

CLEVELAND COUNTY BOARD OF COMMISSIONERS

April 19, 2005

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: Ronald J. Hawkins, Chairman
Jerry L. Self, Vice-Chairman
Mary S. Accor, Commissioner
Johnny Hutchins, Commissioner
Willie B. McIntosh, Commissioner
David C. Dear, County Manager
Robert Yelton, County Attorney
Wanda Crotts, CMC, County Clerk
Sherry Evans, County Manager's Office
Bill McCarter, Planning Director
Eddie Bailes, Human Resources Director
Chris Crepps, Finance Director
Chris Green, Tax Assessor
Alex Caban, Cleveland Headline News
Joy Scott, The Star
Robert Williams, Citizens for Good Government
Other individual names on file in the Clerk's Office

CALL TO ORDER

Chairman Hawkins called the meeting to order, led the audience in the "Pledge of Allegiance" to the flag of the United States of America and provided the invocation for the meeting.

AGENDA ADOPTION

ACTION: Willie McIntosh made the motion, seconded by Jerry Self, and unanimously adopted by the Board, to *adopt the agenda as presented by the County Clerk.*

CONSENT AGENDA

APPROVAL OF MINUTES

There being no corrections, additions, or deletions to the Minutes of *April 5, 2005*, motion was made by Mary Accor, seconded by Willie McIntosh, and unanimously adopted by the Board, to *approve the minutes as written.*

TAX COLLECTOR'S REPORT

The Tax Collector provided a written summary of tax collections during the month of *March 2005* (copy found on Page _____ of Minute Book 28).

SOCIAL SERVICES: BUDGET AMENDMENT (BNA #56)

ACTION: Mary Accor made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to *approve the following budget amendments.*

<i>Account Number/Project Code</i>	<i>Department/Account Name</i>	<i>Increase</i>	<i>Decrease</i>
011.519.4.310.00/93568-P372	Public Assistance/Fed. Gov. Grants	\$19,329.	
011.519.5.512.05	Public Assistance/Crisis	19,329.	

Explanation of Revisions: *To accept additional Crisis Intervention funds for FY 04/05.*

THIRD PARTY PASS THRU: BUDGET AMENDMENT (BNA #57)

ACTION: Mary Accor made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to ***approve the following budget amendments.***

<u>Account Number/Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
010.432.4.350.00/08300-5432	3 rd Party Pass Thru/State Govt. Grant	\$ 2,750.	
010.432.5.700.00/08300-5432	3 rd Party Pass Thru/Grants	2,750.	

Explanation of Revisions: To approve funding from NCDOT for a reimbursement agreement consisting of the resurfacing of the driveway at Waco Volunteer Fire Department on NC-150 in Cleveland County. NCDOT agrees to reimburse the Waco VFD once paving is completed.

SHERIFF'S OFFICE: BUDGET AMENDMENT (BNA #58)

ACTION: Mary Accor made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to ***approve the following budget amendments.***

<u>Account Number</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
010.440.4.810.00	School Resource Officer/Contributions-Donations	\$ 1,000.	
010.440.5.790.41	School Resource Officer/Donations-CC DARE	1,000.	

Explanation of Revisions: Budget funds received from Wal-Mart that were donated to purchase DARE materials and/or provide incentives and awards to recognize employees for their efforts to the department and the community they serve.

WORKERS COMPENSATION: BUDGET AMENDMENT (BNA #59)

ACTION: Mary Accor made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to ***approve the following budget amendments.***

<u>Account Number</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
060.650.4.991.00	Workers Comp/Fund Balance Approp	\$60,000.	
060.650.5.586.00	Workers Comp/Insurance-Legal Settlement	60,000.	

