

Cleveland County Board of Commissioners
November 16, 2021

The Cleveland County Board of Commissioners meet on this date, at the hour of 6:00 p.m. in the Commission Chambers of the Cleveland County Administrative Offices.

PRESENT: Doug Bridges, Chairman
Deb Hardin, Vice-Chair
Johnny Hutchins, Commissioner
Ronnie Whetstine, Commissioner
Kevin Gordon, Commissioner
Tim Moore, County Attorney
Brian Epley, County Manager
April Crotts, Deputy Clerk
Kerri Melton, Assistant County Manager
Martha Thompson, Deputy County Attorney
Stephen Bishop, Soil and Water Conservation Director
Allison Mauney, Human Resources Director
Josh Davis, Solid Waste Director
Greg Traywick, Cooperative Extension Director
Perry Davis, Emergency Management Director/Fire Marshal
Tommy McNeilly, Emergency Medical Services Director

CALL TO ORDER

Chairman Bridges called the meeting to order and invited anyone from the audience to lead the Pledge of Allegiance and provide the invocation.

Danie Shires provided the invocation and led the audience in the Pledge of Allegiance.

AGENDA ADOPTION

ACTION: Commissioner Gordon made the motion, seconded by Commissioner Hardin and unanimously adopted by the Board to, *approve the agenda with the following additions to the consent agenda:*

Item L. Planning Department: Request to Set Public Hearing for Tuesday, December 7, 2021 for Case 21-27: Request to Rezone Property at 1127 Oak Grove Road from Manufactured Home Parks (MH) to Light Industrial (LI).

CITIZEN RECOGNITION

Robert Williams, 814 E. Stagecoach Trl, Lawndale – spoke about his concerns regarding the amount of lawsuits against Cleveland County Government.

Randy McDaniel, 830 Dixon School Road, Kings Mountain – spoke about the importance of agriculture communities in Cleveland County.

Malarie Thompson, 5807 Oak Grove Church Hill Road, Lawndale – is a farmer in Upper Cleveland and spoke about the significance of preserving farmland in Cleveland County.

Andrew White, 5170 North Lee Road, Shelby – is a farmer in Cleveland County and echoed Mr. McDaniel and Ms. Thompson's comments regarding farming in the county.

CONSENT AGENDA

APPROVAL OF MINUTES

The Clerk to the Board included the Minutes from the *September 7, 2021* in board members packets.

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

TAX COLLECTOR'S MONTHLY REPORT

The Tax Collector provided Commissioners with the following detailed written report regarding taxes collected during *October 2021.*

TOTAL TAXES COLLECTED OCTOBER 2021				
YEAR	AMOUNT-REAL	AMOUNT-VEHI.	AMOUNT-GAP	COMBINED AMT
DEF REV	\$0.00	\$0.00	\$0.00	\$0.00
2021	\$2,624,716.80	\$0.00	\$1,714.95	\$2,626,431.75
2020	\$60,381.67	\$0.00	\$977.79	\$61,359.46
2019	\$22,725.47	\$0.00	\$0.00	\$22,725.47
2018	\$11,646.20	\$0.00	\$0.00	\$11,646.20
2017	\$13,324.10	\$0.00	\$0.00	\$13,324.10
2016	\$4,146.70	\$0.00	\$0.00	\$4,146.70
2015	\$3,788.69	\$0.00	\$0.00	\$3,788.69
2014	\$1,166.83	\$0.00	\$0.00	\$1,166.83
2013	\$1,216.12	\$81.67	\$0.00	\$1,297.79
2012	\$67.32	\$38.90	\$0.00	\$106.22
2011	\$76.82	\$1.64	\$0.00	\$78.46
				\$2,746,071.67
TOTALS	\$2,743,256.72	\$122.21	\$2,692.74	\$2,746,071.67
DISCOUNT	(\$210.98)			
INTEREST	\$21,141.32	\$83.24	\$90.12	
TOLERANCE	(\$5.28)	\$0.39	(\$0.35)	
ADVERTISING	\$400.00	VEHICLE FEES	GAP BILL FEES	
GARNISHMEN	\$436.35	\$46.13	\$121.23	
NSF/ATTY	\$181.04			
LEGAL FEES	\$0.00			
TOTALS	\$2,765,199.17	\$251.97	\$2,903.74	
MISC FEE	\$0.00			GRAND TOTAL
TAXES COLL	\$2,765,199.17			\$2,768,354.88
	\$0.00			\$0.00
	\$2,765,199.17			\$2,768,354.88

TOTAL TAXES UNCOLLECTED OCTOBER 2021				
	AMOUNT-REAL	AMOUNT-VEHI.	AMOUNT-GAP	COMBINED AMT
2021	\$36,248,571.67	\$0.00	\$86,312.41	\$36,334,884.08
2020	\$1,050,760.00	\$0.00	\$58,884.31	\$1,109,644.31
2019	\$822,226.00	\$0.00	\$0.00	\$822,226.00
2018	\$420,605.15	\$0.00	\$0.00	\$420,605.15
2017	\$254,846.12	\$0.00	\$0.00	\$254,846.12
2016	\$182,021.67	\$0.00	\$0.00	\$182,021.67
2015	\$145,115.22	\$0.00	\$0.00	\$145,115.22
2014	\$145,930.59	\$0.00	\$0.00	\$145,930.59
2013	\$108,537.43	\$60,390.51	\$0.00	\$168,927.94
2012	\$85,448.15	\$68,249.99	\$0.00	\$153,698.14
2011	\$0.00	\$0.00	\$0.00	\$0.00
			\$0.00	\$0.00
	\$39,464,062.00	\$128,640.50	\$145,196.72	\$39,737,899.22

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 2021.* The monthly grand total of tax abatements was listed as (\$109,897.39) and monthly grand total for tax supplements was listed as \$67,823.16.

