

CLEVELAND COUNTY BOARD OF COMMISSIONERS

April 5, 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
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

ABSENT: Mary S. Accor, Commissioner

CALL TO ORDER

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

AGENDA ADOPTION

ACTION: Willie McIntosh made the motion, seconded by Mary Accor, and unanimously adopted by the Board, to *adopt the agenda as presented by the County Clerk, with the following additions:*

- (1) Communications tower site discussion. (*Willie McIntosh*)
- (2) Cleveland County Sanitary District board resignation. (*Bob Yelton*)

CONSENT AGENDA

APPROVAL OF MINUTES

There being no corrections, additions, or deletions to the Minutes *of January 24, 2005; January 26, 2005; February 21, 2005; March 1, 2005; and, March 15, 2005*, motion was made by Jerry Self, seconded by Mary Accor, and unanimously adopted by the Board, to *approve the minutes as written.*

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #52)

ACTION: Jerry Self made the motion, seconded by Johnny Hutchins, 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>
012.516.4.350.01/02200-P801	HD-Smart Start/St. Grants-SS		\$12,863.
012.516.5.121.00/HDBRD-5XXX	HD-Smart Start/Salaries/Wages	\$2,117.	
012.516.5.213.00/HDBRD-5XXX	HD-Smart Start/Office supplies		1,440.
012.516.5.220.00/HDBRD-5XXX	HD-Smart Start/Food		200.
012.516.5.310.00/HDBRD-5XXX	HD-Smart Start/Travel-Training		2,142.
012.516.5.311.00/HDBRD-5XXX	HD-Smart Start/Education Expense		4,103.
012.516.5.490.00/HDBRD-5XXX	HD-Smart Start/Professional Services		7,095.

Explanation of Revisions: To align Smart Start program budgets to the State approved funding level for the Child Care Health Consultant, Access to Health Care, Health & Developmental Screenings and Access to Dental Programs.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #53)

ACTION: Jerry Self made the motion, seconded by Johnny Hutchins, 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>
012.541.4.350.00/01210-4752	Environmental Health/State Gv.Gt.	\$8,280.	
012.541.5.210.00	Environmental Health/Supplies	740.	
012.541.5.211.00	Environmental Health/Cont.Prop.Exp.	5,540.	
012.541.5.241.00	Environmental Health/Motor fuels	1,000.	
012.541.5.310.00	Environmental Health/Travel	1,000.	

Explanation of Revisions: Increase State Food & Lodging fees funds. Will use funds for purchase of PC's, printers, motor fuels and travel expenses.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #54)

ACTION: Jerry Self made the motion, seconded by Johnny Hutchins, 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>
012.535.4.410.00	Health Prom/Local & Other Grants	\$15,000.	
012.535.5.490.00	Health Prom/Professional Services	15,000.	
012.537.4.310.00/93994-1537	Child Health/Federal Grants	16,217.	
012.537.5.121.00	Child Health/Salaries-Regular	12,217.	
012.537.5.213.00	Child Health/Office Supplies	1,000.	
012.537.5.310.00	Child Health/Travel	2,000.	
012.537.5.321.00	Child Health/Telecommunications	480.	
012.537.5.322.00	Child Health/Postage	520.	

Explanation of Revisions:

535) Budget Kate B. Reynolds grant funds for Professional Services.

537) Budget UNC Quality Enhancement Program funds for Child Care Consultant. The increased salary amount will not increase current staffing but will be available for 05/06 first quarter expenses of PHN in that position.

911 WIRELESS PHONE SYSTEM: BUDGET AMENDMENT (BNA #55)

ACTION: Jerry Self made the motion, seconded by Johnny Hutchins, 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>
026.455.4.290/04	911 Wireless Phone System/Other Tax 911 Cell Phone Sur	\$1,925.	
025.455.5.321.00	911 Wireless Phone System/Telecommunications	1,925.	

Explanation of Revisions: FCC Phase II wireless implementation to cover cost of BellSouth one-time upgrade charge. May and June monthly charges. Upgrade to be completed by 4/30/05.

