

**Cleveland County Board of Commissioners**  
**May 2, 2023**

The Cleveland County Board of Commissioners met on this date, at the hour of 6:00 p.m. in the Commission Chambers of the Cleveland County Administrative Offices.

**PRESENT:** Kevin Gordon, Chairman  
Ronnie Whetstine, Vice-Chair  
Johnny Hutchins, Commissioner  
Doug Bridges, Commissioner  
Deb Hardin Commissioner  
Martha Thompson, Deputy County Attorney  
Todd Carpenter, Interim County Manager  
Phyllis Nowlen, Clerk to the Board  
Kerri Melton, Assistant County Manager  
Chris Martin, Planning Director  
Allison Mauney, Human Resources Director

**CALL TO ORDER**

Chairman Gordon called the meeting to order, and Cleveland County Economic Development Partnership (CCEDP) Associate Executive Director Brandon Ruppe led the audience in the Pledge of Allegiance and provided the invocation.

**AGENDA ADOPTION**

**ACTION:** Commissioner Bridges made the motion, seconded by Commissioner Hardin and unanimously adopted by the Board to, *approve the agenda as presented.*

**SPECIAL PRESENTATIONS**

**CHILD CARE PROVIDER APPRECIATION DAY 2023**

Chairman Gordon called Cleveland County Child Care Connections Director of Provider Services Shermunda Ross to the podium to speak about Child Care Provider Appreciation Day. She detailed the importance of building the foundation of children's cognitive, physical, social, emotional, language and literacy development. Childcare providers assist in leading positive outcomes and strong foundations for children, helping them to better prepare for school and be more likely to succeed in life. Commissioners thanked Ms. Ross for the information given and presented Cleveland County Child Care Connections with the following proclamation, which the Clerk read:



**MOTORCYCLE AWARENESS MONTH 2023**

Chairman Gordon recognized Commissioner Whetstine, who spoke about Motorcycle Awareness Month and the importance of being observant and sharing the road with all motorists. He also pleaded with residents not to blow their grass clippings into the roadway. The clippings cause extremely dangerous road conditions for motorcycle riders. When a rider drives over grass left in the roadway, it is equivalent to a car driving over a patch of black ice. Commissioner Whetstine thanked members of the Concerned Biker's Association of Cleveland County who were present for receiving the following proclamation, which the Clerk read:



## **ECONOMIC DEVELOPMENT WEEK 2023**

Chairman Gordon called CCEDP Associate Executive Director Brandon Ruppe to the podium to present Economic Development Week 2023. Mr. Ruppe reminded the Board of the impact on the county in the late 1990s through the early 2000s with the loss of textile mills and the great recession. During that time, Cleveland County's unemployment was at the highest level and people were leaving the county. Since that time, under the leadership, vision and partnership with the county and municipality elected officials, Cleveland County has recovered. The communities continue to grow and thrive as various new businesses and opportunities come to Cleveland County. Commissioners thanked Mr. Ruppe and the CCEDP team for their continued hard work and was presented with the following proclamation, which the Clerk read:



## **COUNTY CLERK WEEK 2023**

Chairman Gordon spoke about the role and responsibilities of the Clerk to the Board. The position of the Clerk is one of the oldest local governments dating back to Biblical times and are record keepers of counties, cities and Council of Governments. The Clerk provides a communication link between citizens and local government and plays a vital role in county government by providing a written record to ensure the Board is accountable to the citizens and other public and private officials. Commissioners thanked Clerk to the Board Phyllis Nowlen for all she does and presented her with the following proclamation:



## **CITIZEN RECOGNITION**

**Reese Lutz, no address given** - spoke about the mental health crisis in the United States and Cleveland County. She advised her grandson has mental health challenges and would like to see more partnerships within the community to provide care and assistance for those in need.

**Robert Williams, 814 E. Stagecoach Trl Fallston** – spoke about the Closed Session portion of the April 18, 2023 Minutes, board meeting procedures, and the Cleveland County Fair. He stated that the Commissioners, in his opinion, are too involved in the operations of the fair.

## **CONSENT AGENDA**

### **APPROVAL OF MINUTES**

The Clerk to the Board included the Minutes from the **April 18, 2023** regular Commissioners' meeting in Board members' packets.

**ACTION:** Commissioner Whetstine made a motion, seconded by Commissioner Hutchins, and passed unanimously by the Board to, ***approve the minutes as written.***

### **FINANCE DEPARTMENT: BUDGET TRANSFER SUMMARY**

As required by North Carolina General Statute §159-15, all internal transfers shall be submitted to the Board of Commissioners. The budget transfer summary from March 24, 2023 through April 21, 2023 is included in Commissioner packets.

