

Cleveland County Board of Commissioners
July 11, 2023

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

PRESENT: Kevin Gordon, Chairman
Ronnie Whetstine, Vice-Chair
Johnny Hutchins, Commissioner
Doug Bridges, Commissioner
Deb Hardin Commissioner
Tim Moore, County Attorney *via teleconference*
Martha Thompson, Deputy County Attorney
Todd Carpenter, Interim County Manager
Phyllis Nowlen, Clerk to the Board
Kerri Melton, Assistant County Manager
Chris Martin, Planning Director
Allison Mauney, Human Resources Director
Tiffany Hansen, Health Department Director
Rebecca Johnson, Interim Social Services Director
Scott Bowman, Maintenance Director
Betsy Harnage, Register of Deeds

CALL TO ORDER

Chairman Gordon called the meeting to order, and CCEDP Partnership Associate Executive Director Brandon Ruppe led the audience in the Pledge of Allegiance and provided the invocation.

AGENDA ADOPTION

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

SPECIAL RECOGNITION

PINNACLE CLASSICAL ACADEMY STATE ARCHERY CHAMPIONSHIP

Pinnacle Classical Academy Archery Team won several team and individual championships, including an individual national title at the 11th annual Scholastic 3-D Archery Championship. Pinnacle Classical Academy had the highest-ranked youth school team at the national championship. Commissioners took turns commenting and giving congratulations and presented the archery team and coaches with the following proclamation:



KINGS MOUNTAIN EMERGENCY MEDICAL SERVICES TRAINING CLASS

Chairman Gordon recognized Deputy Emergency Medical Services (EMS) Director Sammy Davis to update the Board on the Kings Mountain EMS Training Class. In the summer of 2022, Kings Mountain High School began offering a certified Emergency Medical Technician (EMT) classes in local high schools. The program began in August 2022. In May 2023, nine students successfully completed the program. Of those nine students, two have been hired with Cleveland County EMS. Four others are in the county's hiring process.

Mr. Davis introduced the program's graduates, other instructors, and coordinators who were instrumental in the program's development and instruction. Commissioners gave positive remarks congratulating the graduates and thanked those who helped make the program a success.

CITIZEN RECOGNITION

Nathan Mullinax, 120 Vallery Drive, Shelby – spoke about his concerns with the county's Veteran's Services department and the needs of veterans in the county.

Ingeborg Collins, no address given, - spoke about Planning Case 23-10; request to amend the county's Unified Development Ordinance to allow microbreweries in the Rural Agriculture (RA) zoning. She voiced her concerns regarding the negative impacts it could have on the community, such as noise pollution, increased traffic and safety.

Wayne Smiley, 955 Stoney Point Road, Kings Mountain – also spoke about Planning Case 23-10, citing the same issues as Ms. Collins and the concerns of possible impaired drivers.

Jacque Rochford, 110 Deerbrook Drive, Shelby – spoke about Planning Case 23-10, echoing previous comments of traffic and safety concerns.

Marge Hooper, 157 Delmar Road, Shelby – spoke about American Legion Post 82 Color Guard duties and responsibilities. She asked Commissioners for additional funding to Post 82. She also spoke about the needs of veterans in the county such as funding, food, and shelter.

Ginger Bullock, 119 Laurel Ridge Drive, Cherryville – spoke about her concerns with Animal Services and its procedures. She spoke about the number of stray animals in the county and the importance of having a low-cost spay and neuter clinic.

CONSENT AGENDA

APPROVAL OF MINUTES

The Clerk to the Board included the Minutes from the *June 6 and June 20, 2023 regular meetings* in Board members’ packets.

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

FINANCE DEPARTMENT: BUDGET TRANSFER SUMMARY

As required by North Carolina General Statute §159-15, all internal transfers shall be submitted to the Board of Commissioners. The budget transfer summary from June 15, 2023 through June 30, 2023 is included in Commissioner packets.

ACTION: Commissioner Whetstine made a motion, seconded by Commissioner Hardin, and passed unanimously by the Board to, *approve the budget transfer summary as presented.*

County of Cleveland, North Carolina
 Manager’s Budget Summary
 Presented at the July 11, 2023 Board Meeting
 Time Period Covered : 6/15/23 thru 6/30/23
 For Fiscal Year Ending June 30, 2023

BUDGET TRANSFERS LEGEND: D = DEPARTMENTAL; L = LATERAL

BUD #	BUDGET TYPE	DATE SUBMITTED BY DEPT	DEPT #	DEPT TO NAME	DEPT #	DEPT FROM NAME	EXPLANATION	BUDGET AMOUNT
1659	D	6/15/2023	010.444	Detention Center			Move funds to cover professional services	\$ 250
1660	D	6/16/2023	010.446	EMS			Move funds to cover contracted services	\$ 3,335
1661	D	6/20/2023	10.426	Maintenance			Move funds to cover professional services	\$ 1,500
1662	D	6/20/2023	010.542	Animal Services			Move funds to cover automotive supplies	\$ 2,600
1663	L	6/20/2023	010.446	EMS	010.447	EMS Transition	Transfer funds to cover motor fuels/oils & maint bldg/grounds	\$ 11,000
1664	D	6/21/2023	010.492	Economic Development			Move funds to cover maintenance contract	\$ 300
1665	D	6/21/2023	010.470	Shooting Range	010.471	Range-Skeet/Trap	Transfer funds to cover PRAP Merchandise	\$ 9,000
1666	D	6/21/2023	010.413	Finance			Move funds to cover dept supply and postage	\$ 1,700
1667	D	6/21/2023	010.542	Animal Services			Move funds to cover travel & training	\$ 500
1668	D	6/21/2023	010.611	Library			Move funds to cover dept supply-outreach program	\$ 600
1669	D	6/21/2023	010.419	Register of Deeds			Move funds to cover salaries/fringes and supplemental pension	\$ 21,820
1670	D	6/21/2023	010.450	Building Inspections			Move funds to cover motor fuels	\$ 2,500
1671	D	6/22/2023	010.446	EMS			Move funds to cover departmental supply and medicine & supplies	\$ 2,416
1672	D	6/22/2023	028.452	County Fire			Move funds to cover professional services	\$ 9,850
1673	D	6/22/2023	010.470	Shooting Range	010.471	Range-Skeet/Trap	Transfer funds to cover accounts thru end of year	\$ 40,678
1674	D	6/26/2023	012.543	Health Dept Grants	012.535	Health Promotions	Transfer revenue and expense to appropriate department	\$ 14,000
1675	D	6/26/2023	010.446	EMS			Move funds to cover travel/training	\$ 300
1676	D	6/26/2023	010.448	Communications			Move funds to cover travel/training	\$ 17
1677	D	6/26/2023	065.981	Health Plan			Move funds to cover taxes	\$ 12
1678	D	6/27/2023	010.413	Finance			Move funds to cover departmental supply	\$ 1,200
1679	D	6/27/2023	010.444	Detention Center			Move funds to cover professional services	\$ 2,000
1680	L	6/27/2023	010.444	Detention Center	010.998	Contingency	Transfer funds to cover hospital/dr fees	\$ 25,000
1681	D	6/27/2023	010.422	Travel & Tourism			Move funds to cover travel/training, advertising and dues; salaries/fringes	\$ 5,423
1682	D	6/28/2023	054.473	SW Landfill			Move funds to cover automotive supplies	\$ 4,000
1683	D	6/28/2023	010.542	Animal Services			Move funds to cover maint bldg/grounds	\$ 831
1684	D	6/28/2023	010.611	Library			Move funds to cover dept supplies, travel/training	\$ 1,600
1685	D	6/28/2023	010.447	EMS Transition			Move funds to cover automotive supplies and awards/appreciation	\$ 4,170
1686	L	6/28/2023	010.446	EMS	010.447	EMS Transition	Transfer funds to cover various accounts thru end of year	\$ 20,845
1687	D	6/28/2023	010.413	Finance			Move funds to cover travel/training & dues	\$ 600
1688	D	6/29/2023	010.542	Animal Services			Move funds to cover medicines & supplies	\$ 6,000

