commission Expires: 5-7-20



REMOVAL OF SERVICE WEAPON FOR RETIRED DEPUTY JAMES BROOKS

Sheriff Alan Norman requested retiring Deputy James Brooks be presented his departmental service weapon. Deputy Brooks retired on December 31, 2018, after 26 years of full-time law enforcement service with the Cleveland County Sheriff's Office. The service weapon requested to be removed from inventory is a Glock 9mm, Model 17, serial number BDKT-815 and County asset number 201160.

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board, *to approve the request to remove the service weapon from County inventory and issue to Deputy James Brooks.*

REMOVAL OF SERVICE WEAPON FOR RETIRED DEPUTY DANIEL ASHLEY

Sheriff Alan Norman requested retiring Deputy Daniel Ashley be presented his departmental service weapon. Deputy Brooks retired on December 31, 2018, after 22 years of full-time law enforcement service with the Cleveland County Sheriff's Office. The service weapon requested to be removed from inventory is a Glock 9mm, Model 17, serial number BDKT-765 and County asset number 201152.

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board, *to approve the request to remove the service weapon from County inventory and issue to Deputy Daniel Ashley.*

PLANNING DEPARTMENT: REZONING CASE 18-13 (Schedule Public Hearing for February 5, 2019)

The Planning Department is requesting a Public Hearing be set for Tuesday, February 5, 2019 to hear Re-zoning Case 18-13. Challenger Three Golf Club, Inc. has applied to rezone parcels 24702, 48237 and 43150 at 1650 North Post Road, from Restricted Residential Corridor Protection (RRCP) to General Business (GB). Challenger Three is located on Highway 180 North and currently zoned Restricted Residential (RR). The property is used for a golf course and outdoor amusement and recreation which was in use prior to County wide zoning in 2000. The surrounding zoning is mixed with Restricted Residential (RR) to the east and north and General Business (GB) to the southwest along North Post Road. The surrounding uses are also mixed consisting of commercial and residential. The Land Use Plan calls this area Future Commercial.

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

KINGS MOUNTAIN INTER-LOCAL AGREEMENT CONCERNING BUILDING INSPECTORS

The City of Kings Mountain has recently lost both of their Building Inspectors. The City of Kings Mountain has approved an interlocal agreement with the City of Gastonia to conduct inspections on their behalf. Cleveland County has been approached by Kings Mountain to adopt a similar interlocal agreement to authorize the City Manager to be able to request to use a County Building inspector should an emergency situation arise.

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Bridges, and unanimously adopted by the Board to, *approve the Kings Mountain Building Inspectors Inter-Local Agreement.*



Resolution

Number 01-2019

A JOINT RESOLUTION BETWEEN THE CITY OF KINGS MOUNTAIN AND
CLEVELAND COUNTY CONCERNING BUILDING INSPECTORS

WHEREAS, the Kings Mountain City Council and Kings Mountain Building Inspections Department requested the assistance of Cleveland County Building Inspectors due to the unforeseen staff turnover at the City of King Mountain Building Inspections Department; and,

WHEREAS, in order to accommodate their current workload, the City of Kings Mountain may need to obtain the services of one or more building inspectors employed by Cleveland County; and,

WHEREAS, North Carolina General Statute 160A-413 states in part as follows: "A City Council may designate an inspector from any other city or county to serve as a member of its Inspection Department with the approval of the governing body of the other city or county."; and,

WHEREAS, North Carolina General Statute 160A-360(g) provides that the agreement set forth in North Carolina General Statute 160A-413 "be evidenced by a formally adopted resolution"; and,

WHEREAS, the City Council of the City of Kings Mountain desires to authorize the City Manager to designate one or more inspectors from Cleveland County to serve as a member of its inspection department; and,

WHEREAS, the Board of Commissioners of Cleveland County desires to approve said designation for the time stated;

NOW, THEREFORE, be it resolved as follows:

- The City Council of the City of Kings Mountain hereby authorizes the City Manager to designate one or more inspectors from Cleveland County to serve as members of the City's inspection department.

