

Cleveland County Board of Commissioners
November 4th, 2014:

The Cleveland County Board of Commissioners met in a regular session on Tuesday, November 4th, 2014 at 6:00 p.m. in the Commission Chamber of the Cleveland County Administrative Office.

PRESENT: Jason Falls, Chairman
Eddie Holbrook, Vice-Chairman
Johnny Hutchins, Commissioner
Susan Allen, Commissioner
Ronnie Hawkins, Commissioner
Jeff Richardson, County Manager
Bob Yelton, County Attorney
Henry Earle, County Clerk
April Crotts, Deputy Clerk
Chris Greene, Tax Administrator
Brian Epley, Finance Director
Allison Mauney, Human Resources
Bill McCarter, Planning Director

CALL TO ORDER:

Chairman Falls called the meeting to order. Chairman Falls then led the audience in the Pledge of Allegiance and provided the invocation for the meeting.

AGENDA ADOPTION

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Hawkins, and unanimously adopted by the Board, to adopt the agenda as presented by the County Clerk.

CITIZEN RECOGNITION

The following residents spoke in opposition to the proposed casino project:

Jim Bishop: 2530-1 Shull Creek Road, Shelby
Michael Lindsey: Kings Mountain
Karen Clarke: 35 Dreary Lane Shelby
Adam Forcade: 1005 Serenity Woods Road, Bessemer City

CONSENT AGENDA

ACTION: Commissioner Hawkins made the motion, seconded by Commissioner Allen, and unanimously adopted by the Board, to approve the following items:

MINUTES: There being no corrections, additions or deletions, the Minutes of the October 21st, 2014 regular meeting were presented and approved as written.

SHERIFF'S OFFICE: BNA #019:

| <i>Account Number</i> | <i>Department/Account Name</i> | <i>Increase</i> | <i>Decrease</i> |
|-----------------------|--------------------------------|-----------------|-----------------|
| 010.438.4.310.00 | Sheriff's Office | \$ 2,654.00 | |
| 010.438.5.210.00 | Sheriff's Office | \$ 2,654.00 | |

Explanation of Revisions: Request to budget funds received from the Edward Byrne Memorial Justice Assistance Grant. The funding will be used to purchase ammunition

HEALTH DEPARTMENT: The update to the health department Financial Eligibility Fee Collection Policy. The manager noted that this policy had been approved by the health director and the Board of Health and required Commissioner approval. Minor changes included definition of a new patient, information on electronic medical records, new clinic requirements for income and inclusion of the SOBIR program.

HEALTH DEPARTMENT: The Health Department recommended the elimination of the environmental health noncompliance fee. This fee overlapped with the NC Onsite Wastewater Contractor Inspector Certification Board and their authority to deter owners from negatively impacting their septic system, therefore making the fee redundant.

HEALTH DEPARTMENT: The Health Department recommended the establishment of two new fees for the Carolina Community Health Partnership. The two fees are \$50 for individual nurse counseling sessions and \$20 for a group diabetes education class. These fees will be funded through Health Net, a program created to cover these fees for eligible patients.

PUBLIC HEARING

Zoning Text Amendment-Case 14-12: Amendment to define temporary family healthcare structures and add residential zoning districts.

Chairman Falls read the rules to the public hearing and introduced Chris Martin, County Planner. Mr. Martin said the State has approved a text amendment allowing for temporary medical structures. Mr. Martin made mention that the local amendment was altered from the state amendment, on part e, requiring that structures be hooked up to power and that the amendment had been viewed by the attorney. Commissioner Hutchins was concerned with the cost families would incur having to knock down a

permanent structure after the permit expired. County attorney Yelton said that the structure has to be put on a slab because it has to be readily movable which distinguishes it. Commissioner Hawkins had concerns because no one knows the time that a citizens may need one of these structures and he wanted to know if they could be renewed as needed. Mr. Martin said it can be renewed as often as needed and it will be enforced by the Planning Office. Commissioner Hutchins asked if jurisdiction was met in the ETJ. Mr. Martin said that this law has jurisdiction over counties, cities and ETJ. Chairman Falls then opened the public hearing. Seeing no one that came forward to speak for or against Chairman Falls told Commissioners he would entertain a motion. Commissioner Hawkins made the motion that they approve the text amendment as written by the Planning Board, it was seconded by Commissioner Hutchins and approved unanimously by the board.

**Zoning Map Amendment-Case 14-13: Residential to Rural Agriculture
Conditional District (RA-CD) 718 Winn Road, Mooresboro, NC.**

Chairman Falls called Mr. Martin back to the podium. Mr. Martin brought forth a zoning map amendment from land owner Scott McKinney. Mr. McKinney wanted to rezone 5 acres from residential to rural agricultural (conditional). Mr. McKinney wants to open a used car lot on his property.

Mr. Martin explained that the Isothermal Planning Board and the County Planning Board both recommended this amendment with the following conditions:

- Develop property as shown on site plan
- Maximum of 12 automobiles for sale on property at any time
- Parking lot must be gravel
- Must obtain required NCDOT driveway permits
- Business must close on Sundays
- Show area must be located south of the residential driveway
- No ground signs permitted
- No area lighting permitted

Commissioner Hutchins asked about the proposed area being 2 lots instead

of one. Mr. Martin said that Mr. McKinney owned both lots and legally

turned it into one so that it would be of sufficient size to rezone. Chairman

Falls opened the public hearing and Scott McKinney spoke up: Mr.

McKinney (land owner) said he retired from his job and wanted a small post

retirement job. He said he had no intentions of owning a big business and

would comply with everything the board wished. Hearing no other speakers

Chairman Falls closed the public hearing and told the board he would

entertain a motion. Commissioner Hutchins wanted an amendment added

that whatever lights were used were off when the sun went down.

Commissioner Hawkins made a motion that they accept the amendment with

the conditions Commissioner Hutchins asked for, seconded by

Commissioner Hutchins. It was unanimously approved.

REGULAR AGENDA

LATE APPLICATIONS FOR EXEMPTION: Chairman Falls called Chris Green, Tax Administrator to the podium. Mr. Green came forward and discussed the list (commissioners had in their packets) of late applications for tax exemption (those filed after January 31st). Mr. Green said those applications had been reviewed by the tax administration staff. Mr. Green said approval of these applications were at the board's discretion.

Commissioner Hutchins made a motion to approve the applications as presented by the tax administration, seconded by Commissioner Allen and approved unanimously.

COMMISSIONER REPORTS

The Commissioners all said they had nothing to report.

ADJOURN

Commissioner Hutchins made the motion to adjourn the meeting, it was seconded by Commissioner Hawkins and unanimously approved. The next scheduled meeting will be Tuesday, November 18th at 6:00 p.m. in the Commissioner's Chambers.