BUDGET TRANSFERS LEGEND: D = DEPARTMENTAL; L = LATERAL

BUD #	BUDGET TYPE	DATE SUBMITTED BY DEPT	DEPT #	DEPT TO NAME	DEPT #	DEPT FROM NAME	EXPLANATION	BUDGET AMOUNT
1689	D	6/29/2023	010.426	Maintenance			Move funds to cover contracted services	\$ 1,000
1690	D	6/29/2023	010.445	Emergency Management			Move funds to cover various accounts	\$ 5,545
1691	D	6/29/2023	012.541	Env Health			Move funds to cover motor fuels	\$ 1,200
1692	D	6/29/2023	010.611	Library			Move funds to cover travel/training	\$ 300
1693	D	6/29/2023	054.474	SW Manned Sites			Move funds to cover automotive supplies	\$ 22,823
1694	D	6/30/2023	012.533	Adult Health			Move funds to cover controlled property exp	\$ 912
1695	D	6/30/2023	012.534	School Health			Move funds to cover medicine/supplies and advertising/promotions	\$ 1,307
1696	D	6/30/2023	012.535	Health Promotions			Move funds to cover advertising/promotions	\$ 339
1697	D	6/30/2023	012.538	Maternal Health			Move funds to cover dept supply, contracted servs and awards/appreciation	\$ 2,917
1698	D	6/30/2023	012.540	WIC			Move funds to cover travel/training and awards/appreciation	\$ 675
1699	D	6/30/2023	012.546	COVID			Move funds to cover telecommunications	\$ 298
1700	D	6/30/2023	012.537	Child Health			Move funds to cover medicine/supplies and awards/appreciation	\$ 1,150
1701	D	6/30/2023	012.544	Dental			Move funds to cover advertising/promotions	\$ 1,087
1702	D	6/30/2023	010.542	Animal Services			Move funds to cover maint bldg/grounds and contracted servs	\$ 3,500
1703	D	6/30/2023	012.530	Health Admin	2.534/ 012.5	Senior Health, NFP	Transfer funds to cover various accounts for Year End	\$ 287,247
1704	L	6/30/2023	012.541	Env Health	2.534/ 012.5	Senior Health, CAII-CC4C PCM	Transfer funds to cover salaries	\$ 60,000
1705	L	6/30/2023	012.531	Aids	012.540	WIC	Transfer funds to cover salaries	\$ 5,000
1706	L	6/30/2023	012.530	Health Admin	012.533	Adult Health	Transfer funds to cover awards/appreciation	\$ 442
1707	L	6/30/2023	012.530	Health Admin	012.533	Adult Health	Transfer admin servs allocation (rev side) not keyed on BTL1706	\$ 442
1708	L	6/30/2023	054.473	SW Landfill	054.474	SW Manned Sites	Transfer funds to cover salaries/fringes	\$ 276,995
1709	D	6/30/2023	011.504	Social Work			Move funds to cover salaries	\$ 101,635
1710	D	6/30/2023	011.506	DSS Admin			Move funds to cover insurance-retired benefits	\$ 128,807
1711	L	6/30/2023	1.509/ 011.5	Special Assistance / Smart Star	011.506	DSS Admin	Transfer funds to cover salaries/fringes	\$ 23,034
1712	D	6/30/2023	011.512	Child Support			Move funds to cover salaries/fringes	\$ 21,218
1713	D	6/30/2023	012.538	Maternal Health			Move funds to cover retirement	\$ 6,258
1714	D	6/30/2023	065.981	Health Insurance			Move funds to cover weekly claims	\$ 105,000
1715	D	6/30/2023	010.412	Managers Office			Move funds to cover maint contracts-equip	\$ 500
1715	D	6/30/2023	010.441	Sheriff's Office			Move funds to cover travel/training	\$ 15
1715	L	6/30/2023	010.446	EMS	010.447	EMS Transition	Transfer funds to cover travel/training; education/certif; refunds	\$ 3,205
1715	D	6/30/2023	055.480	LeGrand Center			Move funds to cover repairs on equipment	\$ 50

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BUD #	BUDGET TYPE	DATE SUBMITTED BY DEPT	DEPT #	DEPT TO NAME	DEPT #	DEPT FROM NAME	EXPLANATION	BUDGET AMOUNT
1715	D	6/30/2023	010.495	Coop Extension			Move funds to cover dept supply, travel/training	\$ 135
1716	D	6/30/2023	011.506	DSS Admin			Move funds to cover advertising/promotions and contracted labor	\$ 91
1717	L	6/30/2023		Various Depts	010.492		Move funds to cover utilities	\$ 123,500
1718	D	6/30/2023	065.981	Health Insurance			Corr BTD 1714 wrg account posted	\$ 92,164
1719	D	6/30/2023	010.435	Procurement-Mental Health/Wellness Grant			Move funds to cover salaries/fringes	\$ 1,114
1720	D	6/30/2023	010.438	Law Enforcement Grants			Move funds to cover salaries/fringes	\$ 6,232
1721	D	6/30/2023		Various Depts		Various Depts	Transfer funds to cover salaries/fringes	\$ 1,402,909
1722	D	6/30/2023	060.651	Property/Liability			Move funds to cover professional services	\$ 70,000
1723	D	6/30/2023	060.651	Property/Liability			Rev BTL1722 posted wrong FY	\$ (70,000)
1724	D	6/30/2023	060.651	Property/Liability			Move funds to cover professional services	\$ 70,000
1725	D	6/30/2023	012.541	Env Health	012.530	Health Admin	Transfer funds to cover salaries/fringes	\$ 38,994
1726	D	6/30/2023	012.530	Health Admin			Move funds to cover salaries/fringes, travel/training, postage	\$ 3,415
1727	D	6/30/2023	012.531	Aids			Move funds to cover salaries/fringes	\$ 784
1728	D	6/30/2023	012.532	TB/STD/CD			Move funds to cover salaries/fringes and controlled property exp	\$ 937
1729	D	6/30/2023	012.535	Health Promotions			Move funds to cover salaries/fringes	\$ 8,459
1730	D	6/30/2023	012.536	Adol Pregnancy Prev			Move funds to cover salaries	\$ 456
1731	D	6/30/2023	012.537	Child Health			Move funds to cover salaries	\$ 11,034
1732	D	6/30/2023	012.538	Maternal Health			Move funds to cover salaries/fringes	\$ 1,663
1733	D	6/30/2023	012.539	Family Planning			Move funds to cover salaries	\$ 3,279
1734	D	6/30/2023	012.540	WIC			Move funds to cover salaries, postage	\$ 18,705
1735	D	6/30/2023	012.541	Env Health			Move funds to cover dept supply, controlled property exp and motor fuels	\$ 8,356
1736	D	6/30/2023	012.544	Dental			Move funds to cover salaries/fringes	\$ 29,828
1737	D	6/30/2023	012.545	Nurse Family Partnership			Move funds to cover retirement	\$ 2,636
1738	D	6/30/2023	012.547	CAII-CC4C PCM			Move funds to cover salaries/fringes	\$ 13,606
1739	D	6/30/2023	012.548	CODAP			Move funds to cover controlled property exp, travel/training, advertising	\$ 6,408
1740	D	6/30/2023	013.660	Employee Wellness			Move funds to cover contracted services; salaries/fringes	\$ 8,099
1741	L	6/30/2023	011.508	Income Maintenance	011.504 / 011.506	Social Work / DSS Admin	Transfer funds to cover salaries/fringes	\$ 365,000
1742	D	6/30/2023	011.504 / 011.506	Social Work / DSS Admin			Corr BTL1741 wrg amts entered for 504/506 for admin servs	\$ 124,000
1743	D	6/30/2023	011.519	Public Assistance			Move funds to cover Pub Assist-Food Stamps	\$ 1,990

