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

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

**CALL TO ORDER**

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

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

**AGENDA ADOPTION**

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

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

**CITIZEN RECOGNITION**

- **Robert Williams, 814 E. Stagecoach Trl, Lawndale** – spoke about his concerns regarding the amount of lawsuits against Cleveland County Government.
- **Randy McDaniel, 830 Dixon School Road, Kings Mountain** – spoke about the importance of agriculture communities in Cleveland County.
- **Malarie Thompson, 5807 Oak Grove Church Hill Road, Lawndale** – is a farmer in Upper Cleveland and spoke about the significance of preserving farmland in Cleveland County.
- **Andrew White, 5170 North Lee Road, Shelby** – is a farmer in Cleveland County and echoed Mr. McDaniel and Ms. Thompson’s comments regarding farming in the county.
CONSENT AGENDA

APPROVAL OF MINUTES

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

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

TAX COLLECTOR'S MONTHLY REPORT

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

<table>
<thead>
<tr>
<th>TAX COLLECTOR'S MONTHLY REPORT</th>
</tr>
</thead>
<tbody>
<tr>
<td>TAX ABATEMENTS AND SUPPLEMENTS AND PENDING REFUNDS/RELEASES</td>
</tr>
</tbody>
</table>

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during October 2021. The monthly grand total of tax abatements was listed as ($109,897.39) and monthly grand total for tax supplements was listed as $67,823.16.

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

EMERGENCY MEDICAL SERVICES: BUDGET AMENDMENT (BNA #019)

ACTION: Commissioner Whetstine made a motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board to, approve the following budget amendment:
SOCIAL SERVICES: BUDGET AMENDMENT (BNA #020)

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

<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>010.437.4.350.00</td>
<td>93889-SMAT322</td>
<td>Public Safety Grants/State Govt Grants</td>
<td>$3,391.00</td>
<td></td>
</tr>
<tr>
<td>010.437.5.211.00</td>
<td>93889-SMAT322</td>
<td>Public Safety Grants/Controlled Property Exp</td>
<td>$3,391.00</td>
<td></td>
</tr>
</tbody>
</table>

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

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #021)

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

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</thead>
<tbody>
<tr>
<td>011.504.4.310.00</td>
<td></td>
<td>Title XX/Federal Govt Grants</td>
<td>$16,362.00</td>
<td></td>
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<tr>
<td>011.504.5.420.00</td>
<td></td>
<td>Title XX/Contracted Services</td>
<td>$16,362.00</td>
<td></td>
</tr>
</tbody>
</table>

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

FINANCE DEPARTMENT: BUDGET AMENDMENT (BNA #022)

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

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</thead>
<tbody>
<tr>
<td>012.548.4.540.96</td>
<td></td>
<td>CODAP/Federal Govt Grants PATH COVID</td>
<td>$56,038.00</td>
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<tr>
<td>012.548.4.210.96</td>
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<td>CODAP/Departmental Supply</td>
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<tr>
<td>012.548.5.310.96</td>
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<td>CODAP/Travel-Training</td>
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<td>012.548.5.311.96</td>
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<td>CODAP/Educational-Training</td>
<td>$1,817.00</td>
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<tr>
<td>012.548.5.370.96</td>
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<td>CODAP/Advertising-Promotions</td>
<td>$5,340.00</td>
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<td>012.548.5.411.96</td>
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<td>CODAP/Rental of Space-Building</td>
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<tr>
<td>012.548.5.460.96</td>
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<td>CODAP/Subscriptions-Dues</td>
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<td>012.548.5.581.96</td>
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<td>CODAP/Awards-Incentives</td>
<td>$5,684.00</td>
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<tr>
<td>012.548.5.910.96</td>
<td></td>
<td>CODAP/Capital Equipment</td>
<td>$1,500.00</td>
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*Explanation of Revisions: Budget allocation for $56,038 in additional funds received from North Carolina Department of Health and Human Services as part of the Substance Abuse Prevention and Treatment Block Grant. These funds will be used to support evidence-based substance use prevention education programming for elementary school students and provide training to Health Department and community partner employees in the Community Resiliency Model (CRM) and Project Based Learning.*

