

Cleveland County Board of Commissioners
November 17, 2020

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
Chris Green, Tax Assessor
Kerri Melton, Assistant County Manager
Allison Mauney, Human Resources Director
Betsy Harnage, Register of Deeds
Clifton Philbeck, Board of Elections Director
Perry Davis, Emergency Management Director/Fire Marshal

CALL TO ORDER

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

AGENDA ADOPTION

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

SPECIAL RECOGNITION

Cleveland County Board of Elections – Board of Elections Director Clifton Philbeck and Board of Elections members, Douglas Sharp, Mary Accor and Ali Paksoy were called to the podium to be recognized by the Board of Commissioners. Commissioner Bridges stated the safety of all Cleveland County voters and staff were of the utmost importance to the Board of Elections and staff. Due to the COVID-19 pandemic, health and safety procedures such as protective barriers, sanitation stations, social distancing and cloth face coverings were implemented to protect in-person voters, election staff and volunteers. The Cleveland County Board of Elections and Election Staff worked tirelessly to not only ensure safe voting locations but also confirmed an accurate ballot count for our county in the 2020 election. The ballot count includes absentee voting by mail. Absentee ballots were the only way to vote for many of our senior citizens, military personnel, and others who are unable to physically go to a voting location on election day. The Board of Elections opened four early voting sites in Cleveland County for the 2020 election; Shelby, Kings Mountain, Boiling Springs and Lawndale. These locations were opened seventeen days prior to the November 3rd election day. The Cleveland County Election would not have been the success it was without the dedication and due diligence of election staff and volunteers.

CITIZEN RECOGNITION

Robert Williams, 814 E. Stagecoach Trl, Fallston – gave his opinion regarding the October 20, 2020 Commissioners Meeting Minutes and asked the Board to re-read through the Minutes on the agenda before approving them.

CONSENT AGENDA

APPROVAL OF MINUTES

The Clerk to the Board included the Minutes from the *October 20, 2020 regular meeting*, in board members packets.

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Whetstine, and passed unanimously by the Board to, *remove the Minutes for approval and have the Clerk to the Board consult with the County Attorney regarding the Minutes.*

TAX COLLECTOR'S MONTHLY REPORT

The Tax Collector provided Commissioners with the following detailed written report regarding taxes collected during *October 2020*.

TOTAL TAXES COLLECTED OCTOBER 2020				
YEAR	AMOUNT-REAL	AMOUNT-VEHI.	AMOUNT-GAP	COMBINED AMT
DEF REV	\$0.00	\$0.00	\$0.00	\$0.00
2020	\$2,483,268.71	\$0.00	\$3,205.59	\$2,483,268.71
2019	\$123,714.58	\$0.00	\$0.00	\$123,714.58
2018	\$19,834.44	\$0.00	\$0.00	\$19,834.44
2017	\$9,557.93	\$0.00	\$0.00	\$9,557.93
2016	\$6,446.98	\$0.00	\$0.00	\$6,446.98
2015	\$7,701.46	\$0.00	\$0.00	\$7,701.46
2014	\$1,512.54	\$0.00	\$0.00	\$1,512.54
2013	\$1,387.70	\$375.66	\$0.00	\$1,763.36
2012	\$1,874.15	\$26.30	\$0.00	\$1,900.45
2011	\$2,400.22	\$0.00	\$0.00	\$2,400.22
2010	\$0.00	\$0.00	\$0.00	\$0.00
				<u>\$2,658,100.67</u>
TOTALS	\$2,657,698.71	\$401.96	\$3,205.59	\$2,661,306.26
DISCOUNT	\$0.00			
INTEREST	\$27,162.45	\$242.36	\$0.00	
TOLERANCE	(\$9.50)	(\$1.21)	(\$0.09)	
ADVERTISING	\$560.20	VEHICLE FEES	GAP BILL FEES	
GARNISHMEN'	\$4,809.85	\$121.70	\$0.00	
NSF/ATTY	\$0.00			
LEGAL FEES	\$0.00			
TOTALS	\$2,690,221.71	\$764.81	\$3,205.50	
MISC FEE	\$0.00			GRAND TOTAL
TAXES COLL	\$2,690,221.71			\$2,694,192.02
	\$0.00			\$0.00
	\$2,690,221.71			\$2,694,192.02
TOTAL TAXES UNCOLLECTED OCTOBER 2020				
	AMOUNT-REAL	AMOUNT-VEHI.	AMOUNT-GAP	COMBINED AMT
2020	\$34,990,856.10	\$0.00	\$98,989.92	\$35,089,846.02
2019	\$1,520,826.06	\$0.00	\$0.00	\$1,520,826.06
2018	\$599,924.93	\$0.00	\$0.00	\$599,924.93
2017	\$351,172.68	\$0.00	\$0.00	\$351,172.68
2016	\$234,110.71	\$0.00	\$0.00	\$234,110.71
2015	\$167,644.28	\$0.00	\$0.00	\$167,644.28
2014	\$164,983.19	\$0.00	\$0.00	\$164,983.19
2013	\$119,182.82	\$61,334.72	\$0.00	\$180,517.54
2012	\$91,643.71	\$69,319.33	\$0.00	\$160,963.04
2011	\$69,157.60	\$52,640.96	\$0.00	\$121,798.56
2010	\$0.00	\$0.00	\$0.00	\$0.00
			\$0.00	\$0.00
	<u>\$38,309,502.08</u>	<u>\$183,295.01</u>	<u>\$98,989.92</u>	<u>\$38,591,787.01</u>

TAX ABATEMENTS AND SUPPLEMENTS AND PENDING REFUNDS/RELEASES

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during *October 2020*. The monthly grand total of tax abatements was listed as (\$911.02) and monthly grand total for tax supplements was listed as \$293,750.53.