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BUD #	BUDGET TYPE	DATE SUBMITTED BY DEPT	DEPT #	DEPT TO NAME	DEPT #	DEPT FROM NAME	EXPLANATION	BUDGET AMOUNT
1744	D	6/30/2023	065.981	Health Plan			Move funds to cover wellness benefits	\$ 14,435

TAX COLLECTOR'S MONTHLY REPORT

Pursuant to North Carolina General Statute §105-350.7, the Tax Collector shall submit to the governing body at each of its regular meetings a report to include the amount collected on each year's taxes with which she is charged, the amount remaining uncollected, and the steps being taking to encourage payment of uncollected taxes. The Tax Collector provided Commissioners with a detailed written report regarding taxes collected during *June 2023*.

ACTION: Commissioner Whetstine made a motion, seconded by Commissioner Hardin, and passed unanimously by the Board to, *approve the June 2023 monthly tax report submitted by the Tax Collector.*

TOTAL TAXES COLLECTED JUNE 2023			
YEAR	AMOUNT-REAL	AMOUNT-GAP	COMBINED AMT
DEF REV	\$0.00	\$0.00	\$0.00
2022	\$240,439.79	\$2,967.09	\$243,406.88
2021	\$41,002.82	\$2,660.42	\$43,663.24
2020	\$18,743.16	\$326.45	\$19,069.61
2019	\$7,482.32	\$0.00	\$7,482.32
2018	\$4,549.45	\$0.00	\$4,549.45
2017	\$2,831.98	\$0.00	\$2,831.98
2016	\$1,739.83	\$0.00	\$1,739.83
2015	\$2,508.90	\$0.00	\$2,508.90
2014	\$1,292.68	\$0.00	\$1,292.68
2013	\$212.43	\$0.00	\$212.43
2012	\$0.00	\$0.00	\$0.00
			\$326,757.32
TOTALS	\$320,803.96	\$5,953.96	\$326,757.32
DISCOUNT	\$0.00		\$0.00
INTEREST	\$34,589.67	\$636.00	\$35,225.67
TOLERANCE	(\$8.81)	(\$0.37)	(\$9.18)
ADVERTISING	\$975.51		
GARNISHMENT	\$8,055.26	\$2,210.13	\$8,889.36
NSF	\$0.01		
LEGAL FEES	\$0.00		
TOTALS	\$364,415.00	\$8,799.72	
MISC FEE	\$0.00		
TAXES COLL	\$364,415.00		\$373,214.72
DEF	\$15,708.11		\$26,104.71
DISC	(\$24.07)		\$399,319.43
TOL	\$0.43		
INT	\$1,530.88		
TOTAL TAXES UNCOLLECTED JUNE 2023			
YEAR	AMOUNT-REAL	AMOUNT-GAP	COMBINED AMT
2022	\$1,866,363.69	\$108,790.33	\$1,975,154.02
2021	\$622,730.55	\$74,202.70	\$696,933.25
2020	\$512,958.13	\$40,252.40	\$553,210.53
2019	\$538,548.12	\$0.00	\$538,548.12
2018	\$282,209.93	\$0.00	\$282,209.93
2017	\$181,324.77	\$0.00	\$181,324.77
2016	\$128,121.50	\$0.00	\$128,121.50
2015	\$106,563.63	\$0.00	\$106,563.63
2014	\$114,338.31	\$0.00	\$114,338.31
2013	\$86,605.40	\$0.00	\$86,605.40
2012	\$0.00	\$0.00	\$0.00
	\$4,439,764.03	\$223,245.43	\$4,663,009.46
DEF REV	\$91,653.82	\$218,653.85	\$310,307.67
TOTAL UNCOLLECTED	\$4,531,417.85	\$441,899.28	\$4,973,317.13

TAX ABATEMENTS AND SUPPLEMENTS

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during *June 2023*. The monthly grand total for tax abatements was listed as (\$2,799.49) and the monthly grand total for tax supplements was listed as \$65,584.28.

ACTION: Commissioner Whetstine made a motion, seconded by Commissioner Hardin, and passed unanimously by the Board to, *approve the June 2023 tax abatements and supplements submitted by the Tax Assessor.*

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

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>
010.443.4.991.00		Sheriff's Office/Fund Balance Approp	\$26,825	
010.443.5.910.00		Sheriff's Office/Capital Equipment	\$26,825	

Explanation of Revisions: Budget allocation for \$26,825 in funds to purchase the Flock Safety Camera System.

SHERIFF'S OFFICE: REMOVAL OF SERVICE WEAPON FOR CAPTAIN JON WRIGHT

The Cleveland County Sheriff's Office would like to present retiring Captain Jon Wright with his departmental service weapon. Captain Wright will retire on August 1, 2023, after 27 years of full-time law enforcement service with the Cleveland County Sheriff's Office. The service weapon requested to be removed from county inventory is a Glock 9mm, model 17, serial# BDKT-791, county asset#201278.


ACTION: Commissioner Whetstine 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 it to retiring Captain Jon Wright.*

LEGAL DEPARTMENT: SALE OF COUNTY-OWNED PROPERTY PARCELS 20254 AND 23043

In 2019, Cleveland County acquired parcel 20254 for \$14,000, and parcel 23043 for \$106,000. These parcels of land have no residential structures on them. Cleveland County acquired this property for the purpose of building a new Board of Elections facility. Since the time of purchase, Cleveland County has acquired the old Shelby Rescue Squad building. Due to the acquisition of this building plus the rise in construction costs, the rescue squad building will be utilized for the new Board of Elections facility; as a result, these parcels have been marketed for sale and have undergone the upset bid process.

Cleveland County listed these properties for sale at \$299,500. A bid was received from Reliable Innovations, LLC for the full asking price. Staff recommends approving the offer made on parcels 20254 and 23043, and authorizes County staff to prepare a Purchase Agreement and a Warranty Deed to be signed and delivered upon payment.

ACTION: Commissioner Whetstine made a motion, seconded by Commissioner Hardin, and unanimously approved by the Board to, *approve the offer of \$299,500 made on parcels 20254 and 23043 and authorize county staff to prepare the deed of sale and deliver to Reliable Innovations, LLC upon payment.*



Resolution

14-2023

**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 20, 2023 Resolution as to a certain property it owns identified, as follows:

Parcel #s	Location	Highest Offerer
20254	805 N Morgan Street	Reliable Innovations, LLC
23043	205 W Grover Street	Reliable Innovations, LLC

Current Offer for both parcels: \$299,500

and

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

WHEREAS, the County has received a full-price offer to purchase the property described above in the amount as follows:

Parcel Number	Amount Offered
20254 and 23043	\$299,500

and

WHEREAS, the County expects offers to cover the indebtedness of any property through this bid process, with the intention to sell property for a sum that is equal to or in excess of the amount owed to the County when reasonable and that takes into consideration a rational relationship to the tax value of the property at issue; and

WHEREAS, Cleveland County acquired parcel 20254 for \$14,000 and acquired parcel 23043 for \$106,000 in 2019. Cleveland County then listed these properties for sale for \$299,500.