PLANNING DEPARTMENT: ZONING MAP AMENDMENT PETITION – JOHNNY RAY CLARK (Case #05-011)(1558 Long Branch Road)

ACTION: Jerry Self made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to schedule *a public hearing regarding the petition for May 3, 2005 at 6:00 p.m.*

PLANNING DEPARTMENT: ZONING MAP AMENDMENT PETITION – ROBERT C. ELLIS (Case #05-12) (206 Runyan Road)

ACTION: Jerry Self made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to *schedule a public hearing regarding the petition for May 3, 2005 at 6:00 p.m.*

PUBLIC HEARING: TRANSPORTATION ADMINISTRATION OF CLEVELAND COUNTY (TACC): RURAL OPERATING ASSISTANCE PROGRAM (ROAP) APPLICATION

Tom Crider, TACC Director, reviewed the criteria for this yearly application. Chairman Hawkins declared the public hearing open (*public notice of this hearing was accomplished by advertisement published in The Star on March 18, 2005*). Hearing no comments, Chairman Hawkins closed the public hearing.

ACTION: Willie McIntosh made the motion, seconded by Jerry Self, and unanimously adopted by the Board, *to approve the application.*

Rural Operating Assistance Program
Fiscal Year 2005-2006

Whereas, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation as the agency responsible for administering all federal and/or state programs related to public transportation, and grants the department authority to do all things required in applicable federal and/or state legislation to properly administer the public transportation programs within the State of North Carolina;

Whereas, NCGS 136-44.27 established the Elderly and Disabled Transportation Assistance Program;

Whereas, funds will be used for transportation related expenditures as specified in the FY 2005-2006 Rural Operating Assistance Program (ROAP) application;

Whereas, information regarding use of the funds will be provided at such time and in such a manner as the department may require;

Whereas, ROAP funds will be used to provide eligible services during the period July 1, 2005 through June 30, 2006;

Whereas, any interest earned on ROAP funds will be expended for eligible program uses as specified in the ROAP application; and,

Whereas, the County will include ROAP funds received and expended in its annual independent audit on the schedule of federal and state financial assistance. Funds passed through to other agencies will be identified as such.

This is to certify that the undersigned is duly elected, qualified and acting chairperson of the Board of County Commissioners of the County of Cleveland North Carolina, and that the following statements are true and accurate:

Elderly and Disabled Transportation Assistance Program:

1. The funds received from G.S. 136-44.27 will be used to provide additional transportation services for the elderly and disabled, exceeding the quantity of trips provided prior to receipt of the funds.

2. The funds will not be used to supplant or replace existing federal, state or local funds designated to provide elderly and disabled transportation services in the county.
3. The funds received will be used in a manner consistent with the local Transportation Development Plan (TDP) or Community Transportation Services Plan (CTSP) and application approved by the North Carolina Department of Transportation and the Board of Commissioners.

Work First Transitional/Employment Transportation Assistance Program

1. The purpose of these transportation funds is to support transitional transportation needs of Work First participants after eligibility for cash assistance has concluded and/other specified general public employment transportation needs. The funds may be transferred to the Elderly and Disabled Transportation Assistance Program or the Rural General Public Program if not needed for Work First transportation.
2. The funds are limited to use by the designated local entity(s) specified in the ROAP application, or any revisions or amendments thereto.

Rural General Public Program

1. The funds will be used in a manner consistent with the Rural General Public Transportation Project description.
2. The funds will be used to provide non-human service trips.

Witness my hand and official seal, this the 5 day of April 2005.

/S/ Ronald J. Hawkins, Chairman
Cleveland County Board of Commissioners

PLANNING DEPARTMENT: ZONING MAP AMENDMENT – CLEVELAND COUNTY HEALTH DEPARTMENT (Case #05-07) (Property located at NC Highway 150 and Fielding Road)

Bill McCarter, Planning Director, reviewed that a public hearing was held on this petition on March 1, 2005, during which several neighboring property owners advised they had not received proper notification of the hearing, prompting Commissioners to schedule another public hearing.

Mr. McCarter reviewed the information presented during the March 1, 2005 meeting, stating, “The Planning Board recommended Heavy Industrial north of the railroad and Neighborhood Business on the 10-acre tract along NC-150. The railroad could be used as a buffer between the industrial uses and NC-150.”