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

Per North Carolina General Statute 158-7.1 (c), any appropriation or expenditure pursuant to this section (158-7.1) must be approved by the county after a public hearing.
• B&S Butler Properties LLC has made application for participation in the Small Business Investment Grant Program. Under the program, a qualifying net new investment of $50,000 to $1,000,000 would be eligible for a grant equal to 50% of taxes paid on the new taxable investment for three years. The applicant has met the listing and investment requirements. Taxes have been paid and there are no unresolved appeals.

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

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

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

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

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

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

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

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

North Carolina General Statute § 153A-176 authorizes the County to dispose of property according to the procedures proscribed in Chapter 160A, Article 12 of the General Statutes. One of those procedures is found in North Carolina General Statute § 160A-269. Under that statute, the County may receive an offer to purchase property and advertise it for upset bids. Commissioners previously authorized, using this procedure, to solicit upset bids on the sale of this among other properties and instructed staff to solicit bids sufficient to cover costs or at least 50% of tax value whichever is greater, by prior resolution. The bid is in a sum sufficient to satisfy the County’s costs and prior unpaid taxes.
ACTION: Commissioner Whetstine made a motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board to, approve the offer made on parcels 27395 & 27398 and authorize County staff to prepare a deed to sell those parcels to the offeree, for the agreed upon price.

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

1. The Board of Commissioners agrees to sell the real property identified as parcel parcels 27395 and 27398, located at 130 Greer St and 329 Green Street, in Shelby, NC, respectively, for the sum of $3073.51, to make ready or similar check to be presented within thirty days, and authorize Chair Doug Bridges to sign a quitclaim deed for parcel 27395 on the offeree upon payment of the agreed upon price. 

Adopted this 16th day of November, 2021.

Douglas Collins, Chairman

Cleveland County Board of Commissioners

ATTEST:

Phyllis Wyrick, Clerk
Cleveland County Board of Commissioners
LEGAL DEPARTMENT: RETENTION SCHEDULES

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

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

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

**REGULAR AGENDA**

**AGRICULTURE IN CLEVELAND COUNTY**

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

The Foothills Farmers’ Market provides 70+ farmers with direct access to a viable retail market for fresh produce, farm-raised meats and eggs, and value-added food products. More than 20,000 shoppers visit the market each season. As the result of rapid and sustained growth since 2010, the market now operates year-round. The local livestock barn brokers the sale of 600+ cattle per week, facilitating about $400,000 in revenue each week to farmers and the region’s economy. Cleveland County ranks 6th in the state in total head of cattle and ranks seventh in the state in total hay production. Despite some losses and downward trends over time, agriculture remains a strong and resilient industry in Cleveland County. The following information was presented to Board Members.
Farm Overview, 2017 and change since 2012

Update on Cleveland County Agriculture

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

Farmland Loss...

Cleveland County lost more than 3,000 acres of farmland between 2012 and 2017. The next USDA Census of Agriculture will likely show that this trend has accelerated over the past 5 years. Productive farmland is being lost to the sale of small parcels developed for single-family housing. However, a substantial increase in large subdivision projects occurred in 2020 and 2021, especially in the Kings Mountain area.

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Low commodity prices, difficulty securing rented land, and limited marketing options reduced field crop revenues. A&R Grain Company in Shelby opened and began buying grain from local farmers in 2016. They help market grain produced on more than 200 local farms, generating sales of nearly $6 million each year. Lowering transportation costs helps boost field crop profits.
The Workforce...

Total Producers: 1,543
Percent of farms that:
- Are family farms: 97%
- Hire outside farm labor: 10%

Take home messages...