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 June 23, 2023 and

WHEREAS, the County received no other offers for the property during the upset bid process.

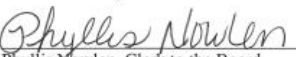
THEREFORE, THE CLEVELAND COUNTY BOARD OF COMMISSIONERS RESOLVES THAT:

1. The Board of Commissioners approves the sale to Reliable Innovations, LLC of the properties identified as parcel # 20254 (805 N Morgan Street) and parcel # 23043 (205 W Grover Street) for the sum of \$299,500 in cash, money order or cashier's check; and authorizes staff to prepare a Purchase Agreement and authorizes Chair Kevin Gordon to sign a Warranty Deed for parcels 20254 and 23043 to Reliable Innovations, LLC upon payment; and instructs County staff to prepare the Warranty Deed to be delivered to Reliable Innovations, LLC upon payment.

Adopted this 11th day of July 2023.


Kevin Gordon, Chairman
Cleveland County Board of Commissioners

ATTEST:


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



LEGAL DEPARTMENT: DEED OF TRUST RELEASE

A Deed of Trust was made on September 30, 2020, by and between MA Shelby, LLC % Prime Materials Recovery Inc., Grantor, and Cleveland County. The Deed of Trust references parcel 30498, located at 135 Old Boiling Springs Road in Shelby. The Deed of Trust was put in place as part of a requirement for a building re-use grant received through the North Carolina Department of Commerce. On May 24, 2023, Cleveland County received a letter from the Department of Commerce explaining that Cleveland County successfully completed the program requirements for the grant, releasing the deed of trust.

ACTION: Commissioner Whetstine made a motion, seconded by Commissioner Hardin, and unanimously approved by the Board to, ***approve the execution of the cancellation of the Deed of Trust between Cleveland County and MA Shelby, LLC % Prime Materials Recovery Inc.***

Doc No: 200085504
Recorded: 07/12/2023 11:20:24 AM
Fee Amt: \$0.00 Page 1 of 1
Cleveland County North Carolina
Betsy S. Hamage, Register of Deeds
BK 1902 PG 806 - 806 (1)

SATISFACTION OF SECURITY INSTRUMENT
N.C.G.S. § 45-36.10; N.C.G.S. § 45-37(a)(7)

STATE OF NORTH CAROLINA - COUNTY OF CLEVELAND


The undersigned is the secured creditor in the security instrument identified as follows:

Type of Security Instrument: Deed of Trust
Original Grantors: MA Shelby, LLC % Prime Material Recovery Inc.
Security Party: County of Cleveland

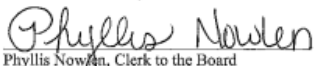
Recording Data: The security instrument is recorded in Book 1825 at page 1297 in the office of the Register of Deeds for Cleveland County, North Carolina.

This satisfaction terminates the effectiveness of the security instrument.

This 11th day of July, 2023.

Cleveland County
By and through its Board of Commissioners

By: Kevin Gordon, Chairman

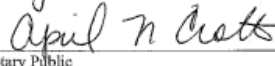
ATTEST:


Phyllis Nowlen, Clerk to the Board


STATE OF NORTH CAROLINA - COUNTY OF CLEVELAND

I, April N. Crofts, Notary Public, certify that Kevin Gordon personally came before me this day and acknowledged that he is the chairman of the Cleveland County Board of Commissioners and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Chairman.

Witness my hand and official seal, this 11th day of July, 2023.


April N. Crofts
Notary Public

My Commission Expires: 5-7-2027



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COMMISSIONERS: MPO RESOLUTION OF SUPPORT

Included in Commissioner's packets is a resolution of support to keep Cleveland County's membership in the Gaston Cleveland Lincoln Metropolitan Planning Organization (MPO).

ACTION: Commissioner Whetstine made a motion, seconded by Commissioner Hardin, and unanimously approved by the Board to, ***approve the MPO resolution of support.***



Resolution

16-2023

Cleveland County's Commitment to the Gaston Cleveland Lincoln Metropolitan Planning Organization

Whereas, Cleveland County has been an active and valued member of the Gaston Cleveland Lincoln Metropolitan Planning Organization (MPO) for the past decade, contributing to regional transportation planning efforts and initiatives; and

Whereas, Cleveland County recognizes the importance of collaborative efforts and regional cooperation in addressing transportation, infrastructure, and other planning needs; and


Whereas, Cleveland County acknowledges the significant benefits that participation in the Gaston Cleveland Lincoln MPO brings to our community, including access to funding opportunities, technical expertise, and shared resources; and

Whereas, Cleveland County has evaluated its membership in the Gaston Cleveland Lincoln MPO and has determined that continued participation aligns with the county's long-term goals, priorities, and interests;

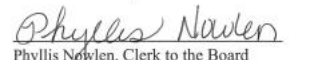
Now, therefore, be it proclaimed that:

1. Cleveland County reaffirms its intention to remain an active and committed member of the Gaston Cleveland Lincoln Metropolitan Planning Organization.
2. Cleveland County expresses its gratitude to the Gaston Cleveland Lincoln MPO for the collaborative efforts and partnerships that have been fostered over the years.
3. Cleveland County commits to actively engage in the planning processes, decision-making, and implementation of regional initiatives undertaken by the Gaston Cleveland Lincoln MPO.
4. Cleveland County encourages other member jurisdictions within the Gaston Cleveland Lincoln MPO to continue their participation and collaborate for the collective benefit of the region.
5. Cleveland County looks forward to working closely with the Gaston Cleveland Lincoln MPO, its staff, and fellow members to address transportation and planning challenges and to promote an attitude of collaboration.

This proclamation is made on this 17th day of July 2023, by the Cleveland County Board of County Commissioners to confirm our commitment to the Gaston Cleveland Lincoln Metropolitan Planning Organization.


Kevin Gordon, Chairman
Cleveland County Board of Commissioners

ATTEST:


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



PUBLIC HEARINGS

PLANNING DEPARTMENT CASE 23-14: REQUEST TO REZONE PROPERTY AT 392 PREYER STREET FROM RESTRICTED RESIDENTIAL (RR) TO RESIDENTIAL (R)

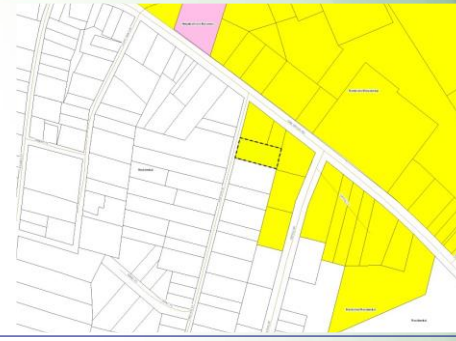
Chairman Gordon recognized Planning Director Chris Martin to present Planning Department case 23-14: request to rezone property at 392 Preyer Street from Restricted Residential (RR) to Residential (R). Parcel 22160, containing 0.45 acres, is located at 392 Preyer Street, intersecting Oak Grove Road east of Shelby. The applicant, Oz Realty, LLC, is requesting to rezone the property from Restricted Residential (RR) to Residential (R). The area to the north is zoned Restricted Residential (RR), and the area to the south is zoned Residential (R). The surrounding uses include single-family dwellings, manufactured homes, and some business uses along Oak Grove Road.

The Restricted Residential (RR) zoning district permits residences that meet the North Carolina residential building codes, while the traditional residential district permits those, as well as residences that comply with HUD manufactured housing standards. Both zoning districts permit non-residential uses such as churches, schools, public safety, and home businesses. The Land Use Plan designates this area as Primary Growth, expecting that this area east of Shelby around the future by-pass will see more dense development. The Planning Board voted unanimously to recommend approval of the rezoning request, citing compatibility with surrounding residential uses. The following information and PowerPoint were presented to the Commissioners.

