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  
Deb Hardin, Vice-Chair  
Johnny Hutchins, Commissioner  
Ronnie Whetstine, Commissioner  
Doug Bridges, Commissioner  
Tim Moore, County Attorney  
Brian Epley, County Manager  
Phyllis Nowlen, Clerk to the Board  
Kerri Melton, Assistant County Manager  
Sherry Lavender, Tax Assessor  
Allison Mauney, Human Resources Director  
Scott Bowman, Maintenance Director

**CALL TO ORDER**

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

Director of Business Services Brandon Ruppe provided the invocation and led the audience in the Pledge of Allegiance.

**AGENDA ADOPTION**

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

**SPECIAL PRESENTATION**

**RECOGNITION OF THE LONG LEAF PINE AWARD – MARY ACCOR**

Members of the Omega Sigma Omega sorority presented Mary Accor with the prestigious Long Leaf Pine Award. They spoke about Mrs. Accor’s ongoing work with the youth, church, local non-profits and the community. The Board thanked Mrs. Parker for her continued dedication and contributions to the citizens of Cleveland County. Commissioners presented Mrs. Accor with the following proclamation:
CONSENT AGENDA

APPROVAL OF MINUTES

The Clerk to the Board included the Minutes from the October 4, 2022 regular Commissioners’ meeting 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.

TAX COLLECTOR’S MONTHLY REPORT

The Tax Collector provided Commissioners with the following detailed written report regarding taxes collected during September 2022.
TAX ABATEMENTS AND SUPPLEMENTS AND PENDING REFUNDS/RELEASES

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during September 2022. The monthly grand total of tax abatements was listed as ($95,670.14) and the monthly grand total for tax supplements was listed as $8,914,818.49. $6,551,927,068 in real property value and $2,282,534,162 business personal property value was added, causing the levy to increase and the collected amount to be lower.

FINANCE DEPARTMENT: BUDGET AMENDMENT (BNA #017)

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

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Project Code</th>
<th>Department/Account Name</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>495.251.4.980.44</td>
<td>Cap Proj-CCHD Erosion Con/Contributions from Reim Resolu</td>
<td>$400,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>495.251.5.991.00</td>
<td>Cap Proj-CCHD Erosion Con/Construction in Progress</td>
<td>$400,000.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Explanation of Revisions: Budget allocation for $400,000 in funds received from Reimbursement Resolution for Cleveland County Health Department Erosion Control and Repair.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #018)

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

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Project Code</th>
<th>Department/Account Name</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>012.548.5.540.96</td>
<td>CODAP-COVID PATH/Contracted Revenue</td>
<td>$19,897.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>012.548.5.121.00</td>
<td>CODAP-COVID PATH/Salaries-Reg</td>
<td>$10,683.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>012.548.5.410.96</td>
<td>CODAP-COVID PATH/Travel-Training</td>
<td>$309.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>012.548.5.490.96</td>
<td>CODAP-COVID PATH/Educ-Train-Cert</td>
<td>$8,905.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Explanation of Revisions: Budget allocation for $19,897 in additional funds received from the North Carolina Department of Health and Human Services as part of the Substance Abuse Prevention and Treatment Block grant.
for FY 2023. These funds will be used to support evidence-based substance abuse prevention education programming for students as well as provide training for employees and community partners.

**HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #019)**

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

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Project Code</th>
<th>Department/Account Name</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>012.548.4.310.48</td>
<td></td>
<td>CODAP-DFC/Federal Govt Grant -DFC</td>
<td>$47,949.00</td>
<td></td>
</tr>
<tr>
<td>012.548.5.210.48</td>
<td></td>
<td>CODAP-DFC/Departmental Supply</td>
<td>$480.00</td>
<td></td>
</tr>
<tr>
<td>012.548.5.310.48</td>
<td></td>
<td>CODAP-DFC/Travel-Training</td>
<td>$10,492.00</td>
<td></td>
</tr>
<tr>
<td>012.548.5.311.48</td>
<td></td>
<td>CODAP-DFC/Educ-Train-Cert</td>
<td>$1,300.00</td>
<td></td>
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<tr>
<td>012.548.5.370.48</td>
<td></td>
<td>CODAP-DFC/Advertising-Promotions</td>
<td>$21,973.00</td>
<td></td>
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<tr>
<td>012.548.5.411.48</td>
<td></td>
<td>CODAP-DFC/Rental of Space/Bldg</td>
<td>$800.00</td>
<td></td>
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<tr>
<td>012.548.5.460.48</td>
<td></td>
<td>CODAP-DFC/Subscriptions-Dues</td>
<td>$504.00</td>
<td></td>
</tr>
<tr>
<td>012.548.5.490.48</td>
<td></td>
<td>CODAP-DFC/Professional Services</td>
<td>$12,400.00</td>
<td></td>
</tr>
</tbody>
</table>

**Explanation of Revisions:** Budget allocation for $47,949 in grant funds received from the North Carolina Department of Health and Human Services, for 9th-year Drug Free Communities (DFC) activities. These funds will be used towards operating expenses for activities laid out in the grant proposal for FY 22-23.