**ACTION:** Commissioner Whetstine made a motion, seconded by Commissioner Hutchins, and passed unanimously by the Board to, ***approve the budget transfer summary as presented.***

BUDGET TRANSFERS LEGEND: D = DEPARTMENTAL; L = LATERAL

BUD #	BUDGET TYPE	DATE SUBMITTED BY DEPT	DEPT #	DEPT TO NAME	DEPT #	DEPT FROM NAME	EXPLANATION	BUDGET AMOUNT
1518	D	3/24/2023	054.473	SW Landfill			Move funds to cover capital equipment	\$ 32,494
1519	D	3/24/2023	010.411	Commissioners			Move funds to cover file cabinets	\$ 1,408
1520	D	3/27/2023	040.210	Cap Projs-General			Move funds to cover professional servs	\$ 6,500
1521	D	3/27/2023	010.444	Detention Center			Move funds to cover automotive supplies	\$ 5,000
1522	D	3/28/2023	010.412	Manager's Office			Move funds to cover professional servs	\$ 14,000
1523	L	3/29/2023	481.232	Cap Projs-Doran Mill Site	044.802	Reimb Resolution	Transfer funds to cover site work @ Doran Mill Site	\$ 69,600
1524	D	3/29/2023	012.532	Health-TB/STD/CD			Move funds to cover advertising/promotions	\$ 10,000
1525	D	3/29/2023	040.210	Cap Projs-General			Move funds to cover software licenses	\$ 9,324
1526	D	3/30/2023	010.440	School Resource Officers			Move funds to cover capital equipment	\$ 1,122
1527	D	3/31/2023	012.538				Move funds to cover controlled property exp	\$ 811
1528	L	3/31/2023	010.440 /441/444	SRO/Sheriff/Det Ctr	010.998	Contingency	Transfer funds to cover motor fuels	\$ 100,000
1529	D	4/3/2023	010.445	Emergency Management			Move funds to cover equipment repairs	\$ 3,331
1530	L	4/4/2023	010.612	Recreation	010.998	Contingency	Transfer funds to cover contracted services	\$ 2,649
1531	D	4/5/2023	010.440	School Resource Officers			Move funds to cover uniforms	\$ 500
1532	D	4/5/2023	010.445	Emergency Management			Move funds to cover software licenses	\$ 6,600
1533	D	4/5/2023	012.548	CODAP			Move funds to appropriate account to cover grant purchases	\$ 16,600
1534	D	4/6/2023	010.416	Legal			Move funds to cover professional servs	\$ 20,000
1535	D	4/6/2023	010.470	Shooting Range			Move funds to cover repairs on equipment	\$ 800
1536	D	4/10/2023	055.480	LeGrand Center			Move funds to cover capital equipment	\$ 6,100
1537	L	4/11/2023	010.430	Municipal Grants	010.998	Contingency	Transfer funds to cover allocation to Town of Boiling Springs	\$ 12,500
1538	D	4/11/2023	493.250	Cap Projs-Justice Center			Move funds to cover contracted services	\$ 44,360
1539	D	4/12/2023	010.491	Planning/Zoning			Move funds to cover professional servs	\$ 3,000
1540	D	4/14/2023	010.441	Sheriff's Office	010.998	Contingency	Transfer funds to cover professional servs	\$ 7,800
1541	D	4/17/2023	493.250	Cap Proj-Justice Ctr			Move funds to cover contracted servs	\$ 21,000
1542	D	4/17/2023	010.441	Sheriff's Office			Move funds to cover capital equipment	\$ 15,000
1543	D	4/18/2023	010.411	Commissioners			Move funds to cover departmental supplies	\$ 400
1544	D	4/18/2023	010.413	Finance			Move funds to cover postage and contracted services	\$ 16,800
1545	D	4/18/2023	010.426	Maintenance			Move funds to cover controlled property exp and contracted servs	\$ 1,460
1546	D	4/18/2023	060.651	Property/Liability			Move funds to cover bank fee and ins claims-property	\$ 4,422
1547	D	4/18/2023	010.470	Shooting Range			Move funds to cover contracted services	\$ 3,700
1548	D	4/19/2023	010.470	Shooting Range			Move funds to cover capital equipment	\$ 5,057
1549	D	4/19/2023	010.497	TACC	011.508	Income Maint	Transfer funds to pay ROAP grant funds to TACC	\$ 30,182
1550	D	4/19/2023	010.426	Maintenance			Move funds to cover controlled property exp	\$ 3,000
1551	D	4/19/2023	012.533	Adult Health			Move funds to cover pharmacy fees	\$ 10,000
1552/1553	L	4/20/2023	014.417	Court Facilities	010.998/010.981	Contingency / Funds Transfers	Transfer funds to cover juvenile detention fees	\$ 80,000
1554	D	4/20/2023	010.441	Sheriff's Office			Move funds to cover contracted service	\$ 1,200
1555	D	4/20/2023	010.444	Detention Center			Move funds to cover professional services and detention fees	\$ 5,900
1556	D	4/21/2023	010.441	Sheriff's Office			Move funds to cover departmental supplies	\$ 6,000

**SOLID WASTE DEPARTMENT: BUDGET AMENDMENT (BNA #059)**

**ACTION:** Commissioner Whetstine made a motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board to, ***approve the following budget amendment:***

Account Number	Project Code	Department/Account Name	Increase	Decrease
054.474.4.350.00		SW Manned Sites/State Government Grants	\$17,435.00	
054.474.5.910.00		SW Manned Sites/Capital Equipment	\$17,435.00	

**Explanation of Revisions:** Budget allocation for \$17,435 in grant funds received for the purchase of electronic trailers for manned sites.