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

EMERGENCY MEDICAL SERVICES: BUDGET AMENDMENT (BNA #019)

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

<u>Account Number</u>	<u>Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
010.437.4.350.00	93889-SMAT322	Public Safety Grants/State Govt Grants	\$3,391.00	
010.437.5.211.00	93889-SMAT322	Public Safety Grants /Controlled Property Exp	\$3,391.00	

Explanation of Revisions: Budget allocation for \$3,391 for SMAT 3 grant received Metrolina Healthcare Preparedness Coalition to purchase two (2) EMT3-123 Position Rapid Response kits.

SOCIAL SERVICES: BUDGET AMENDMENT (BNA #020)

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

<u>Account Number</u>	<u>Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
011.504.4.310.00		Title XX/Federal Govt Grants	\$16,362.00	
011.504.5.420.00		Title XX/Contracted Services	\$16,362.00	

Explanation of Revisions: Budget allocation for \$16,362 in funds received from the CARES Act fund. The money will be used to support the needs of children impacted by the child welfare system and the coronavirus pandemic. Funds will be used to cover training for child welfare workers.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #021)

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

<u>Account Number</u>	<u>Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
012.548.4.540.96		CODAP/Federal Govt Grants PATH COVID	\$56,038.00	
012.548.4.210.96		CODAP/Departmental Supply	\$1,930.00	
012.548.5.310.96		CODAP/Travel-Training	\$37,177.00	
012.548.5.311.96		CODAP/ Educational-Training	\$1,817.00	
012.548.5.370.96		CODAP/Advertising-Promotions	\$5,340.00	
012.548.5.411.96		CODAP/Rental of Space-Building	\$1,1750.00	
012.548.5.460.96		CODAP/Subscriptions-Dues	\$840.00	
012.548.5.581.96		CODAP/Awards-Incentives	\$5,684.00	
012.548.5.910.96		CODAP/Capital Equipment	\$1,500.00	

Explanation of Revisions: Budget allocation for \$56,038 in additional funds received from North Carolina Department of Health and Human Services as part of the Substance Abuse Prevention and Treatment Block Grant. These funds will be used to support evidence-based substance use prevention education programming for elementary school students and provide training to Health Department and community partner employees in the Community Resiliency Model (CRM) and Project Based Learning.

FINANCE DEPARTMENT: BUDGET AMENDMENT (BNA #022)

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

<u>Account Number</u>	<u>Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
489.228.4.991.00		Shell Bldg 3/Appropriated Fund Balance	\$176,000.00	
489.228.5.890.00		Shell Bldg 3/Interfund Transfers	\$176,000.00	
010.410.4.460.02		General Revenues/ Shell Bldg 3-City of Shelby	\$6,875,000.00	
010.981.5.890.00		Fund Transfers/ Interfund Transfers	\$6,875,000.00	
030.800.4.980.10		Debt Service/Contributions from Gen FD	\$5,258,745.00	
030.800.5.610.00		Debt Service/Bond Principal	\$5,248,845.00	
030.800.5.620.00		Debt Service/Bond Interest	\$9,900.00	

Explanation of Revisions: Budget allocation for \$765,998 for budget sale of Shell Building III and related debt service loan payoff.

TAX ADMINISTRATION: REQUEST TO SET 3 SEPARATE PUBLIC HEARINGS FOR TUESDAY, DECEMBER 7, 2021 FOR SMALL BUSINESS INCENTIVE GRANTS

Per North Carolina General Statute 158-7.1 (c), any appropriation or expenditure pursuant to this section (158-7.1) must be approved by the county after a public hearing.

- B&S Butler Properties LLC has made application for participation in the Small Business Investment Grant Program. Under the program, a qualifying net new investment of \$50,000 to \$1,000,000 would be eligible for a grant equal to 50% of taxes paid on the new taxable investment for three years. The applicant has met the listing and investment requirements. Taxes have been paid and there are no unresolved appeals.
- Thoroughbred Partners Ltd. has made application for participation in the Small Business Investment Grant Program. Under the program, a qualifying net new investment of \$50,000 to \$1,000,000 would be eligible for a grant equal to 50% of taxes paid on the new taxable investment for three years. The applicant has met the listing and investment requirements. Taxes have been paid and there are no unresolved appeals.
- White Investments of Shelby, LLC has made application for participation in the Small Business Investment Grant Program. Under the program, a qualifying net new investment of \$50,000 to \$1,000,000 would be eligible for a grant equal to 50% of taxes paid on the new taxable investment for three years. The applicant has met the listing and investment requirements. Taxes have been paid and there are no unresolved appeals.

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

PLANNING DEPARTMENT: REQUEST TO SET PUBLIC HEARING FOR TUESDAY, DECEMBER 7, 2021 FOR CASE 21-14: REQUEST TO REZONE PROPERTY AT 527 CASAR-LAWNDALE ROAD FROM RESIDENTIAL (R) TO NEIGHBORHOOD-BUSINESS CONDITIONAL USE (N-BCU)

Parcel 36699 is a 29-acre tract, belonging to Tyler Watts and is located at 527 Casar-Lawndale Road. The applicant is asking to rezone the parcel from Residential (R) to Neighborhood – Business Conditional Use (N-BCU). Surrounding uses are single family dwellings, large vacant tracts, and the Cleveland County Water treatment plant to the south. Mr. Watts desires to create a Recreational Vehicle Park with 40 RV sites, 22 yurts/treehouses, and ten primitive sites. The submitted site plan meets all the requirements of Section 12-161, including screening, density, and road width standards.