SHERIFF'S OFFICE: REQUEST TO INCREASE FINGERPRINTING FEES

ACTION: Mary Accor made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to ***approve the increase of fingerprinting fees from \$5.00 to \$10.00 to help offset some of the cost of supplies for the fingerprint machine and associated manpower with providing this service.***

ALLTEL LEASE AGREEMENT

ACTION: Mary Accor made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to ***approve the contract agreement found on Pages _____ of Minute Book 28.***

RECOGNITION: THE STAR SPELLING BEE WINNERS 2005

Commissioners presented a plaque to Yeeva Cheng (*Shelby Middle School*) honoring her for winning *The Star* Spelling Bee 2005. John Hoyle (*Crest Middle School*) also received a plaque for being first runner up. The following students received a certificate of recognition for their participation as finalist:

Justin Chapman (*Bethware Elementary*)
Aaron Melton (*Boiling Springs Elementary*)
Ivy Heavner (*Burns Middle*)
Ben Gantt (*Casar Elementary*)
Jacob Ingram (*East Elementary*)
Shane Tolbert (*Elizabeth Elementary*)
Carter Dover (*Fallston Elementary*)
Eric Jenkins (*Grover Elementary*)
Abbie Lynch (*Kings Mountain Intermediate*)
Casey Deal (*Kings Mountain Middle*)
Keisha Diaz (*Marion Intermediate*)
Naeemah James (*North Elementary*)
Lou Owoc (*Springmore Elementary*)
Parker Scruggs (*Township Three*)
Storm Smith (*Union Elementary*)
Jalyn McNeal (*Washington Elementary*)
Roxanne Brown (*West Elementary*)
James Laughlin (*Twelve Oaks Academy*)

RECOGNITION: TY HOLDEN – MOREHEAD SCHOLAR RECIPIENT 2005

Commissioners presented Ty Holden with a plaque in recognition of his achievement as Morehead Scholar recipient for 2005. He is the son of Colin and Marta Holden and is a senior at Shelby High School, graduating second in his class with a 5.0 GPA. Ty plans to study International Relations, with particular interest in African nations, having taught himself Swahili.

RECOGNITION: EDWARD HERNDON – KINGS MOUNTAIN HIGH SCHOOL TEACHER OF THE YEAR 2001/2002: INDUCTED INTO THE NASHVILLE AUTO DIESEL COLLEGE HALL OF FAME 2004

Commissioners recognized Mr. Herndon for being named Kings Mountain High School Teacher of the Year 2001/2002 and having been inducted into the Nashville Auto Diesel College Hall of Fame 2004, one of the first two educators ever inducted. His dedication and commitment to students was evident as he worked to make the Welding Department at Kings Mountain High School an instruction program which prepared students for advanced learning at Cleveland Community College, where he now teaches, as well as for professional employment. Commissioner Hutchins commended Mr. Herndon, stating he goes above and beyond the “job description” when it comes to helping students accomplish their best.

COUNTY EMPLOYEE SERVICE AWARDS

The following employees were recognized for their years of service with a certificate of appreciation:

5-Years of Service
Norma J. Greene (*Sheriff's Office*)
Charlene D. Brown (*Health Department*)
Nancy L. Hunt (*Health Department*)
Kay S. Lingerfelt (*Health Department*)
Kimberly W. Ogle (*Finance*)
Tonya D. Sigmon (*Finance*)
Lisa G. Hastings (*Emergency Medical Services*)
Robert L. Mullinax, III (*Emergency Medical Services*)
Kimberly L. Parsley (*Emergency Medical Services*)

Charles D. Wease (*Emergency Medical Services*)

10-Years of Service

Jackie McSwain (*Social Services*)

15-Years of Service

Tammy F. Brooks (*Health Department*)

Annette H. Sane (*Health Department*)

Gary D. Beaver (*Emergency Medical Services*)

Kenneth E. Fox (*Emergency Medical Services*)

Jimmy L. Fincher (*Emergency Medical Services*)

James R. Lowe (*Emergency Medical Services*)

Donna S. Rose (*Emergency Medical Services*)

Pamela B. Bright (*Social Services*)

The following employees received a plaque for their years of service:

20-Years of Service

Stacie R. Plonk (*Health Department*)

Deborah S. Arrowood (*Sheriff's Office*)

Connie B. Goode (*Tax Assessor's Office*)

Wanda W. James (*Social Services*)

Patricia Q. Hunnicutt (*Social Services*)

PUBLIC HEARING: PLANNING DEPARTMENT – LAND USE PLAN 2015

Bill McCarter, Planning Director, accompanied by introduced Bill Duston, Centralina Council of Governments Planning Director, and Rebecca Yarbrough, Planner with Centralina, reviewed background and summary of information presented during the March 15, 2005 Commission meeting.

