

CLEVELAND COUNTY BOARD OF COMMISSIONERS

September 2, 2008

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: Jo Boggs, Chairwoman
Eddie Holbrook, Vice-Chairman
Mary S. Accor, Commissioner
Ronald J. Hawkins, Commissioner
Johnny Hutchins, Commissioner
David C. Dear, County Manager
Robert Yelton, County Attorney
April Crotts, Deputy Clerk
Eddie Bailes, Assistant County Manager
Chris Green, Tax Administrator
Bill McCarter, Planning Director
Alexis Pearson, Human Resources Director
Marni Glaser, *Cleveland Headline News*
Other individual names on file in the Clerk's Office

CALL TO ORDER

Chairwoman Jo Boggs called the meeting to order and led the audience in the "Pledge of Allegiance" to the flag of the United States of America. Pastor Mike Chambers from Christian Freedom Baptist Church provided the invocation for the meeting.

AGENDA ADOPTION

ACTION: Mary Accor made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to *adopt the agenda as presented by the Deputy Clerk.*

CONSENT AGENDA

APPROVAL OF MINUTES

There being no corrections, additions, or deletions to the Minutes of ***August 19, 2008***, motion was made by Ronnie Hawkins, seconded by Eddie Holbrook, and unanimously adopted by the Board, to *approve the minutes as written.*

HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #006)

ACTION: Ronnie Hawkins made the motion, seconded by Eddie Holbrook, 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>
012.530.4.810.30	General/Donations-Eye Glasses	\$ 150.	
012.530.5.790.30	General/Donations-Eye Glasses	\$ 150.	

Explanation of Revisions: Budget donation from Shelby Lions Club for eye exams.

HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #007)

ACTION: Ronnie Hawkins made the motion, seconded by Eddie Holbrook, 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>
012.546.4.350.00	Carolina Access/State Govt. Grants	\$15,000.	
012.546.5.213.00	Carolina Access/Office Supplies	\$ 250.	
012.546.5.310.00	Carolina Access/Travel	\$ 1,000.	
012.546.5.370.00	Carolina Access/Advertising/Promotions	\$ 2,500.	
012.546.5.490.00	Carolina Access/Professional Services	\$ 2,000.	
012.546.5.581.00	Carolina Access/Incentives/Awards	\$ 9,250.	

Explanation of Revisions: Budget funds from Community Care of North Carolina for pediatric obesity prevention project.

PLANNING DEVELOPMENT: ZONING MAP AMENDMENT –BILLY GREENE (Case 08-11) (Schedule a public hearing for October 7, 2008)

ACTION: Ronnie Hawkins made the motion, seconded by Eddie Holbrook and unanimously adopted by the board to *approve scheduling the public hearing as requested.*

SPECIAL RECOGNITIONS

COMMUNITY SUMMER MATH ACADEMY

Commissioner Mary Accor presented Reverend Robert Coleman, Reverend Dante Murphy and Reverend Lamont Littlejohn with a certificate of recognition from the Board of Commissioners. (*Note: Reverend Dante Murphy received his certificate during commissioner reports since he arrived after the special recognitions.*)

**CERTIFICATE OF RECOGNITION
FROM THE
CLEVELAND COUNTY BOARD OF COMMISSIONERS**

PRESENTED TO

**REV. ROBERT COLEMAN
REV. DANTE MURPHY
REV. LAMONT LITTLEJOHN**

FOR UNDERSTANDING THE IMPORTANCE OF MATH IN EVERYDAY LIFE ~ FOR PROVIDING AREA YOUTH WITH THE CHANCE TO DEVELOP POSITIVE FEELINGS TOWARD MATHEMATICS, UNDERSTAND BASIC MATHEMATICS CONCEPTS AND IMPROVE THEIR MATH SKILLS BY SPONSORING THE COMMUNITY SUMMER MATH ACADEMY ~ BY PARTNERING WITH THE COMMUNITY AND CLEVELAND COUNTY SCHOOLS TO ENSURE THAT STUDENTS ARE PROVIDED WITH A QUALITY LEARNING EXPERIENCE AT NO COST ~ WE COMMEND YOU!

Presented this the 2nd day of September 2008.

REGULAR AGENDA

BUSINESS EDUCATION ALLIANCE PROPOSAL & CLOSE THE GAP PROGRAM 10TH ANNUAL EDUCATION SUMMIT

Dr. Linda Hopper, Cleveland County Schools Assistant Superintendent, gave a presentation on the Business Education Alliance of Cleveland County. Dr. Hopper stated the Business Education Alliance is a community-wide partnership with the Cleveland County Chamber, Cleveland County Schools, Cleveland Community College, Gardner-Webb University and other groups interested in developing the education and workforce in Cleveland County. Their goal is to help students understand careers of the future and the competencies required to succeed in these careers. The kick-off of the 2008 Business Education Alliance is September 25, 2008.

Dr. Hopper also encouraged the Commissioners to attend the Annual Education Summit Saturday, September 13, 2008 at Cleveland Community College. The Closing the Gap Annual Education Summit is a vitally important strategy for promoting high achievement for all students in Cleveland County. This year is the 10th year of community collaboration and support for the initiative.

CAROLINA THREAD TRAIL PLANNING GRANT

Bill McCarter, Planning Director, introduced Ann Browning, Executive Director of the Carolina Thread Trail. Ms. Browning gave an update of the Carolina Thread Trail project. She updated Commissioners on the Greenway Master Planning Process (*copy found on Page _____ of Minute Book 30*) stating that the Master Plan will be completed in approximately two months.