- The Board of Commissioners of Cleveland County hereby approves said designation of one or more of the County's inspectors to serve as a member of the City's Inspection Department.
- That Cleveland County shall not incur any additional costs and shall be compensated accordingly for the services rendered to the City during this period of time.
- This Resolution shall become effective upon its adoption and approval by both the City Council of the City of Kings Mountain and the Board of Commissioners of Cleveland County.

Adopted and approved by the Board of Commissioners of Cleveland County on this the 15th day of January, 2019.


Susan K. Allen, Chair
Cleveland County


ATTEST:


Phyllis Nowlen, Clerk
Cleveland County

Adopted and approved by the City of Kings Mountain City Council on this the 29th day of January, 2019.


Scott Neisler, Mayor
City of Kings Mountain

ATTEST:


Karen Tucker, City Clerk
City of Kings Mountain

ENTERPRISE FLEET LEASE AGREEMENT

Cleveland County Schools has requested to enter into a five year equity lease agreement for Maintenance Vehicles – they are not requesting an increase in funding, contracts for capital expenditures of this nature need to be approved by a resolution adopted by the board of county commissioners, which resolution when adopted shall bind the board of county commissions to appropriate sufficient funds in ensuing years to meet the amounts to be paid under the contract in those years.

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Hardin, and unanimously approved by the Board to, ***approve the Enterprise Fleet Lease Agreement.***



Resolution

Number 04-2019

RESOLUTION APPROVING THE CLEVELAND COUNTY BOARD OF EDUCATION TO ENTER INTO AN EQUITY LEASE AGREEMENT FOR MAINTENANCE VEHICLES

Whereas, the Cleveland County Commission does hereby find the Cleveland County Schools has requested to enter into a five (5) year Equity Lease Agreement for Maintenance Vehicles; and

Whereas, local school administrative units in North Carolina may enter into such a contract for capital outlay expenditure of this nature; and

Whereas, contracts for capital expenditures of this nature need to be approved by a resolution adopted by the board of county commissioners, which resolution when adopted shall bind the board of county commissions to appropriate sufficient funds in ensuing years to meet the amounts to be paid under the contract in those years; and

Whereas, Cleveland County Schools is not requesting an increase in funding from Cleveland County for 2018-2019 or any in ensuing years to meet the amounts to be paid under this contract in those years; and

Whereas, some portion is to be performed or paid in ensuing fiscal years, without the 2018 – 2019 Cleveland County Schools' budget resolution including an appropriation for the entire obligation; and

Whereas, the 2018-2019 Cleveland County Schools' budget resolution includes an appropriation authorizing the current fiscal year's portion of the obligation; and

Whereas, the 2018-2019 Cleveland County Schools' budget has an unencumbered balance that remains in the appropriation sufficient to pay in the current fiscal year the sums obligated by the Equity Lease Agreement for the current fiscal year; and

Now Therefore Be It Resolved, the Board of Commissioners of Cleveland County, North Carolina, resolves to appropriate sufficient capital funds in ensuing years to meet the amounts to be paid under this contract in those years.

Adopted this the 15th day of January, 2019.

By: Susan Allen
Susan Allen, Chairman
Board of Commissioners of Cleveland County

ATTEST:

Phyllis Nowlen
Phyllis Nowlen, Clerk
Cleveland County Board of Commissioners



REGULAR AGENDA

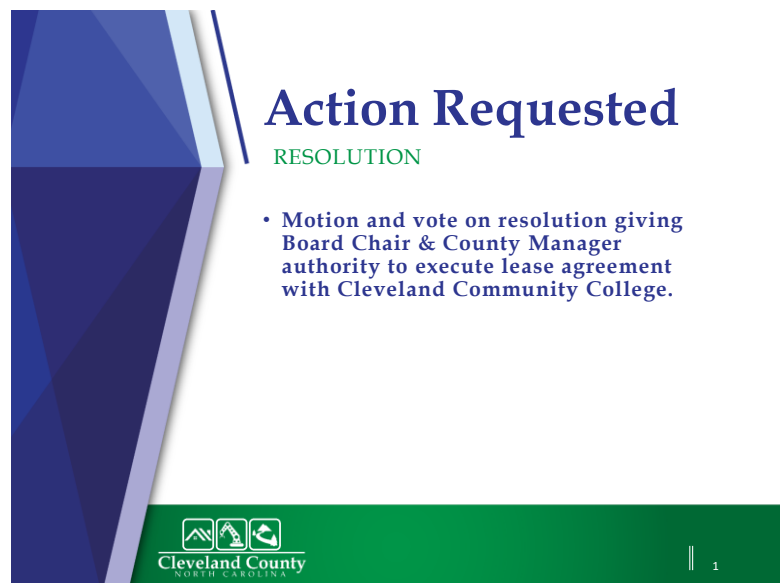
CLEVELAND COUNTY HISTOIRCAL LANDMARKS

Chairman Allen recognized Senior Planner Chris Martin to introduce Annie McDonald, Preservation Specialist with the State Historic Preservation Office. The Cleveland County Historic Preservation Board has been awarded a \$15,000 grant and the funds are allocated for project surveying the county for historical monuments or properties dated to the mid nineteenth century. The hope is to find properties much like the Earl Scruggs Center and the Don Gibson Theater. Ms. McDonald has been a tremendous help through the process and the Historic Preservation Board looks forward to working with her. Ms. McDonald advised the State Historic Preservation Office has been doing architectural surveys since the early 1970's. The 2019 project will expand on the last survey that was completed in 1998 and bring it more up to date by documenting resources built between 1945 and 1975. This may include industrial or commercial resources in addition to dwellings located across the county. Ms.

McDonald complimented Mr. Martin and Ms. Anna Parker, Administrative Assistant to the Planning Department, for their hard work in getting the project to this stage. She also commented on the pleasure it has been working with the members of the Cleveland County Historic Preservation Board.

CLEVELAND COMMUNITY COLLEGE PARKING LOT AGREEMENT

Chairman Allen called Jason Falls, Executive Director at the LeGrand Center to the podium to present the Cleveland Community College Parking Lot Lease Agreement. Cleveland Community College (CCC) owns the parking lot of the LeGrand Center however, CCC cannot sell the property without dividing up the campus. The County would like to take over management of this space, as it is heavily used by the County in connection with LeGrand Center activities. CCC would prefer to retain ownership of the land and lease the land for a small amount to Cleveland County. The intent is to provide the LeGrand Center additional opportunities to recruit events and allow for adequate parking for LeGrand Center clients and guests. It will also ensure a consistent appearance across the county's properties. The lease would be for a term of years and for \$1.00 for the entirety of the term. The terms of the lease are still being finalized, as Cleveland Community College must get approval from the State Board of Community Colleges. Staff requests the Board to authorize the Chairman and County Manager to enter into such a lease once its terms are finalized, subject to the approval of the County Attorney and Senior Staff Attorney.



ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Whetstine, and unanimously approved by the Board to, *approve the resolution giving the Board Chair and the County Manager authority to execute the lease agreement with Cleveland Community College.*



Resolution

Number 05-2019

Resolution Approving Lease of Property from Cleveland Community College for Use by Cleveland County pursuant to N.C.G.S. § 153A-158

WHEREAS, Cleveland Community College ("CCC") owns property described and shown in the attached survey; and

WHEREAS, this Board finds it necessary and desirable to lease the above-described property from CCC for use by the County, in part as parking and event space for the LeGrand Center; and

WHEREAS, North Carolina General Statute § 153A-158 authorizes the County to acquire by lease any interest in real property for use by the County;

WHEREAS, this Board is the governing body of Cleveland County and has determined that it is in the best interest of Cleveland County to enter into this lease, and deems it wise to do so for the amount of One Dollar (\$1.00) for a term of years; and

WHEREAS, North Carolina General Statute § 153A-82(8) authorizes this Board to delegate duties to the County Manager;

Now Therefore It Be Resolved, the CLEVELAND COUNTY BOARD OF COMMISSIONERS RESOLVES THAT:

1. The County Manager is authorized to enter into a lease for the property herein described upon finalization of the lease's terms and conditions, which must include that the lease is in the amount of One Dollar (\$1.00) and has as its duration a term of years; and
2. The authorization herein granted to the County Manager to enter into said lease shall expire six months after the date of this resolution; and
3. The authorization herein granted to the County Manager may only be exercised upon approval of the terms of the lease by the County Attorney and Senior Staff Attorney; and

4. The Chairman of this Board is authorized to execute all documents and take any actions necessary to receive the lease interest in the property authorized by this Resolution.