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


LEGAL DEPARTMENT: SALE OF COUNTY OWNED PROPERTY

County-owned property parcel 27395 is located at 330 Gorrell Street and parcel 27398 is located at 328 Gorrell Street, Shelby, were previously approved for upset bid process and rejected as insufficient bids (totaling \$312.00) were received. These properties were acquired through foreclosure in 2016 and now have a pending joint offer to purchase for consideration.

North Carolina General Statute § 153A-176 authorizes the County to dispose of property according to the procedures proscribed in Chapter 160A, Article 12 of the General Statutes. One of those procedures is found in North Carolina General Statute § 160A-269. Under that statute, the County may receive an offer to purchase property and advertise it for upset bids. Commissioners previously authorized, using this procedure, to solicit upset bids on the sale of this among other properties and instructed staff to solicit bids sufficient to cover costs or at least 50% of tax value whichever is greater, by prior resolution. The bid is in a sum sufficient to satisfy the County's costs and prior unpaid taxes.

Parcel #	2021 Tax Value	Current Offer	TOTAL Owed (Taxes + FC cost)	Gains/(Losses)	Would be 2021 Tax payment
27395	\$1,272.00		\$1,325.57		\$79.00
27398	\$2,625.00		\$1,747.94		\$79.00
TOTAL	\$3987.00	\$3300.00	\$3073.51	+\$226.49	

ACTION: Commissioner Whetstine made a motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board to, *approve the offer made on parcels 27395 & 27398 and authorize County staff to prepare a deed to sell those parcels to the offeree, for the agreed upon price.*



Resolution

18-2021

Resolution Accepting Negotiated Offer and Upset Bid (G.S. 160A-269)

WHEREAS, Cleveland County received an offer to sell and adhered to the upset bid procedures pursuant to N.C.G.S. § 153A-176 and N.C.G.S. § 160A-269 and of its June 1, 2021 and August 3, 2021 Resolutions as to a certain property it owns identified, as follows:

Parcel #	Location	Current Offer
27395 & 27398	330 Gorrell St and 328 Gorrell Street	\$3300.00

and

WHEREAS, the time is ripe for the County to review and determine whether to accept or reject the highest bid by analyzing the bid and the property; and

WHEREAS, the County has incurred expenses and has outstanding property taxes due on the properties identified above reflected as follows:

Parcel #	2021 Tax Value	Current Offer	TOTAL Owed (Taxes + FC cost)	Gains/(Losses)	Would be 2021 Tax payment
27395	\$1,272.00		\$1,325.57		\$79.00
27398	\$2,625.00		\$1,747.94		\$79.00
TOTAL	\$3987.00	\$3300.00	\$3073.51	+\$226.49	

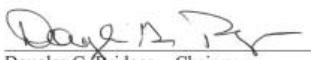
and

WHEREAS, the offer covers of the indebtedness of the property through this bid process, and represents a bid that represents a price in excess of the amount owed to the County and takes into consideration a rational relationship to the tax value of the property at issue; and


NOW THEREFORE, THE CLEVELAND COUNTY BOARD OF COMMISSIONERS RESOLVES THAT:

1. The Board of Commissioners approves the sale of the properties identified as parcel parcels ##27395 and 27398, located at 330 Gorrell St and 328 Gorrell Street, in Shelby NC, respectively, for the sum of \$3300.00 in cash, money order or cashiers check to be presented within thirty days; and authorizes Chair Doug Bridges to sign a quitclaim deed for parcel #29634 to the offeree upon payment.

Adopted this 16th day of November, 2021.


Douglas G. Bridges, Chairman
Cleveland County Board of Commissioners

ATTEST:


Phyllis Nowlen, Clerk,
Cleveland County Board of Commissioners



Doc No: 200094387
Recorded: 11/17/2021 10:20:34 AM
Fee Amt: \$26.00 Page 1 of 2
Transfer Tax: \$7.00
Cleveland County North Carolina
Betsy S. Hamage, Register of Deeds
BK 1857 PG 1948 - 1949 (2)

RECORDING FEE \$20.00 REVENUES \$7.00

**NORTH CAROLINA QUITCLAIM DEED
NO TITLE SEARCH REQUESTED OR PERFORMED**

Excise Tax: \$ _____
Parcel Identifier No. 27395 and 27398 Verified by _____ County on the _____ day of _____, 20____
By: _____

Mail/Box to: _____
This instrument was prepared by: Martha R. Thompson, Attorney
Brief description for the Index: Lots on Gorrell St aka Carver St, Shelby NC

THIS DEED made this _____ day of _____, 2021, by and between

GRANTOR	GRANTEE
CLEVELAND COUNTY, NORTH CAROLINA	* Anthony Sklavounakis 324 Oates Drive Shelby, North Carolina

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.
The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine, or neuter as may be required by context.

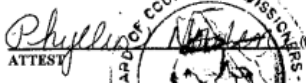

WITNESSETH, that said Grantors, for and in consideration of the sum of ten dollars and other consideration to them in hand paid, the receipt of which is hereby acknowledged, have remised and released and by these presents do remise, release, and forever quitclaim into the Grantee and his heirs and assigns all right, title, claim, and interest of the said Grantors in and to a certain tract or parcel of land lying and being in the County of Cleveland and State of North Carolina, in _____ Township, and more particularly described as follows:

Being located about three and one-half (3 1/2) miles East of the City of Shelby, and being ALL of Lot No. 6 and the NORTHERN ONE HALF (1/2) OF Lots 13, 14, 15, 16, 17 and 18, and a 50 foot strip from the South end of Lots 1, 2, 3, 4 and 5, Block "G" of LINCOLN PARK SUBDIVISION, shown on that plat by Joe F. Robinson, R.L.S., dated May 2, 1962, recorded in Book of Plats 8, Page 85, Cleveland County Registry.