Chairman Hawkins opened the public hearing at 6:19 p.m. (*Public notice of this hearing was conducted in accordance with NCGS 153A-343. Legal advertisements were published in The Star on March 23 and March 30, 2005.*) Hearing no comments, Chairman Hawkins closed the public hearing at 6:20 p.m.)

ACTION: Johnny Hutchins made the motion, seconded by Jerry Self, and unanimously adopted by the Board, *to approve the rezoning request and adopt the following rezoning Ordinance.*

**ORDINANCE AMENDING THE CLEVELAND COUNTY ZONING MAP
Parcel 16732 (Portion) – 10 acre portion Zoned Neighborhood Business (NB)
Parcel 16732 (Portion) – 368 acre portion zoned Heavy Industrial (HI)
RA (Rural Agricultural) to HI (Heavy Industrial)**

WHEREAS, Article 18 of Chapter 153A 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 re-zoning the portion north of the railroad as Heavy Industrial, and the 10-acre portion along NC150 as Neighborhood Business; and

WHEREAS, this property was classified as "Rural Agricultural" on the 2005 Projected Land Use Plan; and

WHEREAS, notice of the Public Hearing was published in The Star on March 23, 2005 and March 30, 2005, notices mailed to adjoining property owners on March 23, 2005 and a sign posted at the property on March 23, 2005; and

WHEREAS, all requirements of the North Carolina General Statutes have been met prior to the action by the Cleveland County Board of Commissioners to rezone the aforementioned two portions of Parcel 16732 following a Public Hearing on April 5, 2005, and approved on April 5, 2005; and

WHEREAS, said amendment will promote the health, safety, and welfare of the citizens of Cleveland County and said amendment would be beneficial to the orderly growth of Cleveland County.

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 Code, be amended to rezone the following parcel(s) from Rural Agricultural (RA) to Heavy Industrial (HI).

Parcel #16732 (Portion) Deed Book 1080 Page 0720

10 acre portion zoned Neighborhood Business (NB)

BEGINNING in the right-of-way of NC 150, south 16-48-29 west 594.00 feet, south 48-18-29 west 178.20 feet, north 52-41-31 west 468.60 feet, thence with the right-of-way of the railroad north 30-19-03 east 493.60 feet, south 86-55-52 east 429.00 feet to the point of BEGINNING.

Parcel # 16732 (Portion)

368 acre portion zoned Heavy Industrial (HI)

BEGINNING in the right-of-way of the railroad, north 39-26-31 west 132.00 feet, north 77-31-33 west 272.10 feet, north 88-01-58 west 452.61 feet, south 12-13-29 west 280.50 feet, north 39-46-31 west 141.90 feet, south 68-45-13 west 339.90 feet, south 49-10-44 west 2210.30 feet, north 40-49-16 west 146.04 feet, thence with Buffalo Creek 6,199.96 feet, south 85-00-43 east 906.17 feet, south 10-25-54 east 347.56 feet, south 79-38-06 east 418.67 feet, north 84-34-09 east 173.86 feet, north 18-08-28 west 175.26 feet, north 12-32-08 west 80.75 feet, north 13-08-23 west 313.48 feet, north 62-24-26 east 816.75 feet, north 83-25-41 east 552.88 feet, north 61-56-25 east 723.59 feet, north 07-55-46 west 767.25 feet, south 85-14-59 east 1815.00 feet, south 04-16-19 west 684.37 feet, south 39-24-12 west 1751.40 feet, north 82-38-36 west 1208.62 feet, south 78-14-31 west 533.70 feet, south 16-10-29 east 198.80 feet, south 54-23-40 east 2669.31 feet, south 68-08-52 east 325.65 feet, south 03-08-08 west 1006.50 feet, south 30-19-03 east 493.60 feet to the point of BEGINNING.

The above-described area is further identified on the attached map designated as "Rezoning Case #05-07, being incorporated herein by reference and made part of this ordinance.

This Ordinance shall become effective upon adoption and approval.

Adopted this 5th day of April, 2005 at 6:00 p.m.