Adopted this the 15th day of January, 2019.

By: Susan Allen
Susan Allen, Chairman
Board of Commissioners of Cleveland County

ATTEST:

Phyllis Nowlen
Phyllis Nowlen, Clerk
Cleveland County Board of Commissioners



SOLAR FARM REPORT

Chairman Allen called Chris Martin, Senior Planner, to the podium to present solar farm report to the Board.

The solar footprint has grown in Cleveland County over the past several years with nineteen solar facilities. With the increase in numbers and size, staff wants to continue to evaluate the solar ordinances to be assured they will guide future solar development to be compatible with the county. The County adopted several ordinances five years ago which have since been modified and improved. Cleveland County began seeing solar facilities in 2011 with the first approved site. Since that time, eighteen more facilities have been constructed with several others still awaiting construction. The largest completed facility is seventy-three acres. The average size solar facility is forty acres. The trend in North Carolina is larger solar facilities with the most recent is a larger facility of 350 acres approved by the Board of Adjustment which has yet to be built. The land on which solar farms sit is taxed based on present market value, however, solar facilities benefit from being eligible for an 80% reduction in equipment value. Due to the increased number and size of solar facilities, staff received an increase in citizen comments about solar facilities. Cleveland County has more solar facilities than neighboring counties due to the following reasons:

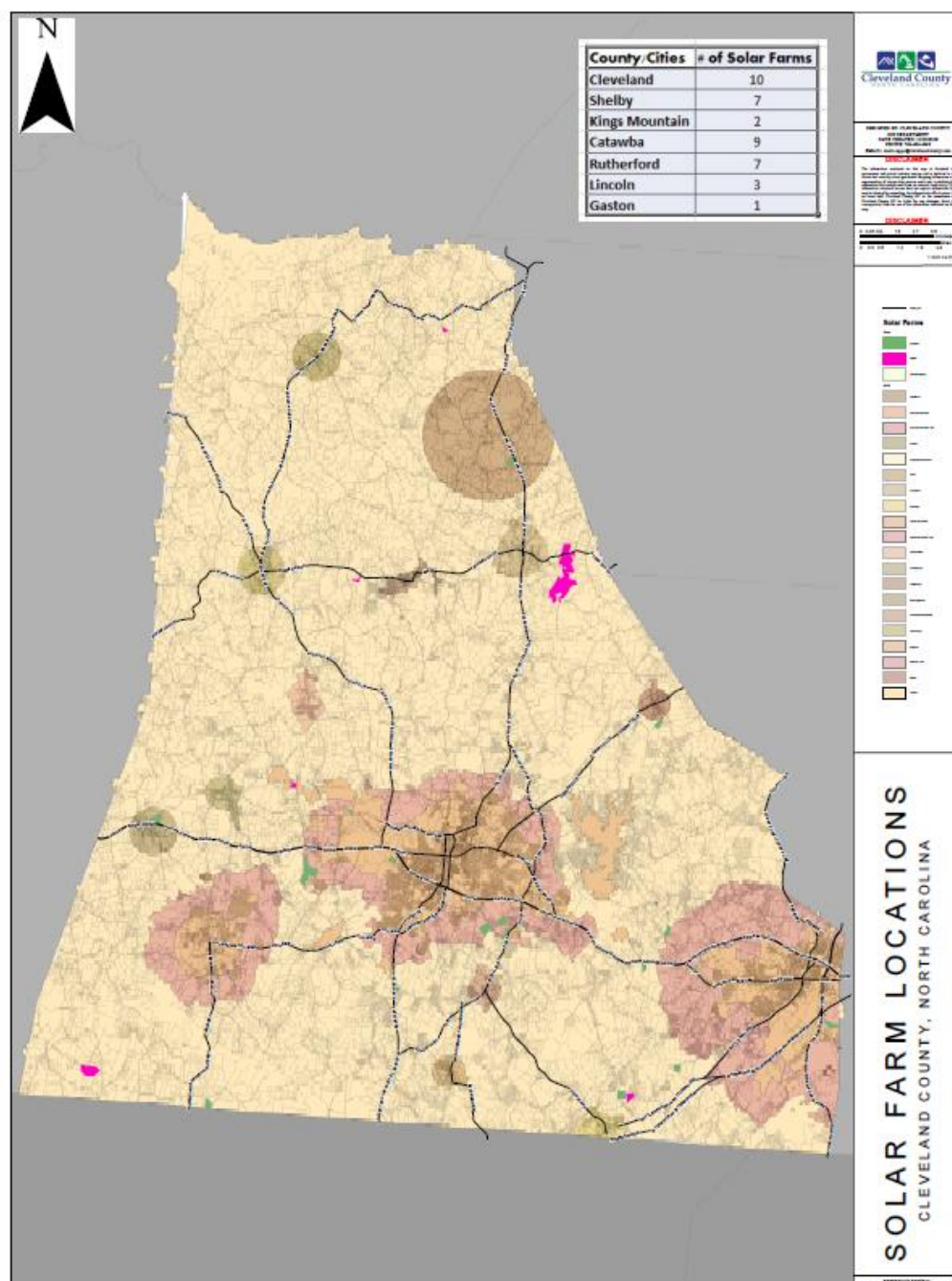
- Availability of flat open land
- Access to Duke Power infrastructure