<u>Account Number</u>	<u>Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
012.540.4.310.40		WIC/Federal Grants -WIC-CS	\$20,196.00	
012.540.5.210.40		WIC/Departmental Supplies-WIC-CS	\$2,500.00	
012.540.5.230.40		WIC/Medicine-Supplies	\$3,500.00	
012.540.5.311.40		WIC/Educational-Training	\$5,000.00	
012.540.5.322.40		WIC/Postage	\$1,000.00	
012.540.5.370.40		WIC/Advertising-Promotions	\$3,196.00	
012.540.5.581.40		WIC/Awards-Appreciation	\$5,000.00	

Explanation of Revisions: Budget allocation for additional \$20,196 in WIC funding through the North Carolina Department of Health and Human Services for the increase in case load numbers by the state. These funds will be used to cover the expenses throughout the fiscal year with in the WIC Department.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #030)

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Whetstine, 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>
012.537.4.310.38		Child Health/Federal Govt Grants	\$23,000.00	
012.537.5.370.00		Child Health/Advertising-Promotion	\$23,000.00	

Explanation of Revisions: Budget allocation for \$23,000 in Department of Health and Human Services Action funds for the purchase of advertising materials to increase community awareness to the importance of influenza vaccine.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #031)

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Whetstine, 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>
012.533.4.310.20		Adult Health/Fed Govt Grant-COVID19Infection Prevention	\$128,195.00	
012.533.5.121.10		Adult Health/Salaries-Wages Reg	\$93,906.00	
012.533.5.210.00		Adult Health/Departmental Supplies	\$5,000.00	
012.533.5.230.00		Adult Health/Prescription Drugs	\$7,064.00	
012.533.5.340.00		Adult Health/Maintenance-Bldg & Grounds	\$4,000.00	
012.533.5.910.00		Adult Health/Capital Equipment	\$18,225.00	

Explanation of Revisions: The Cleveland County Health Department has been allocated \$128,195 in funds through the North Carolina Department of Health and Human Services to assist in the carrying out and increase infection prevention of COVID-19. These funds will be used to cover existing salaries/expenses, purchase of High Efficiency Particulate Air (HEPA) filters to use in clinical rooms, Fit testing machine, 20 portable hand washing stations and flu vaccine to be administer to the vulnerable and at-risk populations, Badge access will be added to the immunization room.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #032)

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Whetstine, 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>
012.548.4.540.95		CODAP/Contracted Revenue-Pathways		\$4,400.00
012.548.5.370.95		CODAP/Advertising-Promotions		\$4,400.00

Explanation of Revisions: Budget allocation for \$4,400 in funds awarded from Partners Behavioral Health to support the Cleveland County Collaborative Project costs associated with the opioid overdose/naloxone campaign that has been developed.

REMOVAL OF SERVICE WEAPON FOR RETIRED DEPUTY JAMES GEER

Sheriff Alan Norman requested retiring Deputy James Geer be presented his departmental service weapon. Deputy Geer will retire on December 1, 2020 after thirty years of law enforcement service. The service weapon requested to be removed from inventory is a Glock 9mm, Model 17, serial number BDKT-883 and County asset number 200092.

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

REMOVAL OF SERVICE WEAPON FOR RETIRED DEPUTY ROBBY BARR

Sheriff Alan Norman requested retiring Deputy Robby Barr be presented his departmental service weapon. Deputy Barr will retire on December 1, 2020 after twenty-five 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-835 and County asset number 201154.

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

REMOVAL OF SERVICE WEAPON FOR RETIRED LIEUTENANT STEVE MCKEE

Sheriff Alan Norman requested retiring Lieutenant Steve McKee be presented his departmental service weapon. Lieutenant McKee will retire on December 1, 2020 after twenty-three 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-759 and County asset number 201230.

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board, *to approve the request to remove the service weapon from County inventory and issue to Lieutenant Steve McKee.*

SOCIAL SERVICES: SPECIAL ASSISTANCE IN HOME WAIT LIST

The Special Assistance in Home Program provides a choice to those who are eligible for a licensed assisted living level of care facility for those who desire to and can safely remain in a private living arrangement utilizing financial assistance and case management services. Cleveland County Department of Social Services has 125 allocated slots from the NC Division of Aging and Adult Services. The waiting list policy will be used to meet the requirement for prompt provision of services and in response to inquiries about services as required by the Provision of Social Services Manual in accordance with guidelines by the North Carolina Department of Health and Human Services (NC DHHS) through the Division of Aging and Adult Services (NC DAAS). Policy mandates that the County DSS provide a Wait List Policy in order to ensure that they are appropriately screening applicants and that they have a method to inform customers when slots become available. The Division Representative advised the Waiting List Policy must be approved by the governing board.

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board, *to approve the special assistance in home wait list.*

Cleveland County Department of Social Services
Special Assistance In-Home
Waiting List Policy

Purpose:

The SA/IH Program provides a choice to those who are eligible for a licensed assisted living level of care facility for those who desire to and can safely remain in a private living arrangement utilizing financial assistance and case management services. Program eligibility will be determined by an Adult Services Social Worker; financial eligibility will be determined by the Income Maintenance Case Worker. Cleveland County Department of Social Services has 125 allocated slots from the NC Division of Aging and Adult Services.