PLANNING DEPARTMENT: ZONING MAP AMENDMENT – BILLIE W. MELTON (Case #05-09)
(Property located at 1216 Mary's Grove Church Road)

Mr. McCarter advised that Billie W. Melton has submitted a petition to rezone approximately 1.14 acres at 1216 Mary's Grove Church Road from Residential (R) to Neighborhood Business (NB). He reviewed the existing land use is that the commercial building has been used for a variety of things over the years, such as a retail store, cloth store, and a beauty shop, but is currently vacant. The future land use is listed as Agricultural/Rural. Public water is provided by the Cleveland County Sanitary District. Mary's Grove Church Road is classified as a minor collector by NCDOT.

He reviewed the Planning Consultant Chuck Nance's recommendation as favoring the rezoning, stating it would be an extension of the existing classification. The Planning Board also recommended approval stating, "The Board recommended approval of this rezoning based on the technical merits of the rezoning request. Citizens comments received during the public hearing should also be weighed in your decision of whether to expand this commercial zoning district further into a residential area. This area is indicated as Agricultural/Rural on the 2005+ Projected Land Use Plan. The adjoining property is zoned neighborhood business. This is a rural setting with scattered residential uses. The existing building has been used for a variety of businesses in the past. It has also been longer than 180-days since the last tenant occupied the building, and therefore has lost the non-conforming status. This portion of

Mary's Grove Church Road is classified as a rural local street by NCDOT and public water is provided by CCSD."

Chairman Hawkins opened the public hearing at 6:23 p.m. (*Public notice of this hearing was conducted in accordance with the mandates of NCGS 153A-343, with legal advertisements published in The Star on March 23 and March 30, 2005.*)

Vickie Spurling, representing the petitioner, confirmed the building has always been used as a business, stating there is no kitchen in the building.

Hearing no further comments, Chairman Hawkins declared the public hearing closed at 6:25 p.m.

ACTION: Willie McIntosh made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to ***approve the rezoning request and adopt the following rezoning Ordinance.***

ORDINANCE AMENDING THE CLEVELAND COUNTY ZONING MAP

1.14 acres at 1216 Mary's Grove Church Road
R (Residential) to NB (Neighborhood Business)

WHEREAS, Article 18 of Chapter 153A 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 re-zoning of this tract on February 22, 2005; and

WHEREAS, this property was classified as "Agricultural/Rural" on the 2005 Projected Land Use Plan; and

WHEREAS, notice of the Public Hearing was published in the Shelby Star on March 23, 2005, and March 30, 2005, notices mailed to adjoining property owners on March 23, 2005 and a sign posted at the property on March 23, 2005; and

WHEREAS, all requirements of the North Carolina General Statutes have been met prior to the action by the Cleveland County Board of Commissioners to rezone approximately 1.14 acres at 1216 Mary's Grove Church Road following a Public Hearing on April 5, 2005, and approved on April 5, 2005; and

WHEREAS, said amendment will promote the health, safety, and welfare of the citizens of Cleveland County and said amendment would be beneficial to the orderly growth of Cleveland County.

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 Code, be amended to rezone parcel 14955 from Residential (R) to Neighborhood Business (NB).

Parcel 14955 Deed Book 1102 Page 1442

BEGINNING at the southwest corner of T.H. Eaker, thence south 62-44 west 160 feet, north 25-30 east 510 feet, thence with right-of-way of Mary's Grove Church Road, south 63-55 east 200 feet, thence with property lines, south 41-23 west 396.8 feet, to the point of BEGINNING.

The above-described area is further identified on the attached map designated as "Rezoning Case #05-09, being incorporated herein by reference and made part of this ordinance.

This Ordinance shall become effective upon adoption and approval.

Adopted this 5th day of April, 2005 at 6:00 p.m.

PLANNING DEPARTMENT: ZONING MAP AMENDMENT – DAVID MORROW (Case #05-10)
(Property located at 2423 and 2426 South LaFayette Street)

Mr. McCarter reviewed that Mr. Morrow has submitted a revised petition to rezone approximately three acres at 2423 and 2426 South LaFayette Street from Residential Corridor Protection (RCP) to General Business (GB). This area now includes three parcels in different ownership. Each owner has signed the petition.