Being the same property conveyed to Cleveland County by deed recorded in Book 1744, Page 787, Cleveland County Registry.

No title search was requested or performed on these parcels.

____ If checked, the property includes the primary residence of the Grantor (N.C.G.S. § 105-317.2)
The property hereinabove described was acquired by Grantor by instrument recorded in _____
A map showing the above-described property is recorded in Map/Cabinet _____ at Page _____
TO HAVE AND TO HOLD the aforesaid tract or parcel of land and all privileges thereunto belonging to him the said Grantee and his heirs and assigns free and discharged from all right, title, claim or interest of the said grantors or anyone claiming by, and through or under them.
Title to the property hereinabove described is subject to the following exceptions if any:
Rights of way and easements of record
Municipal liens
GRANTOR makes no warranty, express or implied, as to title to the Property.
IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

CLERK TO THE BOARD: _____ CLEVELAND COUNTY, NORTH CAROLINA
ATTEST:  (SEAL) By:  (SEAL)
Douglas R. Bridges, Chair

State of North Carolina, County of Cleveland
I, the undersigned Notary Public of the State aforesaid, certify that Douglas R. Bridges personally came before me this day and acknowledged that he is the Chair of the Cleveland County Board of Commissioners, a State of North Carolina Governmental Body and that by authority duly given and as the act of this entity he signed the foregoing instrument in its name on its behalf as its act and deed.
Witness my hand and Notarial stamp or seal, this 16th day of November, 2021.

My Commission Expires: 5-7-2022
 Notary Public
Notary's Printed or Typed Name: April N. Crofts

NORTH CAROLINA QUITCLAIM DEED
NO TITLE SEARCH REQUESTED OR PERFORMED

Excise Tax: \$ _____

Parcel Identifier No. 27395 and 27398 Verified by _____ County on the _____ day of _____, 20____

By: _____

Mail/Box to: _____

This instrument was prepared by: Martha R. Thompson, Attorney

Brief description for the Index: Lots on Gorrell St aka Carver St, Shelby NC

THIS DEED made this _____ day of _____, 2021, by and between

GRANTOR GRANTEE

CLEVELAND COUNTY, NORTH CAROLINA

*
Anthony Sklavounakis
324 Oates Drive
Shelby, North Carolina

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine, or neuter as may be required by context.

WITNESSETH, that said Grantors, for and in consideration of the sum of ten dollars and other consideration to them in hand paid, the receipt of which is hereby acknowledged, have remised and released and by these presents do remise, release, and forever quitclaim into the Grantee and his heirs and assigns all right, title, claim, and interest of the said Grantors in and to a certain tract or parcel of land lying and being in the County of Cleveland and State of North Carolina, in _____ Township, and more particularly described as follows:

Being located about three and one-half (3 1/2) miles East of the City of Shelby, and being ALL of Lot No. 6 and the NORTHERN ONE HALF (1/2) OF Lots 13, 14, 15, 16, 17 and 18, and a 30 foot strip from the South end of Lots 1, 2, 3, 4 and 5, Block "G" of LINCOLN PARK SUBDIVISION, shown on that plat by Joe F. Robinson, R.L.S., dated May 2, 1962, recorded in Book of Plats 8, Page 85, Cleveland County Registry.

Being the same property conveyed to Cleveland County by deed recorded in Book 1744, Page 787, Cleveland County Registry.

No title search was requested or performed on these parcels.

____ If checked, the property includes the primary residence of the Grantor (N.C.G.S. § 105-317.2)

The property hereinabove described was acquired by Grantor by instrument recorded in _____

A map showing the above-described property is recorded in Map/Cabinet _____ at Page _____

TO HAVE AND TO HOLD the aforesaid tract or parcel of land and all privileges thereunto belonging to him; the said Grantee and his heirs and assigns free and discharged from all right, title, claim or interest of the said grantors or anyone claiming by, and through or under them.

Title to the property hereinabove described is subject to the following exceptions if any:

Rights of way and easements of record
Municipal liens
GRANTOR makes no warranty, express or implied, as to title to the Property.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

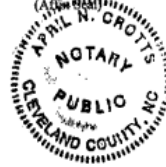
CLERK TO THE BOARD:
Phyllis Nowler (SEAL)
ATTEST

CLEVELAND COUNTY, NORTH CAROLINA
By: Douglas R. Bridges (SEAL)
Douglas R. Bridges, Chair

I, the undersigned Douglas R. Bridges of the State aforesaid, certify that Douglas R. Bridges personally came before me this day and acknowledged that he is the Chair of the Cleveland County Board of Commissions, a State of North Carolina Governmental Body and that by authority duly given and as the act of this entity he signed the foregoing instrument in its name on its behalf as its act and deed.

Witness my hand and Notarial stamp or seal, this 16th day of November, 2021.

My Commission Expires: 5-7-2022



April N. Crofts
Notary Public
Notary's Printed or Typed Name

LEGAL DEPARTMENT: RETENTION SCHEDULES

The North Carolina Department of Natural and Cultural Resources (DNCR) oversees the management of government records in North Carolina. By default, the County would need to seek DNCR's permission to destroy records. However, DNCR has promulgated records retention schedules that allow the County to destroy records without seeking explicit approval. Two new published retention schedules were created in October 2021. The two new retention schedules are both for local government agencies, and they cover several county departments. These do not apply to the Board of Elections, Library, Register of Deeds, Sheriff, Department of Social Services, Tax Administration, Health Department, or Veteran's Services, each of which has its own retention schedule. (*copies of full retention schedules are on file in the Clerk's Office*).