The SA/IH waiting list policy will be used to meet the requirement for prompt provision of services and in response to inquiries about services as required by the Provision of Social Services Manual. In accordance with guidelines by the North Carolina Department of Health and Human Services (NC DHHS) through the Division of Aging and Adult Services (NC DAAS).

Procedures:

If an individual wishes to apply for the SA/IH Program but no slots are available, they may request to be placed on a waiting list by contacting the Social Work Intake department. Cleveland County Department of Social Services will utilize the Division of Aging and Adult Services waiting list form.

- An Adult Services Social Worker along with assistance from the Economic Services Team will determine program eligibility. The list will also document SA/IH cases that are denied based on ineligibility by the Income Maintenance Case Worker.
- If eligible the Adult Services Social Worker will then contact the individual and ask if they would like to be placed on the waiting list. This worker will also be responsible for maintaining the waiting list.
- As slots become available, the Adult Services Social Worker will contact individuals on the waiting list to determine if they would like to proceed with their application. Individuals will be served on a first come, first serve basis.
- Individuals who initially decline the service will be instructed to contact the Social Work Intake Department if they wish to apply for the program in the future.
- Individuals on the waiting list will be contacted every 90 days by the Social Worker to let them know their status on the waiting list, to see if they wish to remain on the waiting list and to document any changes in circumstances.

Individuals found to be in need of Adult Protective Services (APS) receive priority for removing names off the waiting list. Such adjustments will be made by the Adult Services Social Work Supervisor with consultation with the Program Administrator when necessary.

PLANNING DEPARTMENT; SET PUBLIC HEARING FOR CASE 20-08; REZONE MULTIPLE PARCELS FROM RESIDENTIAL (R) DISTRICTS TO RESTRICTED RESIDENTIAL (RR) DISTRICTS (Schedule Public Hearing for December 15, 2020)

The Planning Department is requesting a Public Hearing be set for Tuesday, December 15, 2020 to hear Case 20-08, rezone multiple parcels from Residential (R) districts to Restricted Residential (RR) districts. These 155 multiple parcels are located along Riverhill Road, as well as surrounding roads, and between Burke Road and Buck Ford Road. The request includes 116 signatures equaling a 75% signature rate.

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

PLANNING DEPARTMENT: SET PUBLIC HEARING FOR CODE TEXT AMENDMENT TABLE OF PERMITTED USES AND SOLAR FACILITIES (Schedule Public Hearing for December 15, 2020)

The Board of Commissioners is requesting Planning Staff and the Planning Board to consider amending the table of uses to only permit solar electric power generation in the Heavy Industrial (HI) and Light Industrial (LI) zoning districts with a zoning permit. Prior to 2012, our Code only allowed solar facilities in the Heavy Industrial and Light Industrial districts. At that time, the Board of Commissioners approved a request to expand the zoning districts that they were allowed in to include all the residential districts. Other electric power generating uses, such as hydroelectric, wind, and fossil fuels remained compliant only in the industrial and more intense commercial areas.

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

Waiting List Exception:

As required by the 2012 settlement agreement between the State of North Carolina and the Department of Justice (DOJ), those persons identified and approved as part of the DOJ class will be granted a SA/IH slot upon request by the individual or the Local Management Entity-Managed Care Organization (LME/MCO). These persons will not be placed on the waiting list for any reason. If the county has no slots available at the time of the request, the county will submit a request for the additional slot to the Division of Aging and Adult Services.

Authorized Signatures:

DSS Director:

Kate Swanson 11/20/2020
(Date)

Board Chairman:

Susan Allen 11-17-2020
(Date)

REGISTER OF DEEDS: OFFICE CLOSURE RESOLUTION

Betsy Harnage, Register of Deeds and members of her staff will be sworn in to office on December 7, 2020. The Register of Deeds wishes to closer her office during the swearing-in ceremony to allow herself and her staff to attend. The Board of Commissioners may, pursuant to North Carolina General Statute §161-8, fix the hours of the Register of Deeds. The Register of Deeds has requested that this Board authorize her to close her office during the swearing-in ceremony to ensure compliance with any prior orders of this Board setting the hours of her office.

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, ***approve the resolution closing the Register of Deeds Office on December 7, 2020 from 8:00am to 12:00pm.***



PUBLIC HEARINGS

PLANNING DEPARTMENT CASE 20-10; REQUEST TO REZONE PARCEL 24441 AT 107 SANDY POINT DRIVE FROM GENERAL BUSINESS TO MANUFACTURED HOME PARKS

Chairman Allen called Chris Martin, Senior Planner, to the podium to present Case 20-10; request to rezone Parcel 24441, at 107 Sandy Point Drive, from General Business (GB) to Manufactured Home Parks (RM). Petitioner Claudia Borders and her Power of Attorney Dorothy Parker are requesting to rezone Parcel 24441, at 107 Sandy Point Drive, from General Business (GB) to Manufactured Home Parks (RM). The surrounding zoning districts are General Business (GB) and Residential (R) to the north along Cherryville Road, as well as Manufactured Home Parks (RM) along Sandy Point Drive and several vacant properties. The surrounding uses are primarily residential, with a majority of single-family dwellings nearby. Manufactured Home Parks (RM) is the

least restrictive residential zoning district in Cleveland County. It allows site-built homes, manufactured homes, modular homes and manufactured home parks.