**PLANNING DEPARTMENT: REQUEST TO SET A PUBLIC HEARING FOR TUESDAY, JUNE 6, 2023 FOR CASE 23-05: REQUEST TO AMEND THE CLEVELAND COUNTY UNIFIED DEVELOPMENT ORDINANCE SECTION 12-161, TO MODIFY LANGUAGE REGARDING THE ONE-MILE RADIUS PERMITTED RV PARKS**

Section 12-161 of the Unified Development Ordinance (UDO) lists development standards for Recreational Vehicle Parks, including a one-mile radius separating permitted parks. The language in the ordinance prevents current parks from expanding beyond the parcel the park is currently in. The applicants, James and David Gibson are asking to remove the language that defines parks as existing on one parcel only. If approved, this amendment will allow an existing RV park to expand beyond the borders of the parcel it is on. This amendment would not eliminate the one-mile radius between parks.

**ACTION:** Commissioner Whetstine made a motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board to, *approve setting the public hearing as requested.*

**PLANNING DEPARTMENT: REQUEST TO SET A PUBLIC HEARING FOR TUESDAY, JUNE 6, 2023 FOR CASE 23-13; REQUEST TO REZONE PROPERTY ON DAVIS ROAD FROM RESIDENTIAL (R) TO NEIGHBORHOOD BUSINESS-CONDITIONAL USE (NB-CU) FOR AN RV PARK EXPANSION**

Parcel 55397 is 23.1 acres located at 410 Davis Road, south of Shelby. The applicants, James and David Gibson own Dry Ridge RV Park on parcel 59068, containing 30 RV pads. The RV Park is considered a nonconforming use, and 12-8(C) of the Cleveland County Unified Development Ordinance (UDO) states that any expansion beyond the original lot where the use is located is prohibited. Expanding onto parcel 55397 requires rezoning to a zoning district with RV parks as a permitted use. The request is to change a 6.7-acre portion of parcel 55397 to Neighborhood Business-Conditional Use (NB-CU) to place an additional 20 RV sites on it. The proposed site plan meets the requirements of Section 12-161 of the UDO.

**ACTION:** Commissioner Whetstine made a motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board to, *approve setting the public hearing as requested.*

**PLANNING DEPARTMENT: REQUEST TO SET A PUBLIC HEARING FOR TUESDAY, JUNE 6, 2023 FOR CASE 23-10; REQUEST TO AMEND THE CLEVELAND COUNTY UNIFIED DEVELOPMENT ORDINANCE DEFINITIONS AND TABLE OF USES TO ALLOW MICROBREWERIES AS A PERMITTED USE IN THE RURAL AGRICULTURE (RA) DISTRICT**

Currently, breweries are categorized as beverage and tobacco product manufacturing in the Cleveland County Unified Development Ordinance (UDO) and are permitted only in the Heavy Industrial (HI) district. This amendment, if approved, will define and separate micro-breweries from the beverage and tobacco product manufacturing category and allow them in the Rural Agriculture (RA) district with a zoning permit. The Rural Agriculture (RA) district allows residential uses, agriculture uses, agriculture-supporting uses, and due to the low density, some commercial uses. Similar uses permitted in the Rural Agriculture (RA) district include wineries and distilleries.

**ACTION:** Commissioner Whetstine made a motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board to, *approve setting the public hearing as requested.*

**PLANNING DEPARTMENT: REQUEST TO SET A PUBLIC HEARING FOR TUESDAY, JUNE 6, 2023 FOR CASE 23-11; REQUEST TO REZONE PROPERTY AT 956 STONY POINT ROAD FROM RESIDENTIAL (R) TO RURAL AGRICULTURE-CONDITIONAL USE (RA-CU) FOR A MICROBREWERY**

Parcel 73405 is located at 956 Stony Point Rd, owned by Natural Trading Company, LLC, and is zoned Residential (R). Surrounding zoning is Residential (R) and Restricted Residential (RR) zoning districts. Nearby uses consist of single-family residential, mini-warehouses, a convenience store and a golf course community. Cleveland County's Land Use Plan calls the area as future Primary Growth which is zoned to have the most intense development to occur.

**ACTION:** Commissioner Whetstine made a motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board to, *approve setting the public hearing as requested.*

**PLANNING DEPARTMENT: REQUEST TO SET A PUBLIC HEARING FOR TUESDAY, JUNE 6, 2023 FOR CASE 23-12; REQUEST TO REZONE PARCELS AT 111 KELSO DRIVE FROM RESTRICTED RESIDENTIAL (RR) TO RESIDENTIAL (R)**

The applicant, Steve McSwain is requesting to rezone adjoining parcels 52428, 5758, 5788, 52428, 46027 and 46026, totaling 38 acres, from Restricted Residential (RR) to Residential (R). The parcels are adjoining and are located between Crow Road and Bettis Road, south of the Town of Earl. The surrounding zoning is a mix of Residential (R) and Restricted Residential (RR). The Land Use Plan designates this area as Secondary Growth, which supports Residential (R) uses.