Case 23-14
Rezoning RR to R
392 Preyer Street



Zoning Map



Zoning Districts



- **Current Zoning District: Restricted Residential**
 - Site built homes and modular homes.
 - Churches and schools.
- **Requested Zoning District: Residential**
 - Site built homes, modular homes, and manufactured homes.
 - Multifamily housing, libraries, and museums.

Aerial Map



Land Use Map



Planning Board Review



- The Board voted unanimously to recommend approval of the request
 - Compatible with the surrounding area
 - Continuation of existing district

Requested Board Action



- Public Hearing
- Approve
- Deny

Chairman Gordon opened the Public Hearing at 6:44 pm for anyone wanting to speak for or against case 23-14: request to rezone property at 392 Preyer Street from Restricted Residential (RR) to Residential (R). (*Legal Notice was published in the Shelby Star on Friday, June 23, 2023, and Friday, June 30, 2023*).

Hearing no comments, Chairman Gordon closed the Public Hearing at 6:45 pm.

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Whetstine, and unanimously approved by the Board to, ***approve the rezoning request at 392 Preyer Street from Restricted Residential (RR) to Residential (R), citing compatibility with the surrounding zoning.***

* Phyllis Nowlen

RECORDING FEE \$ 26.00

Doc No: 200091767
Recorded: 09/11/2023 09:28:39 AM
Fee Amt: \$26.00 Page 1 of 2
Cleveland County North Carolina
Betsy S. Hamage, Register of Deeds
BK 1906 PG 293 - 294 (2)

ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF CLEVELAND COUNTY

Restricted Residential to Residential
392 Preyer Street

Parcel 22160 – Owner: Oz Realty, LLC – Deed Book 1891 Page 30

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 June 27, 2023; 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 June 23 and 30, 2023, and notices were mailed to adjoining property owners on June 16, 2023 and a sign posted at the property on June 23, 2023; 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 July 11, 2023; 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 22160, described more below, from Restricted Residential to Residential.

BEGINNING at a stake on the east side of Preyer Street in in the northwest corner of lot 60 as shown in plat book 6 page 44 of the Cleveland County Registry, and runs thence with the east side of Preyer Street, North 13-30 East 100 feet to a stake, southwest corner of lot 57, thence with the east lines of lots 58 and 59, south 13-30 west 100 feet to a stake, northeast corner of lot 60, thence with the dividing line between lots 59 and 60, north 75-40 west 200 feet to the place of BEGINNING.

This Ordinance shall become effective upon adoption and approval.

Adopted this eleventh day of July, 2023

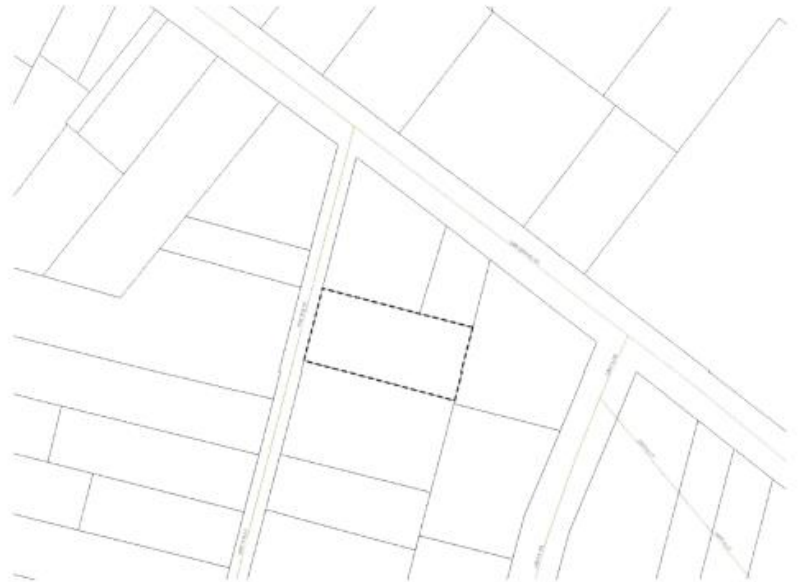
ATTEST:


Kevin Gordon, Chair
Cleveland County Board of Commissioners


Phyllis Nowlen, Clerk
Cleveland County Board of Commissioners

Restricted Residential to Residential
392 Preyer Street
Approximately 0.44 acres

• Parcel 22160 – Owner: Oz Realty, LLC – Deed Book 1891 Page 30



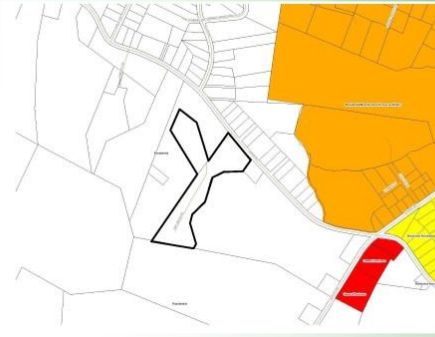
PLANNING DEPARTMENT CASE 23-15: REQUEST TO REZONE PROPERTY AT 414 DAVIS ROAD FROM RESIDENTIAL (R) TO NEIGHBORHOOD BUSINESS-CONDITIONAL USE (NB-CU) FOR A RECREATIONAL VEHICLE PARK EXPANSION

Planning Director Chris Martin remained at the podium to present Planning Case 23-15; a request to rezone property at 414 Davis Road from Residential (R) to Neighborhood Business – Conditional Use (NB-CU) for a Recreational Vehicle Park (RVP) expansion. Parcels 59068 and 55397, totaling 18 acres, is located at 414 Davis Road in Shelby. The applicants, James and David Gibson, are requesting to rezone Parcels 59068 and a portion of 55397 for the purposes of expanding an existing RV park. The Gibsons operate an existing RV Park with 30 permitted sites on parcel 59068 and want to add 20 additional sites to six acres of the adjoining parcel 55397 accompanying the conditional request, a supporting site plan has been submitted showing the expansion project development. The plan complies with standards in the county’s County Unified Development Ordinance (UDO) Section 12-161. The surrounding area consists of mostly larger tracks of land and single-family dwellings. The Land Use Plan designates this area as Secondary Growth, expecting to remain residential in nature. The Planning Board voted unanimously to recommend approval of the rezoning request, citing compatibility with the existing park and the surrounding area. The following information and PowerPoint were presented to the Commissioners.

Case 23-15 Rezoning R to NB-CU 414 Davis Road



Zoning Map



10

Rezoning Request



- Residential to Neighborhood Business Conditional Use
 - RV parks permitted in Neighborhood Business
 - Adding 20 RV spots to an existing RV park with 28 spaces.
- Property combination
 - Combining 12 acre parcel 59068 with a six acre section of parcel 55397.
 - 18 acres

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Site Plan



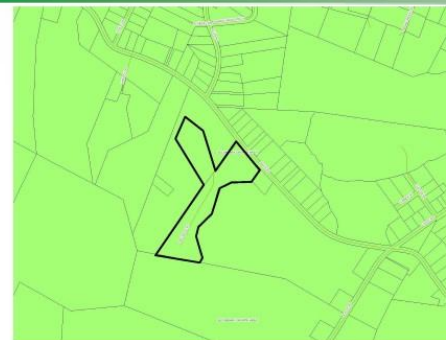
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Aerial Map



13

Land Use Map



14

Planning Board Review



- The Board voted **unanimously to recommend approval** of the rezoning request, commenting the proposed expansion is compatible with the property and area.