Parcel 24441 is roughly two acres and is located on Sandy Point Drive which is a private unpaved road with sixteen properties located on that road. Sandy Point Drive currently has five to six homes located along that road. The surrounding properties of parcel 24441 are already zoned as Manufactured Home Parks (RM). The pro's of rezoning this parcel is an extension of an already existing zone. Also, General Business (GB) district uses are generally not ideal on an unpaved private road. North Carolina General Statute §153A-341 requires that local government boards adopt a consistency statement showing that the decision it makes fits in with the land use plan or if not, is reasonable and has a public interest. The Planning Board voted unanimously to recommend approving the rezoning request from General Business (GB) to Manufactured Home Parks (RM). The board felt that the proposed rezoning would be compatible with the surrounding area as it would be an extension of an already existing zone. North Carolina General Statute §160D-605 states that governing boards shall approve a statement describing whether its action is consistent or inconsistent with the adopted Land Use Plan. If approved, the rezoning would be in line with the county's Land Use Plan.

Chairman Allen opened the floor to the Board for discussion and questions. Commissioner Hutchins asked if Sandy Point Road is a state-maintained road, Mr. Martin advised it was not. Commissioner Hutchins inquired if there is anything in the county's ordinance that states a certain number of homes must be on a road to become state maintained. Mr. Martin advised ten years ago, the Board at that time, adopted an ordinance that limited to only four lots being served by a private unpaved road. The road however, was established prior to that ordinance adoption. There currently is nothing in the county's ordinance that refers to the number of homes on a road, only the number of parcels.

Chairman Allen opened the Public Hearing at 6:24 pm for anyone wanting to speak for or against Case 20-10; request to rezone Parcel 24441, at 107 Sandy Point Drive, from General Business (GB) to Manufactured Home Parks (RM). (*Legal Notice was published in the Shelby Star on Friday, November 6 and Friday, November 11, 2020*).

Dorothy Parker, no address given – spoke in favor of rezoning parcel 24441 from General Business (GB) to Manufactured Home Parks (RM). Her mother Claudia Borders, is the petitioner for this case and currently has ongoing medical needs. They are wanting to sell this lot and use the money to pay for Mrs. Border's health care and needs.

Wanda Lurhett, 115 Sandy point Dr., Shelby – spoke in opposition of rezoning parcel 24441 from General Business (GB) to Manufactured Home Parks (RM). She expressed her concerns of the possible negative impacts that could affect the neighborhood if the rezoning is approved.

Melissa Marlin, 122 Sandy Point Drive., Shelby – spoke in opposition of rezoning parcel 24441 from General Business (GB) to Manufactured Home Parks (RM). She echoed Ms. Lurhett’s concerns about negative impacts to property values and the safety of the neighborhood.

John Harden, Sandy Point Drive., Shelby – spoke in opposition of rezoning parcel 24441 from General Business (GB) to Manufactured Home Parks (RM). Mr. Harden stated he has the same concerns as Ms. Lurhett and Ms. Marlin. He does not want a trailer park in his neighborhood.

Chris Harden, no address given – spoke neither for or against the rezoning but inquired if there was variance or something else that could be done for parcel 24441. Mr. Harden stated he has already spoken with the Planning Department previously and they advised due to the property being a dirt road, the parcel could not be subdivided.

Hearing no further comments, Chairman Allen closed the Public Hearing at 6:39pm.

Chairman Allen asked Mr. Martin, if parcel 24441 is not re-zoned, what type of structures would be able to be built on the lot. Mr. Martin advised a business, commercial uses or a trailer park could be built on that lot if it is not rezoned. He also reminded the Board, parcel 24441’s zoning is not in-line with the surrounding properties which are zoned as Residential (R). Chairman Allen inquired about what other options are available. Mr. Martin stated the other home owners on Sandy Point Drive could petition the Board to rezone all sixteen parcels to Restricted Residential (RR). Planning staff would assist the home owners with their petitions. He also advised that petition would be different than the current one that is being presented. Commissioners still need to make a decision on the rezoning of parcel 24441.