**ACTION:** Commissioner Whetstine made a motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board to, ***approve setting the public hearing as requested.***

**COUNTY MANAGER'S OFFICE: GREAT GRANT RESOLUTION**

Spectrum Southeast LLC was awarded a Growing Rural Economies with Access to Technology (GREAT) Grant Award to deploy broadband services to approximately 1,120 households and businesses in Cleveland County. An agreement between the North Carolina Department of Information Technology, Spectrum Southeast LLC, and Cleveland County is ready for signatures. Spectrum Southeast LLC was awarded the maximum grant. GREAT Grant Award: \$ 4,000,000 The required match for this project is \$2,282,788 and will come from the following sources:

Cleveland County: \$ 700,000  
Spectrum Southeast LLC: 1,582,788

**ACTION:** Commissioner Whetstine made a motion, seconded by Commissioner Hutchins, and unanimously adopted by the Board to, ***approve the resolution supporting the GREAT grant and the GREAT grant agreement. (a full copy of the agreement is on file in the Clerk's office).***

**Resolution** 11-2023

**Resolution in Support of the GREAT Grant**

**WHEREAS**, it has been determined that a Growing Rural Economies with Access to Technology Grant Program (GREAT) award was made to Spectrum Southeast, LLC to make broadband service available to One Thousand One Hundred Twenty (1,120) address-level locations in Cleveland County per GREAT Application #1000014050 (Cleveland County) and Exhibit B of Grant Agreement #2000066857;

**WHEREAS**, the NC Division of Information Technology (NCDIT) Broadband Infrastructure Office Program has issued Grant Agreement #2000066857 to Spectrum Southeast, LLC, and Cleveland County outlining the terms, conditions, and scope of work;

**WHEREAS**, the total project will be completed by December 31, 2026, and the total project expenses are Six Million Two Hundred Eighty-Two Thousand Seven Hundred Eight-Eight Dollars (\$6,282,788);

**WHEREAS**, Spectrum Southeast, LLC, will receive Four Million Dollars (\$4,000,000) GREAT Grant Award (ARPA) through NCDIT;

**WHEREAS**, Spectrum Southeast, LLC, will receive a total of Seven Hundred Thousand Dollars (\$700,000) (ARPA) from Cleveland County per Grant Agreement #2000066857, Exhibit J, as a pro-rata share of the Total Project Cost;

**WHEREAS**, Spectrum Southeast, LLC, will be responsible for the remaining project costs;

**WHEREAS**, Strategic Goal 1.2, describes a desire to support service providers with expansion of reliable broadband connections to areas of the County which are not served or underserved;

**NOW, THEREFORE BE IT RESOLVED**, for the reasons recited above, that the Cleveland County Board of Commissioners fully supports Spectrum Southeast, LLC, to fulfill the GREAT Grant Project and will contribute approved funds as described above.

Adopted this the 2<sup>nd</sup> day of May 2023.

By:   
Kevin Gordon, Chairman  
Board of Commissioners of Cleveland County

ATTEST:  
  
Phyllis Nordin, Clerk to the Board  
Cleveland County Board of Commissioners



**PUBLIC HEARING**

**PLANNING DEPARTMENT CASE 23-06: REQUEST TO REZONE PROPERTY AT 1129 CHERRYVILLE ROAD FROM NEIGHBORHOOD BUSINESS (NB) TO GENERAL BUSINESS (GB)**

Chairman Gordon called Planning Director Chris Martin to the podium to present Planning Department Case 23-06; request to rezone property at 1129 Cherryville Road from Neighborhood Business (NB) to General Business (GB). Parcel 62086 is 2.57 acres located at 1129 Cherryville Road in Shelby near the bypass and is currently zoned Neighborhood Business (NB). The applicant, Stephen Jones, has applied to rezone the property from Neighborhood Business (NB) to General Business (GB).

Surrounding zoning is a mix of Neighborhood Business (NB), General Business (GB), Restricted Residential (RR), Residential (R), and R20 Residential (Shelby Extra Territorial Jurisdiction). The property also falls within the Highway Corridor Protection (CP). Surrounding uses include single-family dwellings and various commercial projects along Cherryville Road. The county’s Land Use Plan (LUP) calls this area Future Primary Growth. The Board was reminded of the differences between Neighborhood Business (NB), General Business (GB) and Highway Corridor Protection (CP):

- Neighborhood Business (NB) accommodates small, limited retail and service uses provided to a surrounding neighborhood. Residential (R) is also permitted.
- General Business (GB) accommodates a wide variety of retail; business, professional, and personal services; office; and limited wholesale and warehousing uses. Generally located on arterial streets with the capacity for additional commercial traffic.
- Corridor Protection (CP) promotes well-planned, economically viable development that is compatible with and will enhance the visual appeal of the area by avoiding uncoordinated, strip development along arterial streets. It will also support safe and efficient traffic flow through these areas. The district boundaries shall extend along arterial streets, for a distance of five hundred (500) feet from and perpendicular to each side of the highway right-of-way.