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Requested Board Action



- Public Hearing
- Approve as presented
- Approve with modifications
- Deny

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Chairman Gordon opened the floor to the Board for questions and discussion. Commissioner Hardin asked why the original RVP was in a Residential (R) zoning district. Mr. Martin explained that the existing park was established in Residential (R) zoning prior to the Commissioners changing zoning requirements requiring RVPs to be in Neighborhood Business (NB) and General Business (GB). If this were to be approved, the RVP would comply with the current code. Commissioner Bridges inquired if this were approved, would it be the largest RV park in the county? Mr. Martin was unsure of the answer. Commissioner Bridges then asked if there were any limitations on the number of RVPs allowed in the county. Mr. Martin replied that there was not a maximum number of RVPs, but there are density requirements calculating the number of people allowed per acre. Commissioner Hardin further inquired if the sites already on the property would meet the county's standards other than the current non-compliance; Mr. Martin replied that was correct.

Commissioner Hutchins asked if anyone from the Planning Department had been by this site recently to ensure the RVPs are being used as short-term sites and not long-term residences. The county continues to see an increase in RVPs becoming long-term residences. Those living year-round in the parks are using county resources such as schools, emergency medical services, fire, and solid waste, but they are not paying taxes that contribute to the funding of those services. Commissioner Hutchins stated he would like to see something in place to ensure there are no long-term residences in RV Parks.

Chairman Gordon opened the Public Hearing at 6:52 pm for anyone wanting to speak for or against Planning Case 23-15; request to rezone property at 414 Davis Road from Residential (R) to Neighborhood Business – Conditional Use (NB-CU) for a Recreational Vehicle Park (RVP) expansion (*Legal Notice was published in the Shelby Star on Friday, June 23 and Friday, June 30, 2023*).

James Gibson, 414 Davis Road, Shelby – is the applicant and spoke in favor of the rezoning request. He stated the RV Park is in compliance and has not had any notable issues at the park. He also gave a brief overview of the site plan for the park expansion.

Commissioner Hutchins asked Mr. Gibson if there were any long-term rentals at the park; Mr. Gibson advised that there were.

Nathan Mullinax, 120 Vallery Drive, Shelby – spoke in favor of the rezoning request advising those living in the park are contributing to the county, and this would be a temporary fix to the housing shortage problem in Cleveland County.

Cindy Bailey, 2546 Shoal Creek Church Road, Shelby – spoke neither for or against the rezoning request. She questioned if the expansion was approved, what would it do to the surrounding neighbor's property value. She also referenced the issue of the lack of taxes being paid by those residences.

Hearing no further comments, Chairman Gordon closed the Public Hearing at 6:58 pm.

Chairman Gordon opened the floor to the Board for questions and discussion. Commissioner Hutchins reiterated the point of no taxes, other than property tax, being paid and asked Mr. Martin what the difference was between short-term rental and long-term rental. Mr. Martin said there is no difference between the two in the county's UDO. Commissioner Bridges inquired if the proper notifications were done for this rezoning case; Mr. Martin replied that yes, they had. Commissioner Hardin asked for clarification, that the request and site plan meets the standards. Mr. Martin responded that it did meet the development standards, including road designs, landscaping, and setback requirements. Commissioners further discussed issues with RV Parks, such as the use of county services, length of stay, and taxes.

ACTION: Commissioner Bridges made a motion, seconded by Commissioner Hutchins, to deny the rezoning request to rezone property at 414 Davis Road from Residential (R) to Neighborhood Business – Conditional Use (NB-CU) for a Recreational Vehicle Park (RVP) expansion.

Commissioners voted 3-2 to deny the motion made by Commissioner Bridges.

ACTION: Commissioner Hardin made a new motion, seconded by Commissioner Whetstine, and approved by the Board (3 – 2 Commissioner Hutchins and Bridges opposed) to, ***approve the rezoning request to rezone property at 414 Davis Road from Residential (R) to Neighborhood Business – Conditional Use (NB-CU) for a Recreational Vehicle Park (RVP) expansion.***

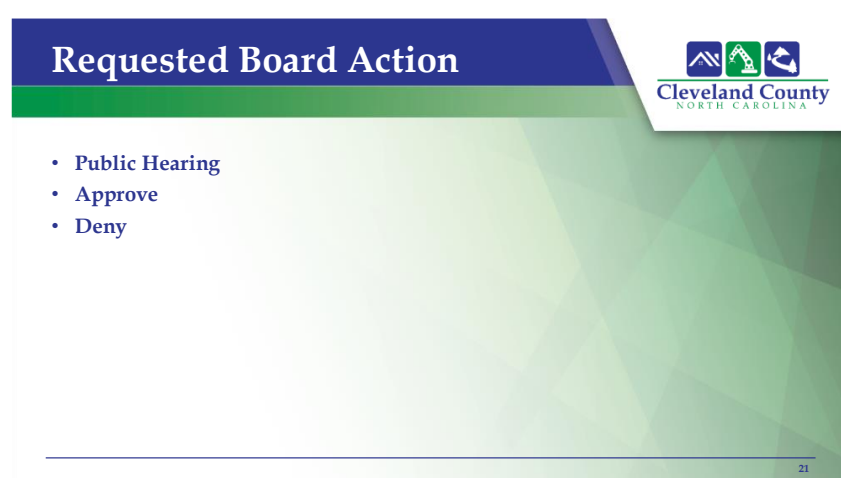
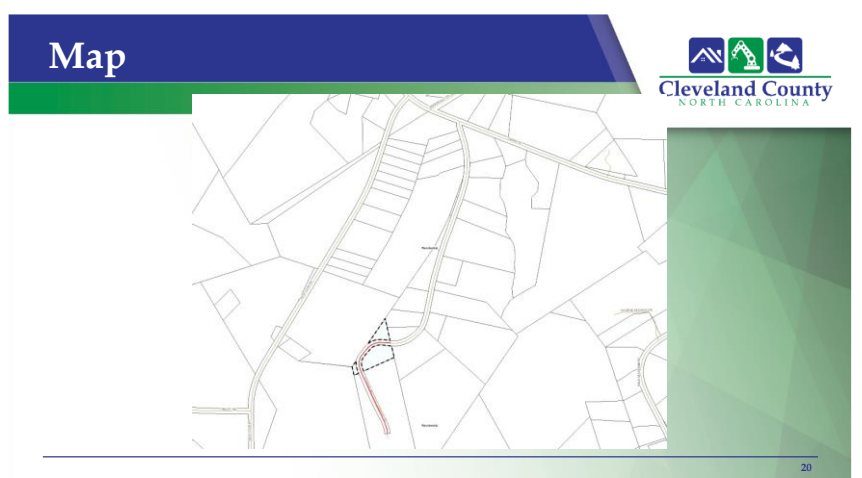
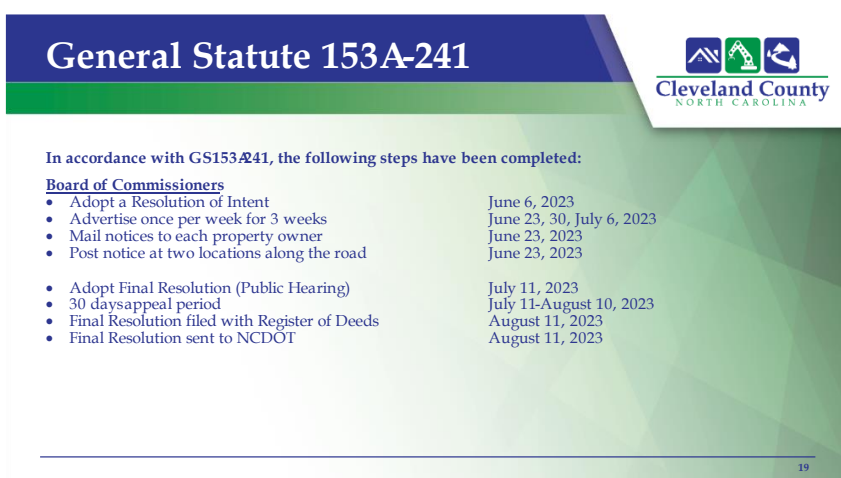
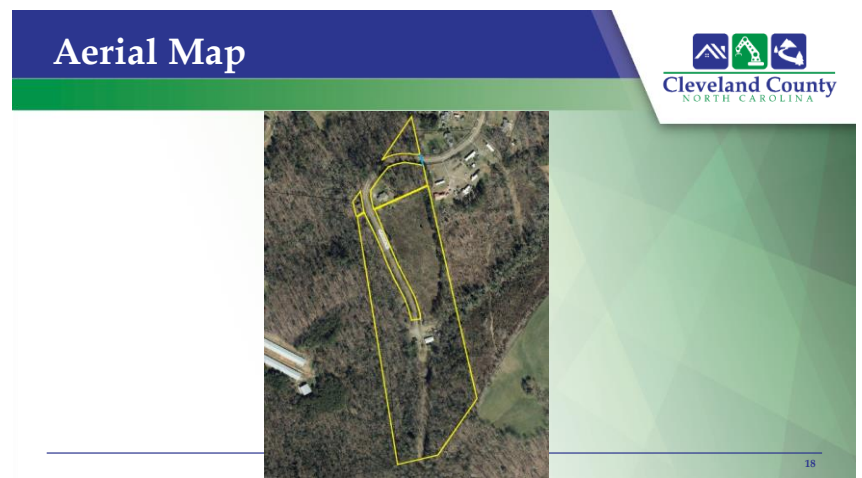
PLANNING DEPARTMENT: REQUEST TO ABANDON A PORTION OF THE PUBLIC RIGHT OF WAY ON HYWOOD DRIVE