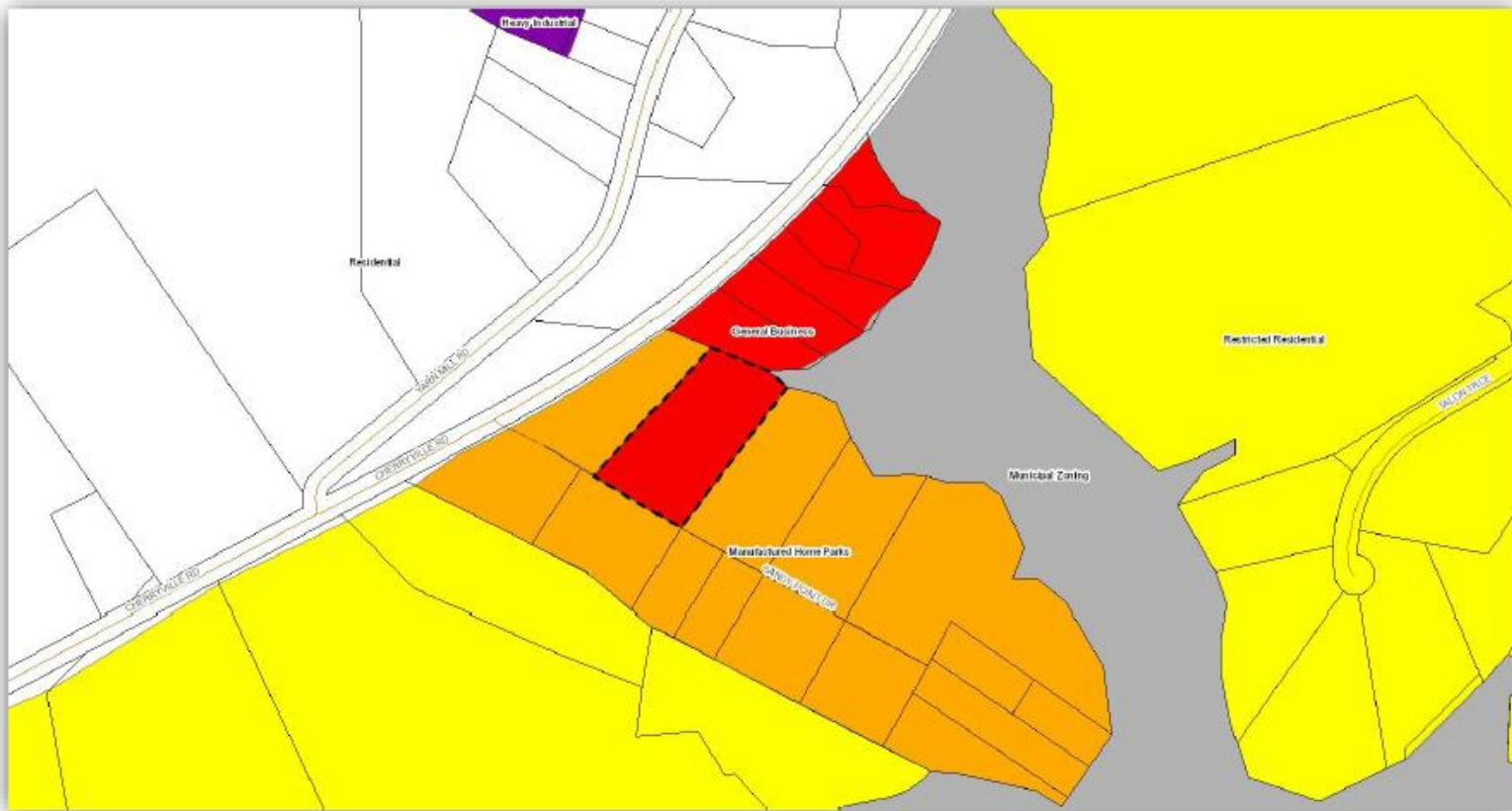
Chairman Allen opened the floor to the Board for questions and discussion. Commissioner Hutchins asked if parcel 24441 is classified as spot zoning as it is not zoned with the surrounding area. Mr. Martin advised yes; it could be considered spot zoning as it is different from the surrounding parcels. The Board asked Mr. Martin to further explain Mr. Harden’s comments. Mr. Martin stated Planning staff does have an application for a mobile home park on for the two properties located at the beginning of Sandy Point Drive on the right-hand side. Manufactured Home Parks (RM) do not require a subdivision, they can all be located on the same property. On a private unpaved road there is a limited number of lots that can be on that road.

Commissioner Hardin asked if there is a limit to the number of manufactured homes on a single lot. Mr. Martin advised yes there was, there can be up to three homes per acre. There are approximately four acres between the two properties. Commissioner Whetstine inquired if the property owner would be able to individually sell the manufactured homes and Mr. Martin stated they could not, due to being able to subdivide the lot. Mr. Martin reminded the Board, septic tanks, also a factor when placing manufactured homes on a single piece of property. Commissioner Hardin asked if there were any other vacant lots along Sandy Point Drive that could potentially hold a Manufactured Home Park (RM) and Mr. Martin stated yes there was, roughly ten lots. The Board gave direction

to staff to send the RV Park ordinance back to the Planning Board to ensure all aspects and guidelines for an RV Park are thoroughly reviewed.

ACTION: Commissioner Whetstine made the motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board, *to approve the request to re-zone parcel 24441 at 107 Sandy Point Drive from General Business to Manufactured Home Parks.*

Case # 20-10 Zoning Map
107 Sandy Point Drive
Parcel 24441 2.4 acres



Case # 20-10 Aerial Map
107 Sandy Point Drive
Parcel 24441 2.4 acres



① RECORDING FEE \$ 24.00
Phyllis Nowlen

Doc No: 200048662
Recorded: 12/29/2020 09:56:17 AM
Fee Amt: \$26.00 Page 1 of 1
Cleveland County North Carolina
Betsy S. Harnage, Register of Deeds
BK 1829 PG 1825 - 1825 (1)

ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF CLEVELAND COUNTY

General Business (GB) to Manufactured Home Parks (RM)
Owner: Claudia Borders
Deed Book 13K Page 199
2.38 Acres
Tax Parcel 24441
107 Sandy Point Drive

WHEREAS, Article Two of Chapter 160D of the North Carolina General Statutes provides for the planning and regulation of development within the territorial jurisdiction of the county; and

WHEREAS, the Cleveland County Planning Board recommended to approve the zoning map amendment on October 27, 2020; and

WHEREAS, said rezoning will promote the health, safety, and welfare of the citizens of Cleveland County, the public interest would be furthered, and said amendment would be reasonable and beneficial to the orderly growth of Cleveland County; and

WHEREAS, notice of the Public Hearing was published in the Shelby Star on November 6 and November 13, 2020. Notices were mailed to adjoining property owners on November 6, 2020 and a sign posted at the property on November 6, 2020; and

WHEREAS, all requirements of the North Carolina General Statutes have been met prior to any action by the Cleveland County Board of Commissioners to amend the Official Zoning Map following a Public Hearing on November 17, 2020; and

NOW THEREFORE BE IT ORDAINED by the Cleveland County Board of Commissioners that the Cleveland County Zoning Map, as described in Section 12-147 of the Cleveland County Unified Development Ordinance, be amended to change the classification of Parcel 24441 from General Business to Manufactured Home Parks.