**PLANNING DEPARTMENT: REQUEST TO SET A PUBLIC HEARING FOR TUESDAY, NOVEMBER 1, 2022 FOR CASE 22-30; REQUEST TO AMEND SECTION 12-161 OF THE CLEVELAND COUNTY UNIFIED DEVELOPMENT ORDINANCE**

At the Commissioners’ September work session, direction was given to staff to evaluate separation standards for RV Parks to address development density. Staff has drafted a proposed ordinance and will present it to the Planning Board on October 25, 2022. The proposal addresses density, method of measurement, and application of the ordinance. Separation requirements have previously been a standard in the county’s Unified Development Ordinance (UDO) and were eliminated after the zoning districts RV Parks were allowed in were limited to only the business districts.

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

**LEGAL DEPARTMENT: SALE OF COUNTY OWNED PROPERTY PARCEL 22052**

Parcel 22052 is county owned property located at 281 Light Oak Circle, Shelby. The vacant tract comprises 0.1538072 acres in a residential area and may be too small to construct a dwelling. Cleveland County acquired this property through foreclosure proceedings in 2009 and incurred fees in the amount of $4158.79 for accrued unpaid taxes, interest and county costs. The upset bid process was completed, the offer of $1801.00 made by Georgia Kee is $2,386.00 less than the County costs and $104.00 more than the tax value. This bid is the highest received in 13 years and would place the property back on the tax rolls.

**ACTION:** Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and unanimously approved by the Board to, **approve or deny the offer made on parcel 22052, authorize County staff to prepare a deed to sell this parcel to Georgia Kee to be signed by Chair Gordon and delivered to Georgia Kee upon payment.**
At their September 2022 work session, the Board of Commissioners directed staff to repeal the fees for the registration of animals enacted by the Board at its February 2022 work session. The proposed ordinance would accomplish the repeal. At its October 4, 2022, regular meeting, only four commissioners were in attendance, and therefore the ordinance could not pass on the first reading.
**ACTION:** Commissioner Hardin made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, **approve the second reading of the repeal of animal licensing fees.**

**AN ORDINANCE REPEALING THE FEE PROVISIONS OF CLEVELAND COUNTY’S REGISTRATION REQUIREMENTS FOR COMPANION ANIMALS**

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF CLEVELAND IN REGULAR SESSION ASSEMBLED:

The following changes are hereby made to Chapter 3 of the Cleveland County Code of Ordinances. These changes shall be considered effective on the date that this ordinance is approved by the Cleveland County Board of Commissioners. Additions are indicated by underlined blue text, and deletion are indicated by strike-through blue text. County staff are also directed to update the County’s fee schedule to reflect the repeal of the registration fees enacted herein.

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**Sec. 3-136. Definitions.**

The following definitions apply in this section:

1. *Adoption center* is the Cleveland County Animal Services Adoption Center.
2. *Board* is the Cleveland County Board of Commissioners.
3. *Companion animals* are tamed and domesticated dogs and cats that are kept by a person for company and enjoyment.
4. *Director* is the Director of Cleveland County Animal Services.
5. *Department* is the Cleveland County Animal Services Department.
6. *Nonresident or nonresidents* means visiting animal owners who remain temporarily within Cleveland County for a period of thirty (30) days or less who do not intend to reside within the County permanently.
7. *Registration fee* or *registration fees* means annual privilege license tax, as authorized by G.S. § 153A-152-Reserved.
8. *Registration tags* are tags obtained from Cleveland County for the purpose of companion animal identification.

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**Sec. 3-137. Registration requirement for companion animals.**

(a) Any owner who owns or keeps, in Cleveland County, a dog or cat four (4) months of age or older shall have such dog or cat registered by and in Cleveland County and shall obtain and keep a current registration tag. Each owner of a dog or cat shall obtain a Cleveland County registration tag within thirty (30) days after the dog or cat has been vaccinated against rabies. A separate registration tag shall be issued for each dog or cat. Failure to obtain the registration tag within the time frame provided herein shall be a violation of this article, and the owner of the dog or cat shall be subject to civil citation as described in section 3-29(a)(1).