The Planning Board voted unanimously to recommend approval of the request. The Board determined that the proposed use of the property is compatible with the area and LUP designation. The following information and PowerPoint were presented to the Commissioners.

Rezoning Request  
Neighborhood Business to General Business  
1129 Cherryville Road

CHRIS MARTIN  
5/2/23

Cleveland County  
NORTH CAROLINA

Aerial Map

Cleveland County  
NORTH CAROLINA

NB, GB, and CP

Cleveland County  
NORTH CAROLINA

**NB—Neighborhood Business.** Accommodates small limited retail and service uses provided to a surrounding neighborhood. Residential is also permitted.

**GB—General Business.** Accommodates a wide variety of retail business, professional, and personal services; office; and limited wholesale and warehousing uses. Generally located on arterial streets with the capacity for additional commercial traffic.

**CP—Corridor Protection.** Promotes well-planned, economically viable development that is compatible with and will enhance the visual appeal of the area by avoiding uncoordinated, strip development along arterial streets. It will also support safe and efficient traffic flow through these areas. The district boundaries shall extend along arterial streets, for a distance of five hundred (500) feet from and perpendicular to each side of the highway right -of-way.

PRESENTATION FOOTER

Zoning Map

Cleveland County  
NORTH CAROLINA



## Land Use Map



5

## Planning Board



Unanimously recommends Approval.

- Consistent with LUP designation
- GB typically found on arterial roads
- GB is compatible with area
- NB and CP already permits commercial uses

PRESENTATION FOOTER

6

## Options



- Approve
- Approve with modifications
- Deny

7

Chairman Gordon opened the floor to the Board for questions and discussion. Commissioner Hutchins inquired if there were any setbacks and screening requirements. Mr. Martin explained that when a commercial property abuts a residential property, there are screening requirements. The owner of the commercial property must submit a site plan to the Planning Department that details property development, layout and screenings. That plan would also be shared with the North Carolina Department of Transportation (NC DOT) to ensure the traffic flow and driveway placement are safe.

Chairman Gordon opened the Public Hearing at 6:42 pm for anyone wanting to speak for or against Planning Department Planning Case 23-06; request to rezone property at 1129 Cherryville Road from Neighborhood Business (NB) to General Business (GB). (*Legal Notice was published in the Shelby Star on Friday, April 21, 2023 and Friday, April 27, 2023.*)

Hearing no comments, Chairman Gordon closed the Public Hearing at 6:43 pm.

**ACTION:** Commissioner Hutchins made a motion, seconded by Commissioner Bridges, and unanimously adopted by the Board to, *approve the request to rezone property at 1129 Cherryville Road from Neighborhood Business (NB) to General Business (GB).*

RECORDING FEE \$ 26.00  
Phyllis Nowlen

ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF CLEVELAND COUNTY

Neighborhood Business to General Business  
1129 Cherryville Road

- Parcel 62086 – Owner: Stephen Jones – Deed Book 1634 Page 1026

WHEREAS, Article Two of Chapter 160D 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 unanimously recommended to approve the zoning map amendment on April 26, 2023; and

WHEREAS, said rezoning 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; and

WHEREAS, notice of the Public Hearing was published in the Shelby Star on April 21 and 28, 2023, and notices were mailed to adjoining property owners on April 21, 2023 and a sign posted at the property on April 21, 2023; 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 May 2, 2023; 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 Cleveland County Unified Development Ordinance, be amended to change the classification of Parcel 62086, described more below, from Neighborhood Business to General Business.

BEGINNING at a point in the centerline of the right of way for Cherrville Road, said beginning point being located North 53-32-40 East 928.82 feet from the intersection of Highway 50 and Troy Road; runs thence with the East line of the Mauney property described in Deed Book 1027, Page 450, North 17-47-58 West (passing a rebar at 31.65 feet) 369.48 feet to an axle, a common corner with Mauney, Phillips and the Simpson Trust Property; thence with the Simpson Trust Property the following two calls; (1) North 58-53-59 East 627.24 feet to a pipe; (2) South 23-51-01 East (passing a rebar at 268.57 feet) 299.27 feet to a point in the centerline of the right of way for Cherryville Road, this point being located South 33-10-29 West 88.04 feet from NCGS monument "Pecan" and runs thence with the centerline of the road the following five calls: (1) South 53-57-24 West 210.51 feet to a point; (2) South 53-40-12 West 99.43 feet to a point; (3) South 53-29-15 West 137.84 feet to a point; (4) South 53-28-14 West 98.62 feet to a point; (5) South 53-07-57 West 130.99 feet to the place of BEGINNING.