The property is described in Deed Book 13K Page 199 and listed below:

BEGINNING on a stake in the center of a new 60 foot street which runs in a southeast direction from NC Highway No. 150, said beginning point being 255.40 feet along the center line of said road from its point of intersection with the right of way of said highway and being in the southernmost corner of lot no. 5 in said block conveyed to S.L. Newcomb, and runs thence with the Newcomb line, North 41 East 438 feet to a stake in the branch and in the old line; thence with the old line, south 70 east 153.6 feet to a stake in the center of the branch; thence south 51-59 East 67.45 feet to a stake, Northernmost corner of Lot No. 3 in said Block conveyed to Dura Belle Grigg; thence with her line, South 37-45 West 453 feet to a stake in the center of the road; thence with the center of the road, North 58-08 West 238 feet to the place of BEGINNING, containing 2.27 acres, more or less.

This Ordinance shall become effective upon adoption and approval.
Adopted this seventeenth day of November, 2020.

ATTEST:


Susan Allen, Chair
Cleveland County Board of Commissioners


Phyllis Nowlen, Clerk
Cleveland County Board of Commissioners



REGULAR AGENDA

2021 REVALUATION PLAN AND UPDATE AND ADOPTION OF THE 2021 SCHEDULES, STANDARDS AND RULES

Chairman Allen recognized Chris Green, Tax Assessor, to present the 2021 Revaluation Plan and Update. Revaluation is the process of updating the assessed value of real property to reflect the current market value. The Tax Department is trying to estimate a reasonable value of real property to change hands by someone who is willing and able, who is informed and is not under any pressure or distress by themselves. The revaluation process is required by law. It acts to create equity in the assessments and corrects shift in the tax burden over time. On October 6th, the proposed Schedules, Standards, and Rules for Market Value and for Present Use Value were submitted and made available for inspection. These manuals will serve as a guide for appraisal of real property during the next revaluation cycle. A public hearing was held on October 20th to allow comment on the proposed schedules. Statute requires adoption before January 1 of the year they are applied. The following PowerPoint was presented to Commissioners.

2021 Revaluation

What is revaluation?

- A process of updating the assessed value of real property to reflect the current **market value**.
- “The price estimated in terms of money at which the property would change hands between a willing and financially able buyer and a willing seller, neither being under any compulsion to buy or to sell and both having reasonable knowledge of all the uses to which the property is adapted and for which it is capable of being used.” G.S. 105-283
- Required by law.
- Creates equity in assessments.
- Corrects shifts in the tax burden.

What is Revaluation – Historic Value Change



What is Revaluation & Why 2021?

Levy Type	% Of Values	Valuation Schedule
Real Property	58%	Revaluation
Personal Property	23%	Annually
State Boards	10%	Annually
Motor Vehicles	9%	Annually

- N.C.G.S. 105-286
- Conducted at least every eight (8) years
 - Or – when sales ratio (< .85%) or (>1.15%)



Why 2021?

2017 NCDOR revised standards:

- Recommend that all counties conduct a countywide reappraisal at least once every four years.
 - Postponed from 2020 (work on software project)
- If the median sales ratio (as determined by DOR) falls below 90%, the county should immediately begin a new reappraisal.
 - 2020 median sales ratio determined by DOR is 88.1%.

State Board Properties

- Duke Energy
- Rutherford EMC
- Colonial Pipeline
- Transcontinental Pipeline
- CSX Transportation
- Norfolk Southern
- AT&T
- Time Warner Cable
- Sprint Communications
- UPS (Motor Freight)
- Greyhound Bus Lines



Minimum Assessment Level

- SALES RATIO = $\frac{\text{ASSESSED VALUE } \$85,000}{\text{SALE PRICE } \$100,000} = 85\%$
- Below 90% overall: Assessed value of state board properties is reduced by DOR. (**\$500,000 recurring**)
- Additional burden is placed on residential and other private property owners.
- State board property is appraised annually (recurring).

Shift in Tax Burden

- My neighborhood: Similar home sales are 20% higher in 2020 than in 2015.
- Your neighborhood: Similar home sales are only 5% higher in 2020 than in 2015.
 - Assessed values are unchanged since 2016.
 - The tax burden has shifted relative to value.
 - Your tax burden for 2020 has increased relative to mine.

How is revaluation done?



- In-house (outside contractor approx. \$1.2 m)
- Approximately 57,000 parcels; 700+ Neighborhoods
- Field reviews to update property records.
- Improved sales, cost guides and local market information.
- Track, verify, and analyze sales data.
- Statistical analysis for assessment level, dispersion, and price related differential.
- Review (appeal) process.

9

Will everyone's value change by the same amount or percentage?



NO

- Change may vary widely.
- Market indications.
- Accuracy of prior assessed value.
- Change in property.