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

Cleveland County, North Carolina, 2017
Market Value of Agricultural Products Sold

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<tr>
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<td>32</td>
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<td>Livestock</td>
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<td>1,570</td>
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Chairman Bridges opened the floor to the Board for questions and discussion. Commissioners spoke of their appreciation of the farmers and agricultural communities in Cleveland County. The following proclamation was presented to Mr. Traywick and members of the Agricultural Community who were in attendance.

TIME KEEPING POLICY

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

**Operational Systems**

- LEAN Principles
- Systems Planning
- Resource Re-Alignment/Re-Utilization

**Efficiency Improvements**
- Approximately 20 people’s primary role in the organization is managing time sheets
- Improving operational efficiencies

**Accuracy**
- Continued RISA management for employees
- Increasing transparency for those worked with employees

**Consistency & Uniformity**
- Simplifying the organization with one timekeeping system
- Open communication between Human Resources, and Human Resource

### Implementation Schedule

- **January 13**
  - Commissioner’s Meeting
- **January 26**
  - Siloed Meeting with Vendor
- **Jan.-March**
  - Bridges built with Plantwide RISI to departments
- **March-July**
  - Division to TOP

### Encountered

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

### Roles and Responsibilities

- Organizational Vision
- Implementation
- Strategic Planning
- Policy Execution
- Performance Mgt
- Program Operations
- Fiscal Management

- **Corporate Governance:** Major Legal / Regulatory Employment of CEO
- **Community Liaison:**
- **Board Responsibility:**
- **Shared Responsibility:**
- **Staff Responsibility:**

### Systems Planning

**Technology Systems**

- Physical Capital Systems
- Human Capital Systems

**Project Development**

- **2018**
  - Transition to NPS
- **2019**
  - 26 pay periods
  - Standard work week
  - Project in areas
- **September 8**
  - Electronic Timekeeping System
- **October**
  - Vendor researched
  - RISA developed
- **November**
  - CWS opened for submissions
  - 5 bids submitted
  - Vendor product demonstrations

- **December 4**
  - Top 5 bids identified
- **December 11**
  - Non-regulation directive checks
- **December 18**
  - Vendor following
- **January 5**
  - Electronic Timekeeping Committee approval

### Culture Investment

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

### Resource Allocation

- **Supervision Support**
- **Training**
- **Policy/Development**
- **System Configuration**
Organizational Consistency

TRANSITION FROM 207K

FLSA
FAIR LABOR STANDARDS ACT

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

Peer Comparisons
28-DAY CYCLE

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

Question to Consider?

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

Overtime Exemption
207K

- 1974 established 207K Overtime Exemption
  - Fire
  - Law Enforcement

  - Work Period
    - 28-days
    - 168 hours

  - Exemption decided by organization

207K to Standard

- Alignment with organization
- Real-time report of overtime and time worked
- Simplicity with electronic timekeeping
- Increase in compensation
Chairman Bridges opened the floor to the Board for questions and discussion. Commissioners thanked Mr. Epley, Sheriff Norman and everyone that was involved with the proposed policy transition for their hard work and due diligence that was involved.

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

**BOARD APPOINTMENTS**

**CLEVELAND COUNTY AGRICULTURAL ADVISORY BOARD**

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

**CLEVELAND COUNTY HISTORIC PRESERVATION COMMISSION**

**ACTION:** Commissioner Whetstine made the motion, seconded by Commissioner Gordon, and unanimously adopted by the Board, **to re-appoint Joel Rountree and Leon Martin to serve as members of this board,** for a period of four-years, scheduled to conclude December 31, 2025.
ACTION: Commissioner Hardin made the motion, seconded by Commissioner Gordon and unanimously adopted by the Board, to re-appoint Doug Lawing to serve as a member of this board for a period of three-years, scheduled to conclude December 31, 2024.

ADJOURN

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

________________________________________
Doug Bridges, Chairman
Cleveland County Board of Commissioners

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