He reviewed the existing land use as a garage, store, bluegrass music hall, tanning salon and a church. The third parcel is vacant. There are no "non-conforming uses" and future land use is classified

as expanding residential. Public water is provided by CCSD and South LaFayette Street (NC-18) is classified as a major collector by NCDOT.

Mr. McCarter reviewed the recommendation to deny the petition given by Chuck Nance, Isothermal Planning and Development Consultant as, “This proposal would be considered spot zoning. The Corridor Protection district already allows some commercial uses, and with the surrounding land uses being primarily residential, I believe this request would be arbitrary and capricious. If there is a specific reason or use that this proposal is being requested for, and it would fit into the scope of the CP district. This area is indicated as Expanding Residential on the 2005+ Projected Land Use Plan. Existing residential subdivisions surround the area to be rezoned and there are no non-conforming uses. South LaFayette Street (NC-18) is classified as a major thoroughfare by NCDOT. Public water is provided by CCSD.”

Chairman Hawkins opened the public hearing at 6:30 p.m. (*Public notice of this hearing was accomplished in accordance with NCGS 153A-343 with legal advertisements published in The Star on March 23 and March 30, 2005.*)

Eddie Weeks, 2426 South LaFayette Street property owner, advised he purchased the property for business use with the intention of using “rental from the buildings to send my kids to college.” He said he provides “free bluegrass music” in one of the buildings and operates a “body shop” in another.

David Morrow, petitioner, reviewed previously stated information regarding his desire to have the property rezoned stating there are “13 businesses located in one-half mile and 55 jobs are in those 13 businesses.” He said he has operated a business on this property since 1962 and encouraged Commissioners to rezone the property as requested.

Hearing no further comments, Chairman Hawkins declared the public hearing closed at 6:35 p.m.

There was discussion regarding various aspects of the petition and how rezoning would affect surrounding properties. Commissioner McIntosh discussed incentives given to new companies and said the same consideration should be given to existing businesses.

ACTION: Willie McIntosh made the motion, seconded by Johnny Hutchins, and ***adopted by a majority vote of the Board to approve the rezoning petition and adopt the following rezoning ordinance. Votes were recorded as all Commissioners voting yes, with the exception of Vice-Chairman Self, who voted no.***

ORDINANCE AMENDING THE CLEVELAND COUNTY ZONING MAP
Parcel(s) 3573, 3658, & 3573 on South Lafayette Street
RCP (Residential Corridor Protection) to GB (General Business)

WHEREAS, Article 18 of Chapter 153A 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 deny the re-zoning of this tract with a split vote of 5-3 due to constituting spot zoning, setting a dangerous precedence for re-zoning of other businesses along the corridor; and

WHEREAS, this property was classified as “Expanding Residential” on the 2005 Projected Land Use Plan; and

WHEREAS, notice of the Public Hearing was published in the Shelby Star on March 23, 2005, and March 30, 2005, notices mailed to adjoining property owners on March 23, 2005 and a sign posted at the property on March 23, 2005; and

WHEREAS, all requirements of the North Carolina General Statutes have been met prior to the action by the Cleveland County Board of Commissioners to rezone Parcel(s) 3573, 3658, and 3573 following a Public Hearing on April 5, 2005, and approved on April 5, 2005; and

WHEREAS, said amendment will promote the health, safety, and welfare of the citizens of Cleveland County and said amendment would be beneficial to the orderly growth of Cleveland County.

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 Code, be amended to rezone the following parcel(s) from Residential Corridor Protection (RCP) to General Business (GB).

Parcel #3573 Deed Book 1329 Page 1685

BEGINNING on the west edge of NC18, south 79-57 west 225 feet, south 85-47 west 240.7 feet, north 16-12 east 386.9 feet, north 82-32 east 80 feet, thence with a radius 6,968.5 – 89 feet, north 81-46 east 225 feet, thence 6,743.5 - 267 feet, to the point of BEGINNING.

Parcel # 3658 Deed Book 1292 Page 2429

BEGINNING on the east edge of NC 18, north 82-17 east 225 feet, thence with a radius of 6,458.5, 88.45 feet, south 81-31 west 225 feet, thence with the east edge of NC 18, 91.5 feet to the point of BEGINNING.