Planning Director Chris Martin then presented the request to abandon a portion of the public right of way on Hywood Drive. The applicant, Kellie Bolce, owns parcels 37944 and 65157, along Hywood Road and has requested to abandon the right of way that begins at parcel 37944 and continues into parcel 65157.

The North Carolina Department of Transportation (NC DOT) has been notified of the request and has consented to the request moving through the abandonment process. In accordance with North Carolina General Statute §153A-241, the following notification steps have been completed:

- | | |
|---|---------------------------|
| • Adopt a Resolution of Intent | June 6, 2023 |
| • Advertise once per week for 3 weeks | June 23, 30, July 6, 2023 |
| • Mail notices to each property owner | June 23, 2023 |
| • Post notice at two locations along the road | June 23, 2023 |
| • Adopt Final Resolution (Public Hearing) | July 11, 2023 |
| • 30 days appeal period | July 11- August 10, 2023 |
| • Final Resolution filed with Register of Deeds | August 11, 2023 |
| • Final Resolution sent to NCDOT | August 11, 2023 |

The following information and PowerPoint were presented to the Commissioners.





Chairman Gordon opened the floor to the Board for questions and discussion. Commissioner Hutchins asked if the request to abandon a portion of Hywood Drive would affect any surrounding property owners. Mr. Martin explained that the neighbors who live by Ms. Bolce access their property at the west entrance of the road; this request would not impede on the neighbor's traffic flow or driveway entrance.

Chairman Gordon opened the Public Hearing at 7:09 pm for anyone wanting to speak for or against the request to abandon a portion of the public right of way on Hywood Drive. (*Legal Notice was published in the Shelby Star on Friday, June 23, 2023, Friday, June 30, 2023, and July 6, 2023*).

Hearing no further comments, Chairman Gordon closed the Public Hearing at 7:10 pm.

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Whetstine, and unanimously approved by the Board to, ***approve the request to abandon a portion of the public right of way on Hywood Drive.***





Resolution

15-2023

**Order To Abandon Public Right-Of-Way
Portion of Hywood Road**

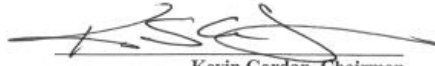
WHEREAS, the Cleveland County Board of Commissioners have received a petition from Kellie Boice requesting the abandonment of a portion of the public right-of-way of Hywood Road (approximately 0.2 miles), shown on the attached map.

WHEREAS, the mandates of North Carolina General Statute 153A-241 have been met regarding the proposed abandonment of the public right-of-way; and,

WHEREAS, the Cleveland County Board of Commissioners held a public hearing on July 11, 2023.


NOW THEREFORE, BE IT RESOLVED THAT, in accordance with North Carolina General Statute 153A-241, the Cleveland County Board of Commissioners do hereby order the abandonment of a portion of **Hywood Road**, and that a copy of this order be filed in the Office of the Register of Deeds.

ADOPTED THIS 11th DAY OF JULY, 2023


Kevin Gordon, Chairman
Cleveland County Board of Commissioners


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




Doc No: 200090799
Recorded: 08/15/2023 02:25:51 PM
Fee Amt: \$26.00 Page 1 of 2
Cleveland County North Carolina
Betsy S. Harnage, Register of Deeds
BK 1904 PG 1443 - 1444 (2)

REGULAR AGENDA

PLANNING DEPARTMENT CASE 23-10; REQUEST TO AMEND THE CLEVELAND COUNTY UNIFIED DEVELOPMENT ORDINANCE DEFINITIONS AND TABLE OF USES TO ALLOW MICROBREWERIES AS A PERMITTED USE IN THE RURAL AGRICULTURE (RA) DISTRICT

Chairman Gordon stated, “*Planning Department Case 23-10 is continued from the June 6, 2023, regular Commissioners’ meeting. A public hearing for citizen input was already held during the June 6th meeting. The application to rezone 932 Stoney Point Road from Residential (R) to Rural Agriculture (RA) has been withdrawn by the applicants.*”

Chairman Gordon called Planning Director Chris Martin to the podium to present Planning Department Case 23-10; request to amend the county's Unified Development Ordinance (UDO) definitions and Table of Uses to allow microbreweries as a permitted use in the Rural Agricultural (RA) zoning district.

The applicants, Phillip and Jillian Hidy are requesting to amend the Cleveland County UDO, Sections 12-21 (Definitions) and Section 12-124 (Table of Uses) to allow microbreweries as a permitted use in the Rural Agriculture (RA) zoning district. They have proposed the definition as follows:

- Micro-brewery – A craft brewery primarily engaged in the production of less than 15,000 barrels of craft beer per year.

Commissioners were reminded, at the May 29, 2023, Planning Board meeting, board members voted unanimously to recommend approval of the request to add microbreweries as a permitted use in the Rural Agriculture (RA) district with a zoning permit. The Board also voted unanimously to recommend adopting the definition of a microbrewery proposed by staff that includes the on-site services of beverages and food. The Planning Board heard the planning staff's review of the request and determined that the use of a microbrewery in the Rural Agriculture (RA) district was consistent with similar uses of a restaurant, winery and distillery, which are already permitted in that district.

At the Board of Commissioners June 6, 2023 meeting, Commissioners directed staff to present the request to the Planning Board again to evaluate the use of microbreweries in the General Business (GB) and Light Industrial (LI) zoning districts. At the Planning Board's June 27, 2023 meeting, the Board discussed microbreweries being permitted in the Rural Agriculture (RA) district and several others, including General Business (GB), Light Industrial (LI), Heavy Industrial (HI), and Neighborhood Business (NB). The Board noted that similar uses were already permitted in these districts.