ACTION: Commissioner Whetstine made a motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board to, ***approve the retention schedules.***

It is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reason they may be retained for longer periods. This schedule supersedes previous versions of this schedule and any localized amendments; it is to remain in effect from the date of approval until it is reviewed and updated.

APPROVAL RECOMMENDED

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Phyllis Nowler
Municipal/County Clerk or Manager
Title: Clerk To the Board

Sarah E. Koonts
Sarah E. Koonts, Director
Division of Archives and Records

Phyllis Nowler
Municipal/County Clerk or Manager
Title: Clerk To the Board

Sarah E. Koonts
Sarah E. Koonts, Director
Division of Archives and Records

APPROVED

APPROVED

[Signature]
Head of Governing Body
Title: Chairman

[Signature]
D. Reid Wilson, Secretary
Department of Natural and Cultural Resources

[Signature]
Head of Governing Body
Title: Board Chair

[Signature]
D. Reid Wilson, Secretary
Department of Natural and Cultural Resources

County/Municipality: Cleveland County

Municipality/County: Cleveland County

PLANNING DEPARTMENT: REQUEST TO SET PUBLIC HEARING FOR TUESDAY, DECEMBER 7, 2021 FOR CASE 21-27: REQUEST TO REZONE PROPERTY AT 1127 OAK GROVE ROAD FROM MANUFACTURED HOME PARKS (MH) TO LIGHT INDUSTRIAL (LI)

Parcel 16303 is a 3.3-acre tract located at 1127 Oak Grove Road. The zoning on this parcel is Manufactured Home Parks. This property has been used as a Waste Collection Site for Cleveland County Government prior to county-wide zoning. The property was grandfathered in and is currently a non-conforming use. Cleveland County is in the process of making modifications to the site for the purpose of providing a higher level of customer service to the public. To conform the property, Cleveland County is requesting this property be re-zoned to Light Industrial (LI).

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

REGULAR AGENDA

AGRICULTURE IN CLEVELAND COUNTY

Chairman Bridges called Cooperative Extension Director Greg Traywick to the podium to present Agriculture in Cleveland County. Local farming contributes significantly to the local economy. Cleveland County lost more than 3,000 acres of farmland between 2012 and 2017. The next USDA Census of Agriculture will likely show that this trend has accelerated over the past 5 years. Productive farmland is being lost to the sale of small parcels developed for single-family housing. However, a substantial increase in large subdivision projects occurred in 2020 and 2021, especially in the Kings Mountain area. Farming still occupies nearly 40% of the county's total land mass. 95% of agriculture and forestry occurs on open green space, enhancing the county's aesthetics and rural character. Currently, strong sentiment exists to conserve farmland, open spaces, and rural culture in Cleveland County. Over 700 people responded to a survey used to guide development of Cleveland County's new Comprehensive Land Use Plan, and participants ranked preserving farmland and open spaces as the most important guiding principle for future land use. In addition, small-town living and rural lifestyle were people's favorite things about the county.

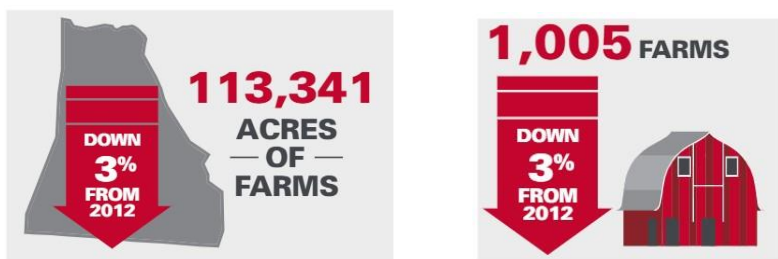
The Foothills Farmers' Market provides 70+ farmers with direct access to a viable retail market for fresh produce, farm-raised meats and eggs, and value-added food products. More than 20,000 shoppers visit the market each season. As the result of rapid and sustained growth since 2010, the market now operates year-round. The local livestock barn brokers the sale of 600+ cattle per week, facilitating about \$400,000 in revenue each week to farmers and the region's economy. Cleveland County ranks 6th in the state in total head of cattle and ranks seventh in the state in total hay production. Despite some losses and downward trends over time, agriculture remains a strong and resilient industry in Cleveland County. The following information was presented to Board Members.

Update on Cleveland County Agriculture

Presentation to the Cleveland County Board of Commissioners
November 16, 2021
Greg Traywick, County Extension Director



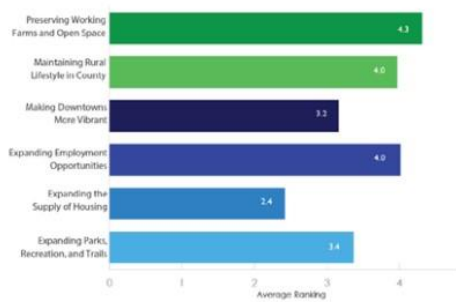
Farmland Loss...