Mr. Duston and Ms. Yarbrough reviewed additional information as follows:

Summary of Key Public Inputs and Plan Recommendations

Cleveland County Land Use Plan

Focus Area	Public and Steering Committee Input	Key Recommendations
Residential Development	<ul style="list-style-type: none"> We like the one-acre minimum lot size but need to find ways to protect open space, especially in rural/scenic areas Existing neighborhoods need to be protected Manufactured housing, as it is currently allowed, is a major problem Clear-cutting trees detracts from new neighborhoods We need to enforce the codes we have in place 	<ul style="list-style-type: none"> NO significant changes in housing density from current standards but increased provision for clustering and new provision for planned unit developments Implement measures to protect the viability of existing neighborhoods Strengthen development standards for manufactured housing Encourage connectivity, sidewalks, and tree preservation Emphasize minimum housing code enforcement
Commercial Development	<ul style="list-style-type: none"> We want commercial development but we want it to be attractive and NOT like strip development We don't particularly want commercial development in rural/scenic areas Parking lot landscaping is a good thing, as are provisions that ensure safe but not intrusive lighting People should be allowed to live "over the store" We wish we could get rid of abandoned commercial strips 	<ul style="list-style-type: none"> Eliminate the CP "Corridor Protection" overlay zone along numbered highways and place commercial zoning at "nodes" at major intersections and other areas of existing commercial development Development standards for lighting, parking, etc. Find ways to reduce the problem of abandoned commercial buildings Allow for mixed use development
Industrial Development	<ul style="list-style-type: none"> We need additional areas for industrial development We also need to encourage redevelopment of many of the abandoned industrial sites in the county We want increased buffering standards for particularly heavy industry, and standards that help light industry to fit in attractively to the community We want attractive gateways into Cleveland County so industrial development so not look bad along gateways 	<ul style="list-style-type: none"> Identification of some 12,800 acres of areas potentially suited for industrial development Industrial development along highways is "light industrial" uses Light/heavy located away from the highways but where supported by infrastructure Strengthen development standards for screening, etc. Encourage reuse of existing facilities/locations

Focus Area	Public and Steering Committee Input	Key Recommendations
Open Space/Greenways/Rural Character	<ul style="list-style-type: none"> We love our rural and scenic areas and want to preserve them The Broad River Greenway is a tremendous natural asset Farmland protection programs are a significant benefit to farmers The views from our roads are a potential economic development asset, in terms of tourism, and should be protected Wouldn't it be great to have an expanded network of greenways? 	<ul style="list-style-type: none"> Update the County Parks Master Plan Promote and expand farmland protection programs Create a network of bikeways and greenways Protect scenic views and ridgelines The northern/northwestern third and southeastern/southwestern corners of the County are identified as "Rural/Scenic" areas and are designated as such through creation of a new zoning district Create development standards in "Rural/Scenic" areas to protect rural character and ensure "fit" with area Seek NCDOT designation of an expanded network of Scenic Byways in "Rural/Scenic" areas (and on some additional roads) where billboards are not allowed and where development standards support rural uses/appearance
Transportation	<ul style="list-style-type: none"> Our roads need widening for safety It's important that the roads serve the needs we have now and as we grow It would be great to have more than one-way-in, one-way-out for residential and commercial development Can we get bike lanes? 	<ul style="list-style-type: none"> Promote connectivity Include access management in planning to ensure that roads stay functional longer after improvements are made When adding lanes to roads, include a landscaped median Widen shoulders for safety Promote safe bike and pedestrian movement
Utilities	<ul style="list-style-type: none"> We are probably not using our utility expenditures as wisely as we should, because utility planning isn't coordinated. Utilities need to support industrial growth 	<ul style="list-style-type: none"> Coordinate utility planning and expansion among all utilities providers Coordinate utility planning with land use planning Support sewer expansion into areas targeted for commercial and industrial growth