Currently, breweries are categorized as beverage and tobacco product manufacturing in the UDO and permitted only in the Heavy Industrial district. The proposed amendment, if approved, will define and separate microbreweries from the beverage and tobacco product manufacturing category and allow them in the Rural Agriculture (RA) district with a zoning permit. The Rural Agriculture (RA) district allows residential uses, agriculture uses, agriculture-supporting uses, and due to the low density, some commercial uses. Similar uses permitted in the Rural Agriculture (RA) district include wineries and distilleries. Planning staff has reviewed and compared the proposal to other ordinances and suggested the following definition be considered:

- Micro-brewery – A brewery primarily engaged in the production of less than 15,000 barrels of beer per year. This establishment may also include on-site beverage and food services.

At their June 27, 2023 meeting, the Planning Board voted unanimously to recommend approval of the definition with staff's suggestions. The Board also voted unanimously to recommend adding microbreweries to the Heavy Industrial (HI), Light Industrial (LI), and General Business (GB) zoning districts with a zoning permit and to add it to the Neighborhood Business (NB) zoning district with a Special Use Permit.

Section 12-124 Table of Permitted Uses

MANUFACTURING		RA	RR	R	RM	NB	GB	CP	LI	HI
Food	31100								Z	Z
Beverage and Tobacco Products	31200									Z
Winery	31200	Z							Z	Z
Distillery	31200	Z								Z
Microbrewery	31200	Z				S	Z	Z	Z	Z

Accommodation and Food Services		RS	RR	R	RM	NB	GB	CP	LI	HI
Restaurant	72250	Z				Z	Z	Z	Z	
Bar/Tavern	72241					S	S	S	S	S

Section 12-21 Definitions

Microbrewery – A brewery primarily engaged in the production of less than 15,000 barrels of craft beer per year. This establishment may also include on-site beverage and food services.

The following information and PowerPoint were presented to the Commissioners.

Case 23-10
Text Amendment
Microbreweries

Amendment Text

Section 12-124: Table of Uses

MANUFACTURING	NAICS	RA	RR	R	RM	NB	GB	CP	LI	HI
Beverage and Tobacco Products	31200									Z
Winery	31200	Z							Z	Z
Distillery	31200	Z								Z
Microbrewery	31200	Z				S	Z	Z	Z	Z

Section 12-21: Definitions
Microbrewery: A craft brewery primarily engaged in the production of less than 15,000 barrels of craft beer per year.

Planning Board Review

- The Board voted unanimously to:
 - Add microbreweries to the Rural Agriculture zoning district
 - Approve the definition with the amendments staff proposed.
 - Microbrewery: A brewery primarily engaged in the production of less than 15,000 barrels of beer per year. This establishment may also include on-site beverage and food services.

Board of Commissioner Review

- The Board of Commissioners held a public hearing at its June 6, 2023 meeting.
- The Board voted unanimously to:
 - Refer to the Planning Board
 - Evaluate compatibility in General Business and Light Industrial zoning

Zoning Districts

- Rural Agriculture
 - Purpose:
 - accommodates agricultural and residential uses in the rural areas
 - maximum of one (1) dwelling per three (3) acres
 - limited number of nonresidential uses are also allowed in this district
 - restaurants, automobile dealerships, dry cleaners, auto repair, auto parts retail, etc.
 - Similar uses as microbreweries include:
 - wineries, restaurants, and distilleries

Zoning Districts

- General Business
 - Purpose - accommodates a wide variety of retail, business, professional, and personal services; office; and limited wholesale and warehousing uses.
 - Generally located on arterial streets with the capacity for additional commercial traffic.
 - Uses include printing, construction, grocery, clothing retail, furniture sales, florists, department stores, professional office space, trucking and transportation services.
 - Similar uses as microbreweries include restaurants

Zoning Districts

- Light Industrial
 - Purpose - accommodates limited manufacturing, warehousing, wholesaling, and related commercial and service activities which have little or no adverse impact upon adjoining residential, business and industrial properties.
 - Uses include solar facilities, specialty trade contractors, food, apparel and textile manufacturing, auto repair, building material retail, and warehousing and storage.
 - Similar uses include distilleries.

Planning Board Review

- Planning Board reviewed the rezoning request.
- The Board voted unanimously to recommend approval of the definition as presented, and recommended:
 - Permit microbreweries with a zoning permit in:
 - Rural Agriculture
 - General Business
 - Light Industrial
 - Heavy Industrial
 - Permit microbreweries with a Special Use Permit in:
 - Neighborhood Business

- Approve
- Deny
- Approve microbrewery definition and selected compatible zoning districts
 - RA - GB - NB - LI - HI

30

Chairman Gordon opened the floor to the Board for questions and discussion. Commissioners discussed at length the numerous allowances (51 in total) in the Rural Agriculture (RA) zoning district, which predates county-wide zoning. They agreed that the Rural Agriculture (RA) zoning allowances should be revisited and updated to reflect rural agricultural uses.

ACTION: Commissioner Whetstine made a motion, seconded by Commissioner Hutchins, to allow microbreweries in Rural Agriculture (RA), General Business (GB), and Light Industrial (LI) zoning districts.

Commissioners voted 3 – 2 to deny the motion made by Commissioner Whetstine.

ACTION: Commissioner Hardin made a new motion, seconded by Commissioner Bridges, and approved by the Board (3 – 2 Commissioner Hutchins and Whetstine opposed) to, *allow microbreweries in General Business (GB) and Light Industrial (LI) zoning districts. Direction was given to staff to take Rural Agricultural (RA) allowances back to the Planning Board for further review of allowable uses versus intent on rural agricultural zoning classifications.*

BOARD APPOINTMENTS

FOOTHILLS WORKFORCE DEVELOPMENT BOARD

ACTION: Commissioner Whetstine made the motion, seconded by Commissioner Bridges, and unanimously adopted by the Board, *to appoint Rhonda Benfield and Anthony Fogleman to serve as members of this board*, for a three-year term, scheduled to conclude on June 30, 2026.

JUVENILE CRIME PREVENTION COUNCIL

ACTION: Commissioner Bridges made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board, *to re-appoint Cathy Robertson and Phil Weathers and to appoint Jeff Ledford to serve as a member of this board* for a two-year term, scheduled to conclude on June 30, 2025.

SOCIAL SERVICES ADVISORY BOARD

ACTION: Commissioner Whetstine made the motion, seconded by Commissioner Bridges, and unanimously adopted by the Board, *to re-appoint Commissioner Deb Hardin and Danny Blanton and to appoint Jada Huss and Ashtin Dicochea to serve as members of this board*, for a four year term, scheduled to conclude June 30, 2027, *and to re-appoint Mary Accor to serve as a member of this board*, for a one-time appointment for a period of two-years, scheduled to conclude June 30, 2025.

GASTON CLEVELAND LINCOLN METROPOLITAN PLANNING ORGANIZATION (MPO)
REPRESENTATIVES

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board, *to appoint Commissioner Ronnie Whetstine as the primary representative and Commissioner Doug Bridges as the alternate representative members of this board*, for a three-year term, scheduled to conclude on June 30, 2026.

ADJOURN

There being no further business to come before the Board at this time, Commissioner Hardin made a motion, seconded by Commissioner Whetstine and unanimously adopted by the Board, *to adjourn*. The next meeting of the Commission is scheduled for *Tuesday, August 1, 2023 at 6:00 pm* in the Commissioners' Chambers.

Kevin Gordon, Chairman
Cleveland County Board of Commissioners

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