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

PRESENT: Susan Allen, Chairman  
Ronnie Whetstine, Vice-Chair  
Johnny Hutchins, Commissioner  
Doug Bridges, Commissioner  
Deb Hardin, Commissioner  
Brian Epley, County Manager  
Tim Moore, County Attorney  
Phyllis Nowlen, Clerk to the Board  
Kerri Melton, Assistant County Manager  
Chris Green, Tax Administrator  
Shane Fox, Chief Financial Officer  
Lorie Poston, E-911 Communications Director  
Jason Falls, LeGrand Center Director  
Allison Mauney, Human Resources Director  
Jane Shooter, Interim DSS Director  
Perry Davis, Emergency Management Director/ Fire Marshal  
Marty Gold, Information Technology Director  
Daryl Sando, Electronic Maintenance Director

CALL TO ORDER

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

AGENDA ADOPTION

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

SPECIAL PRESENTATION

Come Hear North Carolina Year of Music 2019: Chairman Allen recognized Mary Beth Martin, Executive Director of the Earl Scruggs Center and Brownie Plaster with Destination Cleveland County (DCC) to present Come Hear North Carolina Year of Music 2019. Ms. Plaster spoke about the 2006 creation of DCC and the purpose it continues today by serving the citizens of Cleveland County. She also talked about the proclamation issued from the governor’s proclaiming 2019 as the Year of Music in the state of North Carolina. Mrs. Martin advised the Earl Scruggs Center recently celebrated its five-year anniversary and informed the Board of the many upcoming concerts and events scheduled in the coming months to celebrate the Year of Music 2019. The Board thank Mrs. Martin, Ms. Plaster and the other members of DCC who were present for their contributions and continued service in keeping Cleveland County’s rich music history alive in the community.
Certified Entrepreneurial Communities Update: Chairman Allen called Steve Padgett, Director of the Small Business Center to the podium to give the Certified Entrepreneurial Communities (CEC) Update. The CEC program celebrated its second Anniversary in December 2018. Mr. Padgett continues to see an increase in the number of referrals and applications at the Small Business Center. He is working with the Isothermal Planning and Development Commission (IPDC) who has partnered with Mountain Biz Works, a financial business institution based in Asheville that is focusing on small business funding. Mr. Padgett sees Cleveland County as an entrepreneurial magnet for small businesses around the area which in turn will help build the county’s workforce and economy. He thanked the Board for their support and enthusiasm for the CEC program. The Board thanked Mr. Padgett for his continued vision and dedication in making the CEC a growing success.

CITIZEN RECOGNITION
No one registered to speak.

CONSENT AGENDA

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

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Hardin, and passed unanimously by the Board to, approve the minutes as written.
MONTHLY MANAGER’S REPORT

- The County has earned approximately $600,000 in Investment Income year to date through December 31, 2018.

- The County has received a total of $4,784,621 in local option sales tax for the first quarter of 2018-2019, this marks a 2% increase over the first quarter 2017-2018. Local option sales tax is received and recorded 3 months in arrears.

- The County CAFR has been approved by the LGC, with no comments or changes recommended. The external Auditor presentation is scheduled to be conducted at the February 5, 2019 Board of Commissioner meeting.

- The Finance Department has begun the annual budget process and will be distributing budget packets to operational departments on 1/15/19. Budget calendar with preliminary target dates are included.

TAX COLLECTOR’S MONTHLY REPORT

The Tax Collector provided Commissioners with the following detailed written report regarding taxes collected during December 2018.
The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during December 2018. The monthly grand total of tax abatements was listed as ($1,706.06) and monthly grand total for tax supplements was listed as $227,672.18.
**ACTION:** Commissioner Hutchins made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board, to approve the Abatements and Supplements and Pending Refunds/Releases as submitted by the Tax Assessor.

