

Cleveland County Board of Commissioners
July 7, 2015:

The Cleveland County Board of Commissioners met in a regular session on Tuesday, July 7th, 2015 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
Jeff Richardson, County Manager
Henry Earle, County Clerk
Kerri Melton, Community Services Director
Allison Mauney, Human Resources Director
Bill McCarter, Planning Director
Brian Epley, Finance Director
Chris Green, Tax Administrator

ABSENT: Ronnie Hawkins, Commissioner

CALL TO ORDER

Chairman Falls called the meeting to order and Chris Green, Tax Administrator, 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 Holbrook, and unanimously adopted by the Board, to adopt the agenda as presented by the County Clerk.

EARLY BUSINESS

APPOINTMENT OF NEW COUNTY ATTORNEY: Chairman Falls spoke about how the commissioners had been speaking for some time about bringing on a new county attorney. He reminded the Commissioners that they had contracts in their packet they were to review and wanted to ask for discussion on bringing Attorney Tim Moore, as their new county attorney.

ACTION: Commissioner Holbrook made the motion to accept the contract as presented by the County Manager, seconded by Commissioner Allen and unanimously adopted by the Board.

SPECIAL PRESENTATION

CLEVELAND COUNTY FOREST RANGER'S REPORT: Chairman Falls recognized Travis Shidal, Cleveland County Forest Ranger. Mr. Shidal talked about the activity of the Forest Service in Cleveland County from July 2014-June 2015, including helping volunteer fire departments purchase equipment, issuing burn permits, creating forest management plans, growing trees and educating elementary school children. Commissioners thanked him for the continued good work of the Forestry service.

CITIZEN RECOGNITION

Buford Burton: 322 Margrace Road Kings Mountain. Within the previous week Mr. Burton had put an article in the paper questioning the faith of the Commissioners because they weren't praying in the name of Jesus. Chairman

Falls asked Mr. Burton to stop because he was making a personal attack on the Commissioners. Mr. Burton refused to stop and Chairman Falls asked the deputy on duty to escort him off the premises.

CONSENT AGENDA

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

MINUTES: There being no corrections, additions or deletions, the Minutes of the June 16th, 2015 regular meeting and were presented and approved as written.

REGISTER OF DEEDS: The Register of Deeds has asked to remove 100 Chattel Mortgage Books from their inventory to be donated to the Broad River Genealogical Society. The State Department of Archives has approved the donation.

HEALTH DEPARTMENT: The health department requested that the fee for the SOBIR program be moved from \$250 per client to \$275. The health education unit sees roughly 50 clients per year.

PUBLIC HEARING

TEXT AMENDMENT CASE 15-04: 800 WASHBURN SWITCH ROAD:

Chairman Falls called Chris Martin, Planner, up to the podium. Mr. Martin discussed that Gants Grove Solar Farm, LLC had filed a text amendment request to add solar farms to the residential zoning code with no restrictions. The planning board has denied it and wants to see some standards brought forth. The public hearing was opened at 6:30 and the following people spoke:

- Brian Gwenlyn: (APPROVE) Mr. Gwenlyn was the petitioner from Gants Grover Solar Farm. He said it was common to have solar farms in residential areas. We agree standards are necessary, especially around setbacks and screening.
- Guy Smith: (DENY) 1115 Stony Smith, Kings Mountain. Mr. Smith wanted to know why it was even a consideration when the planning board denied it 7-0.
- Tom Spurling: (DENY) Mr. Spurling was there on behalf of the town of Bellwood. The town requests that the permitted table of uses stays as it is. The conditional use permit gives standards and gives people a chance to see what is coming.

The public hearing was closed at 6:35. The commissioners discussed the matter after the hearing.

ACTION: Commissioner Hutchins made the motion to uphold the planning board's decision, thus denying the text amendment, seconded by Commissioner Holbrook, and unanimously approved by the Board.

REGULAR AGENDA

ANIMAL CONTROL FELINE IDENTIFICATION ORDINANCE

CHANGE: Chairman Falls called up Dorothea Wyant, Health Director, to the stand. Ms. Wyant said a task force had been working on ways to reduce the pet population for 2 years. NC law allows local governments to choose if cats have to wear tags or be microchipped. The task force recommends that cats be required to either wear rabies tags or microchips. Commissioner Allen had concern about cats wearing rabies collars.