This Ordinance shall become effective upon adoption and approval.

Adopted this second day of May, 2023

ATTEST:

  
Kevin Gordon, Chair  
Cleveland County Board of Commissioners

  
Phyllis Nowlen, Clerk  
Cleveland County Board of Commissioners



**REGULAR AGENDA**

**SHELBY-CLEVELAND COUNTY REGIONAL AIRPORT**

Chairman Gordon recognized the City of Shelby’s Director of Engineering Services Ben Yarboro to present the Shelby-Cleveland County Regional Airport Update. The airport layout plan was first created in 1945 and was constructed in 1959. The airport has had multiple private operators through the years, but in 2007 the City of Shelby began operating the airport with city staff, focusing on economic development and regional impact. That same year, the airport’s name was officially changed to the Shelby-Cleveland County Regional Airport. Mr. Yarboro reviewed some key information about the airport:

- Runway: 5,002 ft. x 100 ft.
- Open to aeronautic traffic 24 hours per day
- Self-serve Avgas (33,500 gallons in FY22)
- Full-service Jet-A (28,500 gallons in FY22)
- Currently 72 Based Aircraft
- City owns 8 hangars with 62 aircraft currently leasing spaces
- One commercial tenant providing aircraft maintenance services

The Airport Layout Plan (ALP) background includes:

- The North Carolina Department of Administration (NCDOA) requirement to maintain a “current” ALP
- ALP’s are 20-year plans
  - 3 phases over the 20-year period

- ALP updates are recommended every 5-7 years
- A project must be included in the ALP to be eligible for grant funding
- Many of the projects on the 2007 approved ALP have been completed
- Recent ALPs were developed in 1996 - 2007 - 2023
- The last ALP was 16 years old

Updated history about the Airport Layout Plan includes:

- Grant was awarded by NCDOA June 27, 2019 to update the Airport Layout Plan (ALP)
- Grant total was \$250,000 with a 10% local match split between City and County
- Airport Layout Plan contract with W.K. Dickson began in May of 2020
- City staff and Airport Advisory Board completed review of the draft ALP in May 2022
- ALP was submitted to NCDOA and FAA in May 2022
- City of Shelby received final approval from FAA on January 18, 2023

Mr. Yaraboro spoke about the various 2007 ALP projects at the airport that have been completed. Some of these projects include T-Hangar development and expansions, parallel taxiways, runway overlay and an Avgas Fuel Farm. Other completed projects from that year's plan include:

- Helipad (2011)
- Obstruction Removal (2012)
- Perimeter Fencing (2012 – 2017)
- Land Acquisition (2013 – 2018)
- Two Hangar Acquisitions (2015)

Airport staff has identified tasks and other projects to be incorporated into the 2023 ALP. These goals consist of the following:

- General aviation activity growth
- Runway needs (length, strength, etc.)
- Runway Protection Zones and safety areas
- Lighting and NAVAIDS
- Terminal and hangar area alternatives
- Obstruction identification and mitigation
- Land acquisition needs
- Area geography and climate

The following information and PowerPoint were presented to the Commissioners.



### Airport History

**History**

Airport Layout Plan first created in 1945  
 Airport constructed in 1959  
 Multiple private operators through the years

In 2007:

- Name was changed to Shelby-Cleveland County Regional Airport
- City began operating the airport with City Staff
- Focus on economic development and regional impact

**Facts**

Runway: 5,002 ft. x 100 ft.  
 Open to aeronautic traffic 24 hours per day  
 Self-serve Avgas (33,500 gallons in FY22)  
 Full service Jet-A (28,500 gallons in FY22)  
 Currently 72 Based Aircraft  
 City owns 8 hangars with 62 aircraft currently loading spaces  
 One commercial tenant providing aircraft maintenance services

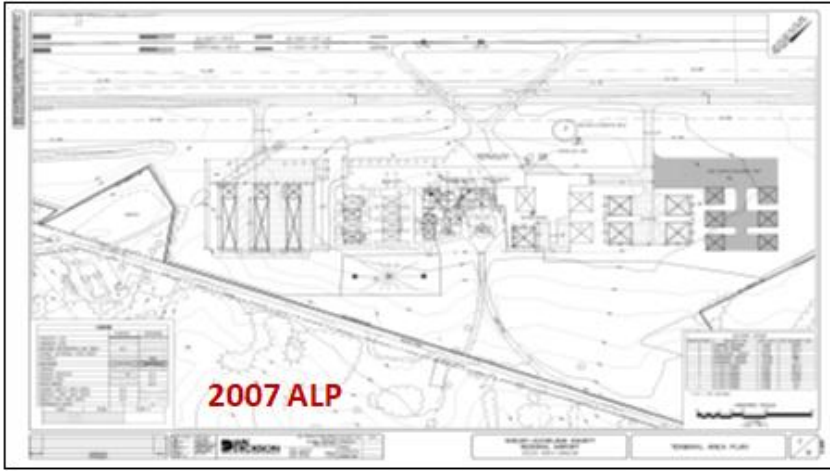
**Airport Layout Plan Background**

- NCDOA requirement to maintain a "current" ALP
- ALP's are 20-year plans
  - 3 phases over the 20 year period
- ALP updates are recommended every 5-7 years
- A project must be included in the ALP to be eligible for grant funding
- Many of the projects on the 2007 approved ALP have been completed
- Recent Airport Layout Plans were developed in 1996 - 2007 - 2023
- **Our last ALP was 16 years old**