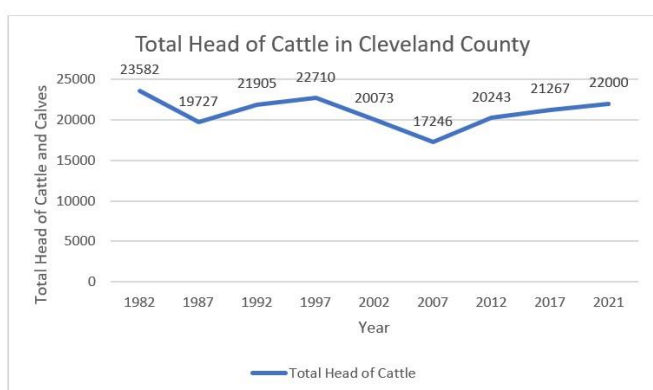
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IMPORTANT PRINCIPLES



Currently, strong sentiment exists to conserve farmland, open spaces, and rural culture in Cleveland County. Over 700 people responded to a survey used to guide development of Cleveland County's new Comprehensive Land Use Plan, and participants ranked preserving farmland and open spaces as the most important guiding principle for future land use. In addition, small-town living and rural lifestyle were people's favorite things about the county.



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Farm Overview, 2017 and change since 2012



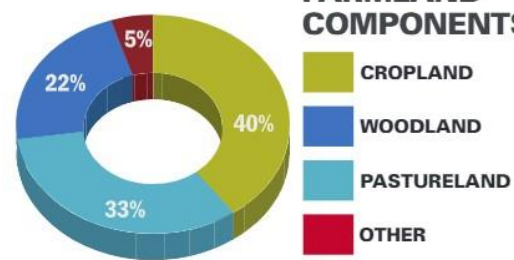
Farming contributes significantly to the local economy!

Share of sales by Type:

Crops	12%
Livestock & poultry	88%



FARMLAND COMPONENTS



Farming still occupies nearly 40% of the county's total land mass. 95% of agriculture and forestry occurs on open green space, enhancing the county's aesthetics and rural character.



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Low commodity prices, difficulty securing rented land, and limited marketing options reduced field crop revenues.

ASR Grain Company in Shelby opened and began buying grain from local farmers in 2016. They help market grain produced on more than 200 local farms, generating sales of nearly \$6 million each year. Lowering transportation costs helps boost field crop profits.



The Workforce...



Total Producers	1,543	Percent of farms that:	
Age		Are family farms	97%
<35	78	Hire outside farm labor	16%
35-64	883		
65 and older	582		

Take home messages...

- ✓ Farming has been a driving force in shaping the economy and character of Cleveland County since our inception.
- ✓ Despite some losses and downward trends over time, agriculture remains a strong and resilient industry.
- ✓ We are optimistic about opportunities for continued growth in agriculture and agribusiness and should seize on them.
- ✓ Farmers are an important part of our progressive community. They want and need a voice in the decision-making process.
- ✓ **We appreciate being recognized and celebrated tonight!**

Cleveland County
North Carolina, 2017
Page 2

2017 CENSUS OF AGRICULTURE County Profile

Market Value of Agricultural Products Sold

	Sales (\$1,000)	Rank in State ^b	Counties Producing Item	Rank in U.S. ^b	Counties Producing Item
Total	133,799	32	100	873	3,077
Crops	15,926	65	100	1,799	3,073
Grains, oilseeds, dry beans, dry peas	10,285	42	99	1,384	2,916
Tobacco (D)	-	62	62	271	323
Cotton and cottonseed (D)	-	43	52	(D)	647
Vegetables, melons, potatoes, sweet potatoes (D)	-	69	100	1,046	2,821
Fruits, tree nuts, berries	1,302	10	98	411	2,748
Nursery, greenhouse, floriculture, sod	1,645	48	98	706	2,601
Cultivated Christmas trees, short rotation woody crops	-	-	38	-	1,384
Other crops and hay	2,128	27	98	1,147	3,040
Livestock, poultry, and products	117,873	25	100	424	3,073
Poultry and eggs	107,975	18	98	134	3,007
Cattle and calves	6,625	16	100	1,526	3,055
Milk from cows	2,812	17	49	748	1,892
Hogs and pigs (D)	-	63	95	(D)	2,856
Sheep, goats, wool, mohair, milk	157	10	95	957	2,984
Horses, ponies, mules, burros, donkeys (D)	-	40	92	(D)	2,970
Aquaculture (Z)	-	46	54	336	1,251
Other animals and animal products	138	12	97	646	2,878

Total Producers^a	1,543	Percent of farms that:	Top Crops in Acres^a
Sex		Have internet access	75
Male	1,046		
Female	497	Farm organically	1
Age		Sell directly to consumers	5
<35	78	Hire farm labor	16
35 - 64	883	Are family farms	97
65 and older	582		
Race			
American Indian/Alaska Native	-		
Asian	6		
Black or African American	17		
Native Hawaiian/Pacific Islander	-		
White	1,510		
More than one race	10		
Other characteristics			
Hispanic, Latino, Spanish origin	23		
With military service	212		
New and beginning farmers	441		

See 2017 Census of Agriculture, U.S. Summary and State Data, for complete footnotes, explanations, definitions, commodity descriptions, and methodology.
^a May not add to 100% due to rounding. ^b Among counties whose rank can be displayed. ^c Data collected for a maximum of four producers per farm.
^d Crop commodity names may be shortened; see full names at www.nass.usda.gov/croplnames.pdf. ^e Position below the line does not indicate rank.
(D) Withheld to avoid disclosing data for individual operations. (NA) Not available. (Z) Less than half of the unit shown. (-) Represents zero.

USDA is an equal opportunity provider, employer, and lender.

Cleveland County
North Carolina, 2017
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Chairman Bridges opened the floor to the Board for questions and discussion. Commissioners spoke of their appreciation of the farmers and agricultural communities in Cleveland County. The following proclamation was presented to Mr. Traywick and members of the Agricultural Community who were in attendance.