**SALE OF PARCEL 57279: 111 ALEXANDRA DRIVE, SHELBY**

The County owns parcel number 57279 located at 111 Alexandra Drive, Shelby, NC 28150. Brett and Mary Cohen have made an offer of $1,500.00 for this property. At its November 20, 2018 meeting, the Board of Commissioners proposed to accept this offer and authorized County staff to take the procedural steps required by statute to do so, including publication of the offer and an upset bid process. The required publication appeared in the Shelby Star on December 2, 2018, and the County received no upset bids.
**ACTION:** Commissioner Hutchins made a motion, seconded by Commissioner Hardin, and unanimously adopted by the Board to, approve the resolution authorizing the sale of Parcel #57279 to Brett and Mary Cohen for $1,500.00.

**SALE OF PARCEL 26815: 1203 CARTER ROAD, SHELBY**

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

**ACTION:** Commissioner Hutchins made a motion, seconded by Commissioner Hardin, and unanimously adopted by the Board to, approve the resolution authorizing the sale of Parcel #26815 to Frank and Mary Lawrence for $4,237.78.
REMOVAL OF SERVICE WEAPON FOR RETIRED DEPUTY JAMES BROOKS

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

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

REMOVAL OF SERVICE WEAPON FOR RETIRED DEPUTY DANIEL ASHLEY

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

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Hardin, and unanimously adopted by the Board, to approve the request to remove the service weapon from County inventory and issue to Deputy Daniel Ashley.
PLANNING DEPARTMENT: REZONING CASE 18-13 (Schedule Public Hearing for February 5, 2019)

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

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

KINGS MOUNTAIN INTER-LOCAL AGREEMENT CONCERNING BUILDING INSPECTORS

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

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

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

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

REGULAR AGENDA

CLEVELAND COUNTY HISTORICAL LANDMARKS

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

**CLEVELAND COMMUNITY COLLEGE PARKING LOT AGREEMENT**

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

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

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

Due to the increased number and size of solar facilities, staff received an increase in citizen comments about solar facilities. Cleveland County has more solar facilities than neighboring counties due to the following reasons:

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

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

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

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

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

<table>
<thead>
<tr>
<th>Name</th>
<th>Parcel #</th>
<th>Type</th>
<th>Value Exempted/Deferred</th>
<th>Fiscal Impact (Co. Only)</th>
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<tbody>
<tr>
<td>Kenny B. Rita Harris</td>
<td>2826</td>
<td>P/U</td>
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<td>Sugar Branch Farms, LLC</td>
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<td>Donna E. Bridges</td>
<td>62393</td>
<td>P/U</td>
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<td>Roberta K. Norah</td>
<td>4103</td>
<td>E/D</td>
<td>$25,000.00</td>
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<td>Randy R. Burleson</td>
<td>70522</td>
<td>E/D</td>
<td>$50,502.00</td>
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<td>Shirley Emery</td>
<td>48316</td>
<td>E/D</td>
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<td>Dorothy M. Wilemson</td>
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<td>Charlie Herron</td>
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<tr>
<td>Connie Kincard</td>
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<td>Johnnie Buff</td>
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<td>Linda Faye Brengle</td>
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<td>Betty Jean Ferri</td>
<td>55345</td>
<td>E/D</td>
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<td>Jerry R. Suggs</td>
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<td>Lucille L. Davis</td>
<td>25393</td>
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<td>Vickie Bates Lachey</td>
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<td>Sandra Johnson Blanton</td>
<td>70014</td>
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<td>Faye Gregory</td>
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<td>Jeannette A. Ross</td>
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<td>Jeannette B. Epps</td>
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<td>Lanny Ray Newton</td>
<td>23609</td>
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<td>Paula Smith</td>
<td>6295</td>
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<td>Linda M. Wright</td>
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<td>Telkanis J. Ruff</td>
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<td>Debbie Ann Matheson</td>
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<td>Joshua Randall Marlowe</td>
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<td>Laura’s Homes of North Carolina</td>
<td>55840</td>
<td>Charitable</td>
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</table>

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

COMMISSIONER REPORTS

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

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

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

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

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

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

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

________________________________________
Susan Allen, Chairman
Cleveland County Board of Commissioners

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