Staff seeks direction from the Board to give the Planning Board to review solar ordinance, to keep in consideration zoning requirements, setbacks, and landscape screening, to ensure they are compatible with our County's surrounding farms and neighborhoods.

Chairman Allen opened the floor to the Board for questions and discussion. Commissioner Bridges asked, "What happens in ten or fifteen years when the technology changes and solar farms become obsolete? This is a

major concern. Has staff received any compliments or questions from citizens regarding decommissioning or cleanup?” Mr. Martin advised, “Staff and the Planning Board has been contacted by numerous citizens and other boards such as the Agricultural Advisory Board who are voicing the same concerns.” Commissioner Hardin questioned how often are the solar facilities are inspected. Mr. Martin stated once the facility is built and passed inspection, they are not examined again unless Planning and Zoning is contacted regrading an issue or problem. There is no annual or reoccurring inspection on solar facilities. Commissioner Bridges inquired how the facilities affect the County’s tax base. Mr. Martin replied solar facilities in North Carolina are eligible for an 80% tax reduction in their equipment value. Commissioner Hutchins asked if the 80% tax reduction was set for the life of the facility or for a time period; would the tax reduction reduce over time. Chris Green, Tax Assessor, advised the 80% reduction is implemented for the life of the solar facility. Commissioner Hardin asked if there were any limitations on the amount of solar facilities that could be built in the county. Mr. Martin responded. “There was an ordinance adopted in 2015, the Planning Board worked on a development for solar facilities. They are allowed anywhere in include commercial, industrial and residential districts with a zoning and conditional use permit which could enforce a stricter screening and set back regulation.”

Chairman Allen stated; “The Board asks for staff to work through the Planning Board to review our solar farm ordinance, compare with our counties and make recommendations back to the Board of Commissioners with keeping a focus on respecting the agricultural traditions of Cleveland County.



LATE APPLICATIONS FOR EXEMPTION/EXCLUSION/DEFERRAL

Chairman Allen recognized Chris Green, Tax Assessor, to present the late applications for exemption, exclusion and deferral. Attached is the list of applications that were submitted after the due date for 2018. The present use value and charitable were due on January 1, 2018 and all others were due by June 1, 2018. It is within the Commissioners authority to accept applications through the calendar year. All late applications do meet the criteria and would have been approved had they been submitted in a timely manner.