TIME KEEPING POLICY

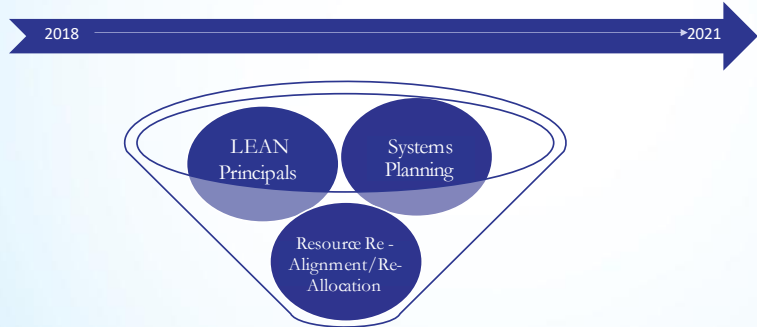
Chairman Bridges called County Manager Brian Epley to the podium to present the Time Keeping Policy. The Board was reminded of their strategic goals and the process that often entails staff with the execution of those visions. At times there is an overlap of strategic planning with work products that have policy, administrative and operational impact. The goal of updating the county's time keeping procedure was to move the organization from an antiquated and less efficient manual paper timesheet process to a modern technology approach allowing for a smarter, faster and more accurate system. Mr. Epley reviewed the project development, policy changes, planning and implementation of the county's electronic time keeping system, Time Clock Plus for all county departments including law enforcement. The following PowerPoint and information were presented to Commissioners.

Timekeeping Policy

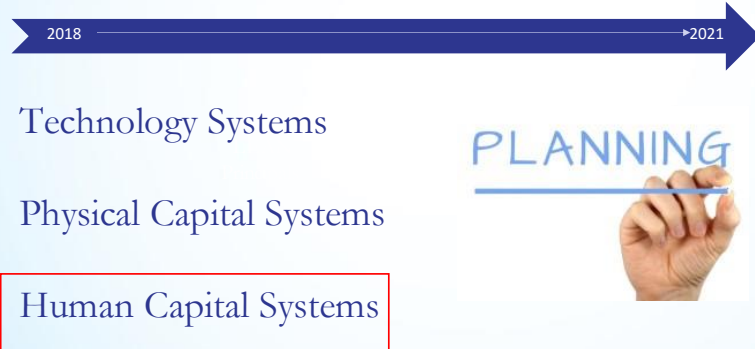
Roles and Responsibilities



Operational Systems



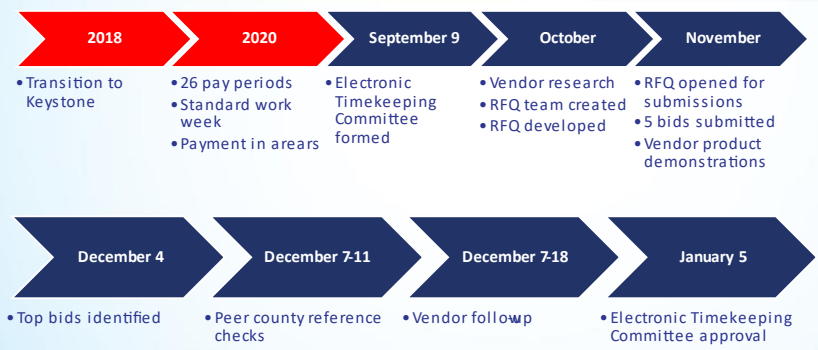
Systems Planning



ELECTRONIC TIMEKEEPING

- Efficiency Improvements**
 - Approximately 20 people's primary role in the organization is managing timesheets
 - Increasing operational efficiencies
- Accuracy**
 - Continued FLSA management for employees
 - Increasing transparency for time worked with employees
- Consistency & Uniformity**
 - Unifying the organization with one timekeeping system
 - Open communication between front-line staff, supervisors, and Human Resources

Project Development



Implementation Schedule

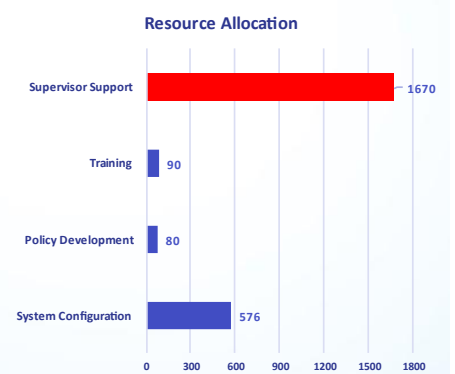


Encountered

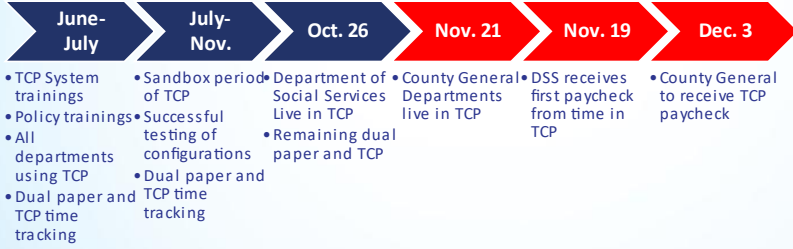
- Siloed departments
- Inconsistent application of policies
- Lack of resources for supervisors

Culture Investment

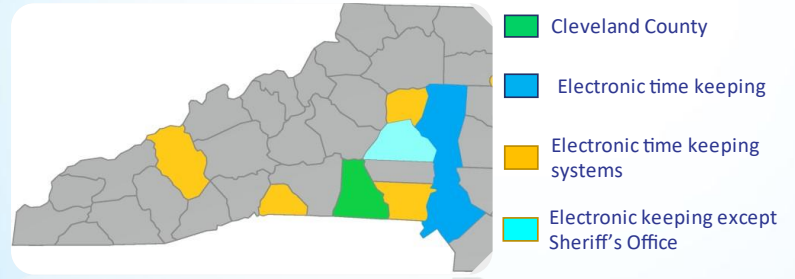
- Policy trainings**
 - Exemption status
 - Standard work week
 - Leave usage
- Management resources**
 - Video trainings
 - Accessibility to employees
- Internal support networks**
 - Manager assignments
 - Accessibility to Human Resources



Final Implementation



Regional Comparison



Organizational Consistency

TRANSITION FROM 207K

Transition from 207k



Question to Consider?