10

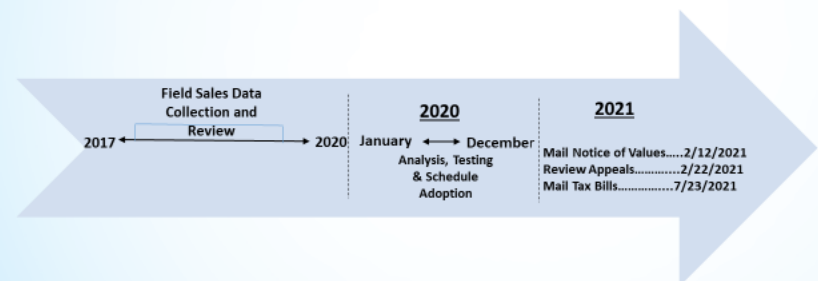
How do I appeal the new assessed value?



- Complete and return the lower tear-away portion of the notice. Include any information you wish to be considered.
- You do not need to come to the assessor's office.
- Appraiser will do on-site inspection (in most cases).
- You will receive a written response.

11

Timeline



12

QUESTIONS?



13

Chairman Allen opened the floor to the Board for questions and discussion. Commissioner Hutchins asked how long after notices are mailed do property owners have to appeal their assessment. Mr. Green advised they would like to get everything back as soon as possible to allow staff time to work on them however, property owners have until the close of the Board of Equalization and Review adjourns for 2021.

ACTION: Commissioner Bridges made the motion, seconded by Commissioner Hutchins, and unanimously approved by the Board, *to approve the adoption of the 2021 Schedules, Standards and Rules for Market Value.*

ACTION: Commissioner Bridges made the motion, seconded by Commissioner Hutchins, and unanimously approved by the Board, *to approve the adoption of the 2021 Schedules, Standards and Rules for Present Use Value.*

CHRISTMAS ON THE COURT SQUARE

Chairman Allen recognized Assistant County Manager Kerri Melton to present Christmas on the Court Square. It has been a strategic goal of the Board for place making with travel and tourism as a way to recruit industries and visitors to come to the Cleveland County. Mrs. Melton has worked with Chairman Allen over the last several years to develop a plan to make the Historic Court Square a place where people want to come at Christmas time. The following PowerPoint was presented to Commissioners.



Christmas
on the
Courtsquare

2020 Additions to Christmas on the Courtsquare
Lafayette Street/Warren Street
Marion Street/S. Washington Street

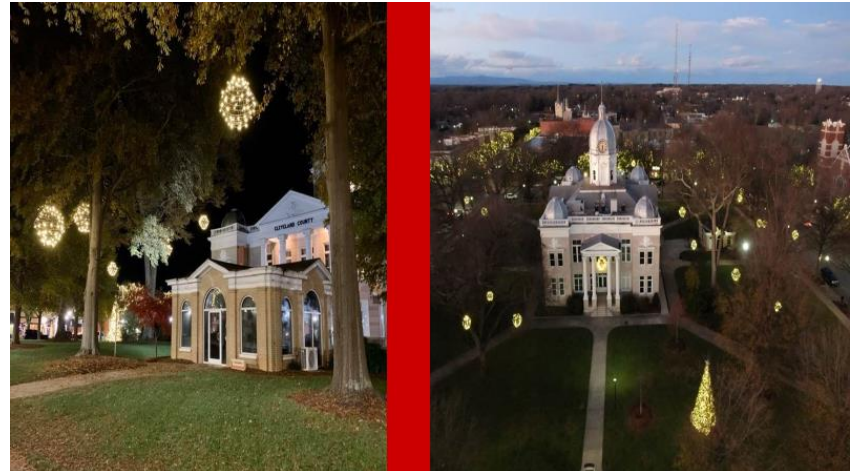
Three Artificial Trees with Iridescent Garland Mix and
twinkle LEDs:

- (2) 7½'
- (1) 9½'

Garland Topper for Earl Scruggs Center sign

11ft Warm White LED Ornament Arch

Bluetooth Music on the courtsquare



Thank you
Commissioner Allen
for your vision

SPECIAL PRESENTATION

Commissioner Whetstine gave opening remarks to Chairman Allen thanking her for her work and leadership during her eight-year tenure on the Board as this is her last meeting as a Commissioner. Each Commissioner gave remarks of thanks and appreciation to Chairman Allen for her friendship, leadership and vision to help Cleveland County continue to grow in a positive direction. The Board presented Chairman Allen with a plaque and her gavel. The floor was opened to staff for comments and remarks.

Perry Davis, Emergency Management Director/Fire Marshal – thanked Chairman Allen for all she has done for the County and her continued support of Volunteer Fire Departments.

Deb Blanton – gave a brief story of how she met Chairman Allen and thanked her for her friendship, guidance and what she has meant to Cleveland County.

Kerri Melton, Assistant County Manager – has worked with Chairman Allen for the last eight years and thanked her for her service to the county and citizens. Mrs. Melton also spoke of the many projects and organizations Chairman Allen volunteers with to give back to the citizens of Cleveland County.

Allison Mauney, Human Resources Director – commented on Chairman Allen’s leadership and continued support for county employees. Mrs. Mauney also spoke of the all the volunteer work Chairman Allen has done and continues to do through the years.

Chris Green, Tax Assessor – thanked Chairman Allen for her service to the citizens and support to the employees of Cleveland County.