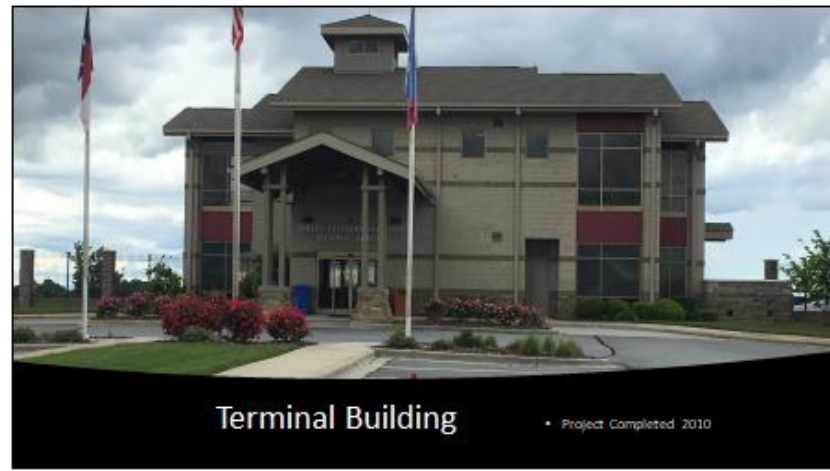
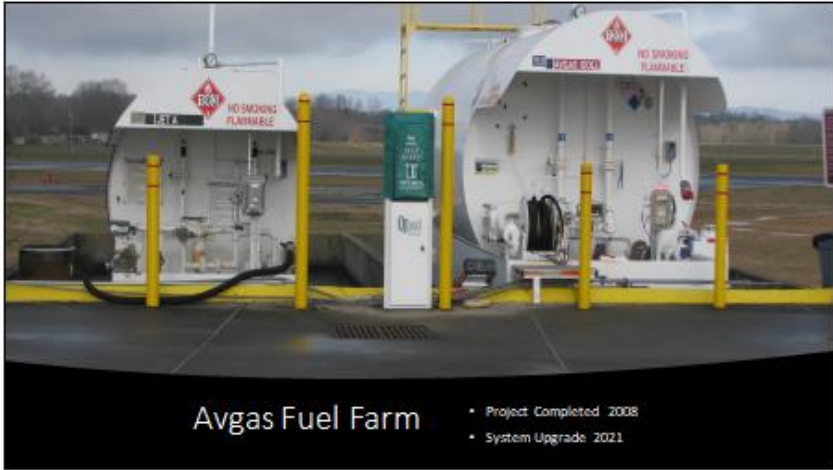
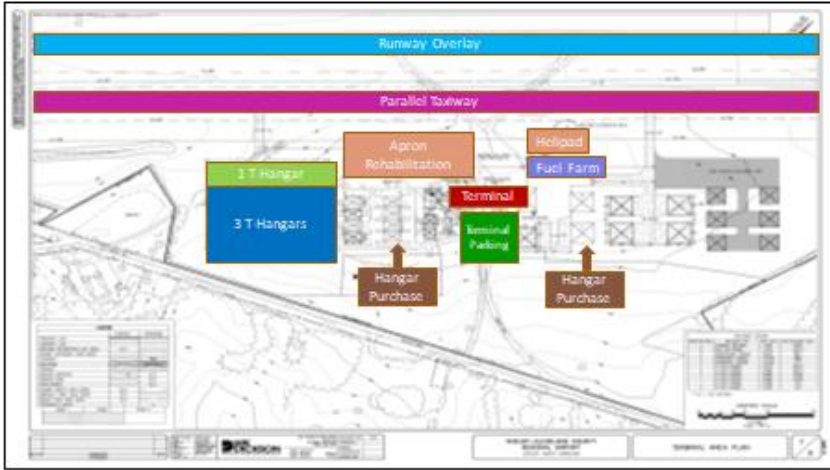
1945 Airport Layout Plan

**Airport Layout Plan Update History**

- Grant was awarded by NCDOA June 27, 2019 to update the Airport Layout Plan (ALP)
- Grant total was \$250,000 with a 10% local match split between City and County
- Airport Layout Plan contract with W.K. Dickson began in May of 2020
- City staff and Airport Advisory Board completed review of the draft ALP in May 2022
- ALP was submitted to NCDOA and FAA in May 2022
- City of Shelby received final approval from FAA on January 18, 2023