ACTION: Commissioner Allen made the motion to approve the ordinance change as written. It was seconded by Commissioner Holbrook and unanimously approved by the Board.

ANIMAL CONTROL FEE CHANGE FOR NUISANCE ANIMALS:

Ms. Wyant said the task force identified an immediate need regarding females in estrus. The task force thought this needed a more stringent penalty than what was currently in the ordinances. A new fine of \$500 is being suggested for nuisance animals that are not altered. If the owner agrees to alter the animal then the fine will be reduced to \$50.

ACTION: Commissioner Hutchins made a motion to accept the nuisance fee change as written. It was seconded by Commissioner Holbrook and unanimously adopted by the Board.

ANIMAL CONTROL LICENSE/REGISTRATION FEE CHANGES: This recommendation from the task force was created to give incentive for residents to spay and neuter their pets. Their recommendation was that owners of altered animals will pay \$5.00 per animal per year, \$10.00 for 3 years. For unaltered animals the fee would be \$75.00 per year or \$150.00 for 3 years. Commissioners expressed their appreciation for the task for and their work.

ACTION: Commissioner Hutchins made a motion to deny the registration fee. The motion died for lack of a second.

ACTION: Commission Holbrook made a motion to modify the proposed fee, eliminating the fee on altered animals but keeping the fees in place for unaltered animals. It was seconded by Commissioner Allen and passed 3-1 with Commissioner Hutchins voting against it.

After the vote Dorothea Wyant asked the Board's permission to dissolve the Task Force and it was given.

BOARD APPOINTMENTS: Chairman Falls called on Henry Earle, County Clerk, to announce names for the following boards.

AGRICULTURAL ADVISORY BOARD APPOINTMENTS:

Commissioner Allen made a motion to reappoint **Marvin Thomas**. It was seconded by Commissioner Holbrook and unanimously approved by the Board.

BOILING SPRINGS PLANNING AND ZONING BOARD:

Commissioner Hutchins made a motion to reappoint **Pat Hamrick and Buster Bryson**. It was seconded by Commissioner Holbrook and unanimously approved by the Board.

COMMUNITIES IN SCHOOLS: Commissioner Hutchins made a motion to reappoint **Darius Griffin and Braylon Rhodes**. It was seconded by Commissioner Holbrook and unanimously approved by the Board.

EMPLOYEE PRODUCTIVITY: Commissioner Allen made a motion to reappoint **Audrey Whetten**. It was seconded by Commissioner Hutchins and unanimously approved by the Board.

HISTORIC PRESERVATION COMMISSION: Commissioner Holbrook made the motion to reappoint **Bob Smith, Mot Davis, Max Hopper and Nathan Mellon** and to appoint **Robin Brackett**. It was seconded by Commissioner Allen and unanimously approved by the Board.

JUVENILE CRIME PREVENTION COUNCIL: Commissioner Hutchins made the motion to reappoint **Sandy Hamrick, Karen Folk, and Collette**

Devinney. It was seconded by Commissioner Holbrook and unanimously approved by the Board.

LIBRARY BOARD: Commissioner Allen made a motion to reappoint **Ann Royster.** It was seconded by Commissioner Hutchins and unanimously approved by the Board.

PARTNERS BEHAVIORAL HEALTH: Commissioner Holbrook made a motion to reappoint **Kris Thompson.** It was seconded by Commissioner Hutchins and unanimously approved by the Board.

REGION C WORKFORCE DEVELOPMENT BOARD: Commissioner Allen made a motion to reappoint **Phil Bunch, Raymond Walker and Steve Thornburg.** It was seconded by Commissioner Hutchins and unanimously approved by the Board.

COMMISSIONER BOARDS: Commissioner Hutchins made the motion to reappoint **Commissioner Susan Allen** to the Isothermal Planning Board. It was seconded by Commissioner Holbrook and unanimously approved by the Board. Commissioner Holbrook nominated **Commissioner Johnny Hutchins** for the Metropolitan Planning Organization. It was seconded by Commissioner Allen and unanimously approved by the Board.

ADJOURNMENT

Chairman Falls entertained a motion to adjourn the meeting. The motion was made by Commissioner Hutchins, seconded by Commissioner Holbrook and unanimously approved by the Board. The next regularly scheduled meeting will be on Tuesday, July 21, 2015 at 6:00 p.m. in the Commissioners Chambers.