- What is the FLSA?
- What is the 207k Exemption?
- How and Why Should we Transition?

FLSA

FAIR LABOR STANDARDS ACT



- Federal Law established in 1938
- Minimum Wage
- Overtime in a work week
 - Non-Exempt Employees
 - Exempt Employees



Overtime Exemption

207K



- 1974 established 207K Overtime Exemption
 - Fire
 - Law Enforcement
- Work Period
 - 28-days
 - 168 hours
- Exemption decided by organization

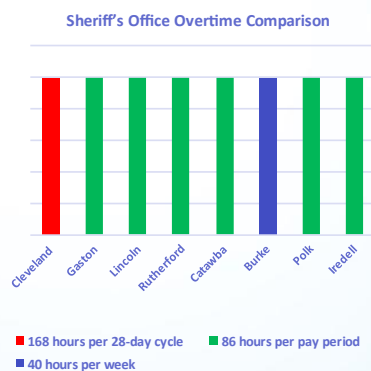


Peer Comparisons

28-DAY CYCLE



- Positives
 - Flexibility with work schedule
 - Management of overtime
- Negatives
 - Retrospective reporting
 - Inconsistent with organization
 - Confusing for new employees




207k to Standard



- Alignment with organization
- Real-time report of overtime and time worked
- Simplicity with electronic timekeeping
- Increase in compensation



Deputy & Detention Annual Pay



CLEVELAND COUNTY, NORTH CAROLINA
207K REPEAL - COMPENSATION IMPACT
FOR THE YEAR ENDED JUNE 30, 2022

	Week 1	Week 2	Week 3	Week 4	Monthly Total	Annual Total (26 pay periods)
	48	36	48	36		
Straight Time	40	36	40	36	152	1976
Over Time	8	0	8	0	16	208

Beginning Salary Comparison Beginning January 1, 2022					
Deputy 1 Staging Pay Today	Hourly Rate	Detention 1 Staging Pay Today	Hourly Rate		
\$ 42,947.00	\$ 19.66	\$ 37,783.00	\$ 17.30		

	Straight Time	Over Time	Total Compensation	Annual Increase	% Increase
207k Repeal - Deputy I	\$ 38,856.81	\$ 6,135.29	\$ 44,992.10	\$ 2,045.10	4.8%
207k Repeal - Detention I	\$ 34,184.62	\$ 5,397.57	\$ 39,582.19	\$ 1,799.19	4.8%
Holiday Pay - Deputy	\$ 2,595.70				
Holiday Pay - Detention	\$ 2,283.59				

Deputy & Detention Annual Pay



	Straight Time	Over Time	Total Compensation	Annual Increase	% Increase
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Holiday Pay - Deputy	\$ 2,595.70				
Holiday Pay - Detention	\$ 2,283.59				

Without Holiday Pay		CLEVELAND COUNTY
Deputy I		\$44,992.10
Detention Officers I		\$39,582.19

With Holiday Pay		CLEVELAND COUNTY
Deputy I		\$47,587.79
Detention Officers I		\$41,865.78



Chairman Bridges opened the floor to the Board for questions and discussion. Commissioners thanked Mr. Epley, Sheriff Norman and everyone that was involved with the proposed policy transition for their hard work and due diligence that was involved.

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Hardin, and unanimously adopted by the Board to, *approve the repeal of the 207K exemption for Cleveland County law enforcement employees and transition those employees to the county's electronic time keeping/standard payroll system and policies.*

BOARD APPOINTMENTS

CLEVELAND COUNTY AGRICULTURAL ADVISORY BOARD

ACTION: Commissioner Hardin made the motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board, *to appoint Jacob Gragg and MaryBeth Black to serve as members of this board,* for a period of three-years, scheduled to conclude December 31, 2024.

CLEVELAND COUNTY HISTORIC PRESERVATION COMMISSION

ACTION: Commissioner Whetstine made the motion, seconded by Commissioner Gordon, and unanimously adopted by the Board, *to re-appoint Joel Rountree and Leon Martin to serve as members of this board,* for a period of four-years, scheduled to conclude December 31, 2025.

KINGS MOUNTAIN PLANNING AND ZONING BOARD (ETJ)

ACTION: Commissioner Hardin made the motion, seconded by Commissioner Gordon and unanimously adopted by the Board, *to re-appoint Doug Lawing to serve as a member of this board* for a period of three-years, scheduled to conclude December 31, 2024.

ADJOURN

There being no further business to come before the Board at this time, Commissioner Hardin made a motion, seconded by Commissioner Gordon and unanimously adopted by the Board, *to adjourn*. The next meeting of the Commission is scheduled for *Tuesday, December 7, 2021 at 6:00 p.m. in the Commissioners Chambers*.

*Doug Bridges, Chairman
Cleveland County Board of Commissioners*

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