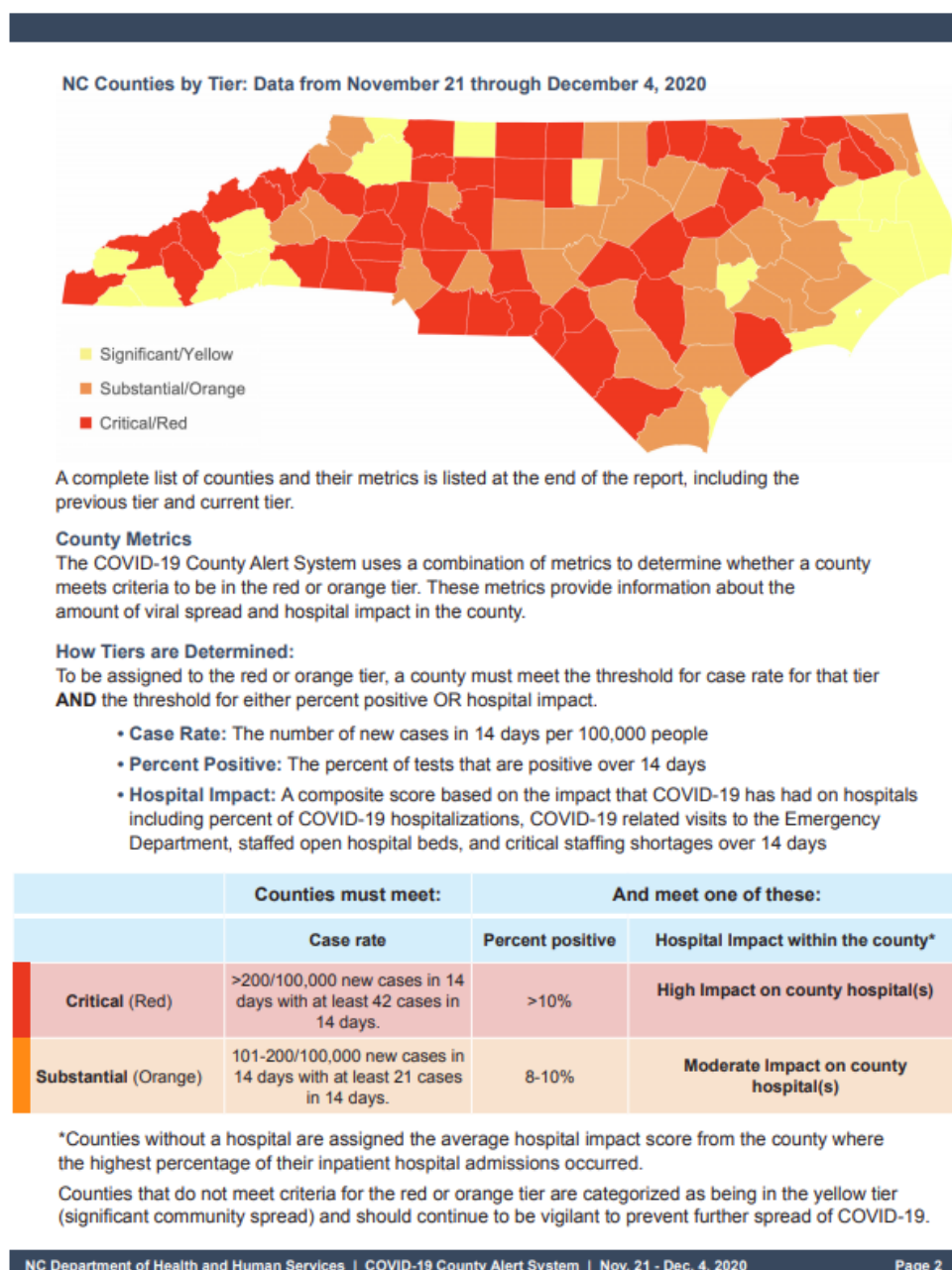
Chris Martin, Senior Planner – echoed previous comments of thanks, appreciation and support.

Brian Epley, County Manager – spoke about Chairman Allen’s leadership work as a Commissioner and Board Chair.

Chairman Allen thanked everyone for their kind words and shared her experiences during her eight years as a Commissioner. She thanked the Board for their continued support, vision and hard work they have put in to make Cleveland County a great place to live, work and play.

COVID-19 REPORT

Commissioners asked Perry Davis, Emergency Management Director, to update the Board on the current COVID-19 statistics for Cleveland County. Mr. Davis advised Governor Roy Cooper held a televised press conference regarding COVID-19 information for North Carolina and has added a county alert system. Cleveland County is in the mid-range category for the number of positive COVID-19 cases. The following information was presented to the Board.



Commissioner Bridges asked Mr. Davis to update the Board on the Shelby fire that occurred about ten days ago. Mr. Davis explained on November 7, 2020, a large multiple alarm fire occurred in Shelby. When the initial call came into the 911 Communications Center, responding Firefighters arrived on scene in three minutes and forty seconds. Mr. Davis praised all first responders such as county and local municipality firefighters, Law Enforcement Officers and Emergency Medical Services who were involved in the collaboration and teamwork that occurred to put the fire out.

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*. The next meeting of the Commission is scheduled for *Monday, December 7, 2020 at 10:00 a.m. at the LeGrand Center located at 1800 E. Marion St., Shelby for the annual organizational meeting*.

*Susan Allen, Chairman
Cleveland County Board of Commissioners*

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