2018 LATE APPLICATIONS (1-15-19 BOC)				
Name	Parcel #	Type	Value Exempted/Deferred	Fiscal Impact(Co. Only)
Kenny & Rita Harris	2826	PUV	\$ 61,963.00	\$ 353.19
Sugar Branch Farms, LLC	28638	PUV	\$ 230,407.00	\$ 1,313.32
Donna E. Bridges	62393	PUV	\$ 67,040.00	\$ 382.13
Roberta K. Norah	4103	E/D	\$ 25,000.00	\$ 142.50
Randy R. Burleson	70522	E/D	\$ 50,502.00	\$ 287.86
Shirley Emory	48316	E/D	\$ 29,021.00	\$ 165.42
Dorothy M. Williamson	21933	E/D	\$ 47,735.00	\$ 272.09
Charlie Herron	11372	E/D	\$ 27,030.00	\$ 154.07
Sarah Taylor Beam	21167	E/D	\$ 68,413.00	\$ 389.95
Connie Kincaid	8735	E/D	\$ 54,889.00	\$ 312.87
Johnie Buff	37985	E/D	\$ 38,386.00	\$ 218.80
Linda Faye Brendle	50375	E/D	\$ 25,000.00	\$ 142.50
Betty Jean Ferri	55345	E/D	\$ 35,725.00	\$ 203.63
Jerry R. Suggs	11872	E/D	\$ 25,174.00	\$ 143.49
Lucille L. Davis	25393	E/D	\$ 34,204.00	\$ 194.96
Vickie Bates Lashley	7624	E/D	\$ 43,649.00	\$ 248.80
Sandra Johnson Blanton	70314	E/D	\$ 25,661.00	\$ 146.27
Faye Gregory	18135	E/D	\$ 17,773.00	\$ 101.31
Jeanette A. Ross	10778	E/D	\$ 37,625.00	\$ 214.46
Jeanetta B. Epps	M11984	E/D	\$ 3,171.00	\$ 18.07
Lanny Ray Newton	23809	E/D	\$ 66,638.00	\$ 379.84
Paula Smith	6295	D/V	\$ 45,000.00	\$ 256.50
Linda M. Wright	26229	D/V	\$ 45,000.00	\$ 256.50
Tekeran J. Ruff	19375	D/V	\$ 15,781.00	\$ 89.95
Debbie Ann Matheson	43811	D/V	\$ 45,000.00	\$ 256.50
Joshua Randall Marlowe	53872	D/V	\$ 45,000.00	\$ 256.50
Laura's Homes of North Carolina	55840	Charitable	\$ 222,015.00	\$ 1,265.49
				\$ 8,166.97

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Bridges, and passed unanimously by the Board to, *approve the late applications for exemption/exclusions/deferral.*

COMMISSIONER REPORTS

Commissioner Hardin – is still onboarding and will be attending several Commissioner training sessions.

Commissioner Bridges – gave an update on the construction process at the airport and the fairgrounds.

Commissioner Hutchins – has gone to various meetings such as the Council on Aging and goal setting conferences with the North Carolina Association of County Commissioners.

Commissioner Whetstine – attended the retirement of Margie Christopher has been with the Cleveland County Children’s Home for thirty-two years. Peter Bagley will be her replacement.

Chairman Allen – spoke about the American Red Cross building and its future usage. She also gave an update on the Partnership for Community Prosperity.

County Manager Brian Epley – stated Jane Shooter, Interim Social Services Director, advised the government shut down has not yet affected local DSS programs. Mr. Epley has spoken with Stephen Bishop, Director of the Soil and Water Conservation, who voiced concerns about several soy bean farmers who have missed their first paycheck due to the shutdown.

RECESS TO RECONVENE

There being no further business to come before the Board at this time, Commissioner Whetstine made a motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board, *to recess to reconvene*. The next meeting of the Commission is scheduled for *Thursday, January 31, 2019 at 12:00 p.m. at the LeGrand Center located at 1800 E. Marion St, Shelby for a Commissioners Work Session*.

*Susan Allen, Chairman
Cleveland County Board of Commissioners*

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