## 2007 ALP Completed Projects



**SHELBY-CLEVELAND COUNTY REGIONAL AIRPORT**

**Other Completed Projects from 2007 ALP:**

- Helipad (2011)
- Obstruction Removal (2012)
- Perimeter Fencing (2012 - 2017)
- Land Acquisition (2013 - 2018)
- Two Hangar Acquisitions (2015)

**Airport Layout Plan Update - 2023**

**ALP update considerations and tasks:**

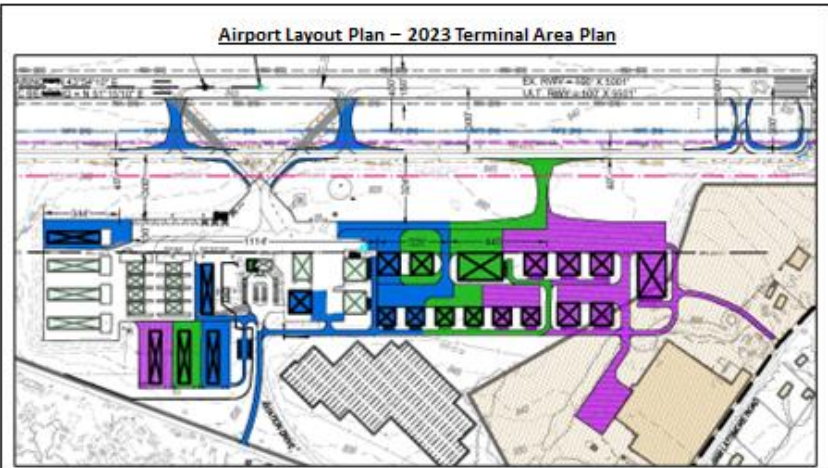
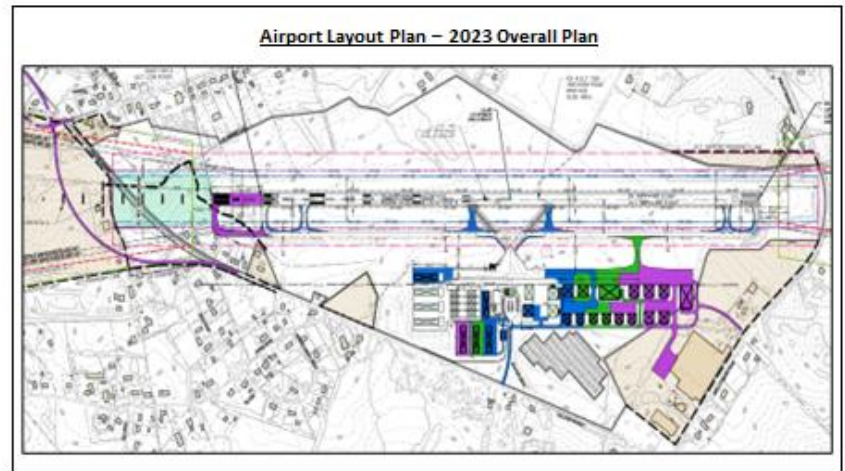
- Airport goals and objectives
- General aviation activity growth
- Runway needs (length, strength, etc.)
- Runway Protection Zones and safety areas
- Lighting and NAVAIDS
- Terminal and hangar area alternatives
- Obstruction identification and mitigation
- Land acquisition needs
- Area geography and climate

**WK DICKSON**

**SHELBY-CLEVELAND COUNTY  
REGIONAL AIRPORT**

**Future Projects Listed on 2023 ALP:**

- Taxiway Overlay and Direct Access Realignment
- Land Acquisition
- T-Hangar Development
- Corporate Hangar Development
- Runway 5 Extension
- Airport Entrance Road Relocation
- Perimeter Fencing
- Terminal Expansion



**Fly-In and Open House**  
June 10, 2023

A promotional poster for the event. It features the airport logo and lists activities such as 'Passion on Display', 'Tour the Airport Facilities', and 'JAARS IS OFFERING FLIGHTS'. It also mentions 'FREE ADMISSION!' and provides contact information for the airport.

A photograph showing a large gathering of people and various aircraft on the tarmac during the event. There are tents and people walking around.

**American Legion World Series**  
August 10-15, 2023

A photograph of a T-28 Trojan aircraft on the tarmac. A group of people is standing in front of it.

T-28 Trojan from fly over

A photograph of a yellow and black parachute plane on the tarmac.

Golden Knights' Parachute Plane



Commissioners thanked Mr. Yarboro for the information presented, commenting on their excitement to see the new developments at the Shelby-Cleveland County Regional Airport.

**ADJOURN**

There being no further business to come before the Board at this time, Commissioner Hardin made a motion, seconded by Commissioner Hutchins and unanimously adopted by the Board, *to adjourn*. The next meeting of the Commission is scheduled for **Tuesday, May 16, 2023 at 6:00 pm** in the Commissioners' Chambers.

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*Kevin Gordon, Chairman  
Cleveland County Board of Commissioners*

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*Phyllis Nowlen, CMC, NCCCC  
Clerk to the Board  
Cleveland County Board of Commissioners*