Cleveland County has completed a grant application for submittal to the Catawba Lands Conservancy. Grant funds will be used to develop a county-wide Greenway Master Plan. Ms. Browning asked Commissioners to consider providing matching funds for the Carolina Thread Trail Planning Grant. The amount requested was 10% or up to \$7,000.

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to approve the match of 10% or up to \$7,000 to be used to develop a county-wide greenway master plan.*

PUBLIC HEARINGS

PLANNING DEPARTMENT: ZONING MAP AMENDMENT – CLEVELAND COUNTY-CAVENY ROAD (Case #08-10)

Mr. McCarter reviewed that the Cleveland County Planning Department has presented a petition to rezone approximately 48-acres along Caveny Road, from Residential (R) to Light Industrial (LI). This property adjoins a 200-acre industrial site currently zoned Light Industrial.

The background on the property is follows:

Existing Land Use: Vacant

Future Land Use: Light Industrial

He also reviewed the following recommendations from the Planning Board and the Isothermal Planning & Development consultant:

Chuck Nance: Planning Consultant – Approve

Based upon the facts that the future land use is projected as Light Industrial, and the majority of property abutting the proposed property is already zoned Light Industrial, we feel that the County could legally amend the zoning map.

Tom Spurling, Chairman, Cleveland County Planning Board: Approve

The Planning Board voted unanimously (6-0) to recommend this rezoning. This decision was based on the following facts:

Conforms with the 2015 Land Use Plan

The future land use of this area is projected to be Light Industrial. This property is also located within the I85-US29 Industrial Corridor.

Spot Zoning

This request is simply an expansion of an existing industrial zoning district, and therefore would not be considered spot zoning.

Adequate Utilities & Roads

I85, US29 and NC216 are all classified as a major thoroughfare.

Chairwoman Boggs opened the public hearing (*at 6:35 p.m.*). (*Public notice of this hearing was accomplished in accordance with the mandates of NCGS 153A-343, with legal advertisements published in the Star on August 22 and August 29, 2008.*)

Harrill Sheppard - Mr. Sheppard is representing his sister, Francis Sheppard Caveny for whom he has power of attorney. Ms. Caveny owns property connected with the property that is being rezoned. Mr. Sheppard had general questions on zoning and would like general information on the amendment of residential to light industrial.

Dave Hart- Mr. Hart, Vice President of Economic Development for Cleveland County Chamber, spoke in favor of the rezoning and asks that the Board of Commissioners approve this rezoning. He believes that any property that is already rezoned industrial is always a good thing for the county.

Carris and Reba Grigg, 286 Battleground Rd., Kings Mountain- Mr. and Mrs. Grigg would like to know what will happen to the value in their property if this is rezoned and what will be put on this property. They are concerned with noise and pollution of an industrial site.

Chairwoman Boggs declared the public hearing closed at 6:40 p.m., Chairwoman Boggs asked that Mr. McCarter address the concerns of Mr. Sheppard and Mr. and Mrs. Grigg. Mr. McCarter first addressed the rezoning from Residential to Light Industrial, stating that whenever an existing use is on a property, then those uses can continue to exist, for example a home. The zoning change is only for future use. Mr. McCarter explained there are two classifications of industrial uses. The light industrial rezoning is typically for high-tech industries, therefore not having the noise and pollution concerns raised by the Griggs.

ACTION: Ronnie Hawkins made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, ***to approve the rezoning as presented.***

**ORDINANCE AMENDING THE OFFICIAL ZONING MAP
CLEVELAND COUNTY
Caveny Road – 48 acres
Residential (R) to Light Industrial (LI)**

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 the amendment of the zoning map on August 26, 2008; and

WHEREAS, this parcel is classified as “Light Industrial” on our 2015 Future Land Use Plan, and the Light Industrial zoning district is consistent with the comprehensive plan for this area; and

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

WHEREAS, notice of the Public Hearing was published in the Shelby Star on August 22, 2008, and August 29, 2008, notices were mailed to adjoining property owners on August 20, 2008 and a sign posted at the property on August 20, 2008; and

WHEREAS, all requirements of the North Carolina General Statutes have been met prior to any action by the Cleveland County Board of Commissioners to amend the Official Zoning Map following a Public Hearing on September 2, 2008; and

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 change the classification from Residential (R) to Light Industrial (LI) as

identified on the attached map designated "Rezoning Case 08-10", being incorporated herein by reference and made part of this ordinance.

Parcel 10526 Deed Reference 1554-1188 (46.6 acres)

Parcel 10537 Deed Reference 17F-009 (1.6 acres)

This Ordinance shall become effective upon adoption and approval.

Adopted this 2nd day of September, 2008 at 6:00 p.m.

COMMISSIONER REPORTS

Commissioner Hutchins informed Commissioners that the Chamber has hired a new president, Michael Chrisawn, who will be starting September 15, 2008. Commissioner Hutchins also commended Commissioner Holbrook on his work with the American Legion Southeastern Regional World Series Legion Games.

Commissioner Holbrook stated he wanted to thank his fellow Commissioners for their support of the Legion Games. Cleveland County and Shelby made a mark with the National Legion Office. He commended all the volunteers that helped and stated he believed this was a good example of the work that can be done when officials and the community come together.

Chairwoman Boggs congratulated Commissioner Accor on being sworn in as President-Elect for the North Carolina Association of County Commissioners at the 2008 Annual NCACC Conference.

RECESS TO RECONVENE

There being no further business to come before the Board at this time, Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to recess to reconvene for a work session to be held Tuesday, September 16, 2008 at 3:00 p.m. in the Commission Chamber.*

*Rebecca Jo Powell Boggs, Chairwoman
Cleveland County Board of Commissioners*

*April Crotts, Deputy Clerk
Cleveland County Board of Commissioners*