A registration tag for a dog or cat shall consist of a tag suitable for attachment to the animal's collar or harness. The director shall design an appropriate registration tag and shall issue the tag through authorized representatives.

(b) Any nonresident who brings a dog or cat four (4) months of age or older into Cleveland County with the intent to reside within the county permanently shall have such dog or cat registered by and in Cleveland County within thirty (30) days after arrival.

(c) The registration tag required by this section shall be renewed annually by the owner of the dog or cat by paying the registration fee and providing documentation that said dog or cat has a current rabies vaccination. If an animal has received a rabies vaccination that is valid for three (3) years, a three (3) year registration tag may be purchased obtained. The cost to purchase a tag shall be five dollars ($5.00) for a one year registration and ten dollars ($10.00) for a three year registration.

(d) The board shall include the registration fees to be charged for registration tags on its schedule of fees adopted pursuant to section 4-22. Registration fees collected that exceed the cost to maintain the registration programs shall be deposited in the animal services trust fund to be used for sterilization and other life-saving programs, as determined by the director-Reserved.

(e) The cost of an animal’s first registration tag will be included in the adoption fee for animals adopted from the adoption center-Reserved.

(f) In the event a registration tag is lost, stolen, or destroyed, a replacement tag shall be distributed by the director or designate upon presentation of the corresponding registration license and payment of the appropriate fee.

(g) The Cleveland County registration tag shall be worn by the dog or cat at all times, subject to the exceptions in this subsection (g).

1. When the dog or cat is participating in an organized exhibition, field trial, or competition, or is in training for these events, or is engaged in a legal sport under supervision of its owner, or is undergoing grooming; or
2. When the dog or cat is confined in a licensed kennel, grooming facility, or a veterinary hospital, in which case the registration tag number shall be recorded and readily identifiable with the dog or cat to which it belongs. If the animal is not registered, the facility shall clearly indicate such on its records; or
3. When a licensed veterinarian orders in writing that the registration tag, collar, or harness be removed for the dog's or cat's health, in which case the dog or cat shall be confined in a building, kennel, or secure enclosure until the veterinarian permits the collar, harness, or registration tag to be placed on the dog or cat; or
4. When an outdoor cat has a microchip that is registered through the microchip manufacturer and the department indicating the owner's current name, address, and phone number.

(h) It shall be a violation of this chapter for any person to use or possess a stolen, counterfeit, or forged registration tag, rabies vaccination certificate, or any other documentation required by or issued pursuant to this section.
(i) It shall be a violation of this chapter for owners to fail to register an implanted microchip with the manufacturer of the microchip and the department. The owner shall have thirty (30) days to cure and register the microchip without penalty after notice by the Department.

(j) Unless otherwise provided, any provision of this subsection shall be punishable by civil citation as described in section 3-29(a)(l).

(k) The requirements of this article shall take effect on January 1, 2023.

REGULAR AGENDA

CLEVELAND COUNTY LABOR MARKET

Chairman Gordon recognized the Cleveland County Economic Development Partnership Business Services Director Brandon Ruppe to present information regarding the labor market in Cleveland County. Mr. Ruppe reviewed the county’s labor force including key considerations of who is and isn’t included in the labor market statistics such as retirees, caretakers and stay-at-home parents/guardians. The following information and PowerPoint were presented to the Commissioners.
CLEVELAND COUNTY CONSTRUCTION UPDATES

Chairman Gordon called Facilities Project Manager Blake Myers to the podium to present updates on the county’s current capital projects. One of the first projects reviewed was the Health Department and Social Services colocation. Phase I has been completed and child support services are expected to move to their new offices in November 2022. Project completion with full department move-in is expected in early 2023.

The second capital update included several public safety locations including the Justice Center and the Communications Center. Other projects reviewed included the Board of Elections, Shell Building IV, the Doran Mill site and the Foothills Shooting Complex. The following information and PowerPoint were presented to the Commissioners.
ADJOURN

There being no further business to come before the Board at this time, Commissioner Hardin made a motion, seconded by Commissioner Hutchins and unanimously adopted by the Board, to adjourn. The next meeting of the Commission is scheduled for Tuesday, November 1, 2022 at 6:00 p.m. in the Commissioners Chambers.

Kevin Gordon, Chairman
Cleveland County Board of Commissioners

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