Parcel # 3573 Deed Book 993 Page 181

BEGINNING on the east edge of NC 18, north 81-31 east 225 feet, thence with a radius of 6458.5, 176.9 feet, south 79-57 west 225 feet, thence with the east edge of NC 18, 183 feet to the point of BEGINNING.

The above-described area is further identified on the attached map designated as “Rezoning Case #05-10, being incorporated herein by reference and made part of this ordinance.

This Ordinance shall become effective upon adoption and approval.

Adopted this 5th day of April, 2005 at 6:00 p.m.

PROCLAMATION: CHILD ABUSE PREVENTION MONTH – APRIL 2005

ACTION: Jerry Self made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, *to approve the following resolution*, presented by Terre Bullock.

NUMBER 02-2005

PROCLAIMING APRIL 2005
CHILD ABUSE PREVENTION MONTH
IN CLEVELAND COUNTY

WHEREAS, child abuse is a community problem and finding solutions depends on involvement among people throughout the community;

WHEREAS, approximately five million children are reported as abused and neglected in this country each year;

WHEREAS, more than 113,000 children are reported as abused and neglected in North Carolina each year;

WHEREAS, 30 children were victims of child abuse homicide in North Carolina during the year 2003;

WHEREAS, the effects of child abuse are felt by whole communities, and need to be addressed by the entire community;

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among social services agencies, schools, religious and civic organizations, law enforcement agencies, and the business community;

WHEREAS, all citizens should become more aware of the negative effects of child abuse and its prevention within the community, and become involved in supporting parents to raise their children in a safe, nurturing environment.

NOW, THEREFORE, WE, THE CLEVELAND COUNTY BOARD OF COMMISSIONERS, do hereby proclaim April as "Child Abuse Prevention Month" in Cleveland County and call upon all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in our efforts to prevent child abuse, thereby strengthening the communities in which we live.

ADOPTED THIS THE 5 DAY OF APRIL 2005.

CLEVELAND COUNTY SANITARY DISTRICT COMMISSION APPOINTMENT

ACTION: Willie McIntosh made the motion, seconded by Jerry Self, and unanimously adopted by the Board, *to appoint Farrell Wease to replace Kathy Blanton, who resigned March 8, 2005. In accordance with NCGS 130A-54, Mr. Wease will serve "until the next regular election for the sanitary district board members."*

CLOSED SESSION

ACTION: Willie McIntosh made the motion, which was seconded by Jerry Self, and unanimously adopted by the Board, *to conduct a closed session regarding legal and personnel matters*, as allowed under North Carolina General Statute 143-318.11(a)(1)(3)(6). This closed session was requested by the County Attorney.

RECONVENE IN REGULAR SESSION

ACTION: Willie McIntosh made the motion, seconded by Jerry Self, and unanimously adopted by the Board, to reconvene the meeting in open session. Chairman Hawkins reported the Board did conduct a closed session as stated and direction was given to the County Attorney.

MISCELLANEOUS BUSINESS

COMMISSIONERS' REPORTS

Commissioners reported on various activities and meetings they had attended – Commissioner Hutchins commended Bill McCarter for the *training session provided for Board of Adjustment* members. Vice-Chairman Self advised he had attended the *Wal-Mart "grand re-opening" ceremony* and had requested they bring a Sam's Club to Cleveland County. He also reported on a recent *Patterson Springs Town Council* meeting he had attended, commending them on the use of their county recreation grant funds by installing walking tracks. Commissioner McIntosh advised a meeting with *Pathways* officials was held regarding "funding cuts." Chairman Hawkins reported on the *Chamber*

“State of the Community” breakfast held today in Boiling Springs. He also reviewed general information regarding the laws that govern Equalization and Review cases, which will begin April 19.

RECESS TO RECONVENE AT TIME AND PLACE CERTAIN

ACTION: Johnny Hutchins made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to *recess this meeting (at 7:45 p.m.) to reconvene at the time and place certain of Monday, April 11, 2005 at 9:00 a.m. in this Commission Chamber for the purpose of conducting budget hearings.*

Ronald J. Hawkins, Chairman
CLEVELAND COUNTY BOARD OF COMMISSIONERS

Wanda Crotts, CMC, Clerk
CLEVELAND COUNTY BOARD OF COMMISSIONERS