Focus Area	Public and Steering Committee Input	Key Recommendations
Cities/Towns/Villages	<ul style="list-style-type: none"> We want our towns to continue to be vital places Communities, and the County as a whole, need "gateways" You should know when you have entered a town, and not just have a sense of coming to another developed part of the road 	<ul style="list-style-type: none"> Although the Plan has no effect in municipalities and their planning jurisdictions, the recommendations are passed along as information Support development in municipalities—to reduce rural sprawl Work with the towns to ensure that development promotes a "sense of arrival" in the community Support the concept of mixed-use in towns
Coordination and Enforcement	<ul style="list-style-type: none"> Enforcement is reactive and inadequate to the need 	<ul style="list-style-type: none"> Support coordination in planning at the staff, and appointed/elected official levels Coordinate across disciplines—land use, utilities, public facilities, transportation Support stronger enforcement of county codes dealing with development/land use Provide streamlined access to users for permitting and other processes

Chairman Hawkins opened the public hearing at 6:50 p.m. (*Public notice of this hearing was accomplished by legal advertisement published in The Star on April 2, 2005.*)

Stuart Gilbert, Cleveland County Chamber President, spoke in favor of the plan, stating it is a "critical tool for economic development."

John McCullough, Chairman of the Planning Board and a member of the Taskforce, thanked Mr. McCarter and his staff for their support throughout the "lengthy process." He said that "speaking as a citizen" he felt the plan strikes a balance between rural and municipal growth, preserving Cleveland County's rural heritage while encouraging growth.

Hearing no further comments, Chairman Hawkins closed the public hearing at 6:56 p.m.

ACTION: Willie McIntosh made the motion, seconded by Jerry Self, and unanimously adopted by the Board, to ***approve the 2015 Land Use Plan as presented (copy found on Pages _____ of Minute Book 28).***

HISTORIC PRESERVATION COMMISSION APPOINTMENT

Commissioner Johnny Hutchins expressed concern regarding the ramifications this preservation district may have on future areas of development, such as has been experienced in recent weeks regarding the placement of the 800 MHz communications tower for public safety radio communication in the Shelby Historic District. He recommended the Commission delay any further action regarding this commission until more information can be obtained. Vice-Chairman Self stated these are “two different issues” and since the contracts have already been agreed to with the municipalities, he felt it “reasonable to go back and look but not postpone the appointment.” There was lengthy discussion regarding this issue.

ACTION: Jerry Self made the motion, seconded by Willie McIntosh, and adopted by a majority vote of the Board, to *appoint Sharon Hamrick Jones to serve as a member of the Historic Preservation Commission (to complete the unexpired term of Beth Lattimore scheduled to conclude on February 28, 2007). Votes were recorded as all Commissioners voting yes, with the exception of Commissioner Hutchins who voted no.*

ACTION: Willie McIntosh made the motion, seconded by Mary Accor, and unanimously adopted by the Board, to *conduct a workshop to “look at the Historic Preservation Ordinance to see what possible adverse affect it may have on the county” (workshop to be arranged by Bill McCarter and the County Manager).*

ADJOURN

There being no further business to come before the Board at this time, Mary Accor made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to adjourn the meeting (at 7:12 p.m.). The next regular meeting of the Commission is scheduled for **Tuesday, May 3, 2005 at 6:00 p.m.** in this Commission Chamber.

*Ronald J. Hawkins, Chairman
Cleveland County Board of Commissioners*

*Wanda Crotts, CMC, Clerk
Cleveland County Board of Commissioners*