

CLEVELAND COUNTY BOARD OF COMMISSIONERS

November 6, 2007

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: Eddie Holbrook, Vice-Chairman
Jo Boggs, Commissioner
Ronald J. Hawkins, Commissioner
Johnny Hutchins, Commissioner
David C. Dear, County Manager
Robert Yelton, County Attorney
Kerri Melton, County Clerk
April Crotts, Deputy Clerk
Eddie Bailes, Assistant County Manager
Chris Crepps, Finance Director
Chris Green, Tax Administrator
Joe Lord, EMS Director
Alexis Pearson, HR Director
Bill McCarter, Planning Director
Carol Wilson, Library Director
Graham Cawthon, Shelby Star
Other individual names on file in the Clerk's Office

ABSENT: Mary Accor, Chairwoman

CALL TO ORDER

Vice-Chairman Eddie Holbrook called the meeting to order, led the audience in the "Pledge of Allegiance" to the flag of the United States of America. Matt Bradley, Minister of Student Services at Elizabeth Baptist Church, provided the invocation for the meeting.

AGENDA ADOPTION

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

CONSENT AGENDA

APPROVAL OF MINUTES

ACTION: There being no other corrections, additions or deletions to the minutes of *October 2, 2007 and October 16, 2007*, motion was made by Ronnie Hawkins, seconded by Johnny Hutchins, and unanimously adopted by the Board, to *approve the minutes as written.*

SHERIFF'S OFFICE: BUDGET AMENDMENTS (BNA #019)

ACTION: Ronnie Hawkins 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>
010.438.4.310.00/16738-P438	Law Enforce. Grants/Fed Govt. Grants	\$30,773.	
010.438.5.210.00/16738-P438	Law Enforce. Grants/Departmental Supply	16,192.	
010.438.5.211.00/16738-P438	Law Enforce. Grants/Controlled Prop. Exp	14,581.	

Explanation of Revisions: Request approval to budget Edward Byrne Memorial JAG (Justice Assistance Grant) that the Sheriff's Office is sharing with the Shelby Police Department. Cleveland County

Sheriff's Office share of the 2005 grant is \$16,192. Request approval to use entire amount to purchase departmental ammunition. Cleveland County Sheriff's Office share of the 2007 grant is \$14,580.50 which will be used to purchase tasers.

LEGAL DEPARTMENT: BUDGET AMENDMENTS (BNA #020)

ACTION: Ronnie Hawkins 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>
010.416.5.971.00	Legal/C/O Foreclosure Prop	\$33,710.	
010.410.4.991.00	General/Fd Bal Appropriated	33,710.	
010.3.991.01	Unres Designated FB 410		33,710.
010.3.996.00	Unres Designated FB 410	33,710.	

Explanation of Revisions: To budget for foreclosed properties not previously budget. Parcel #'s: 34976, 26825, 22526, 17916, 70888.

SHERIFF'S OFFICE: BUDGET AMENDMENTS (BNA #021)

ACTION: Ronnie Hawkins 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>
010.441.4.810.16	Sheriff/K-9 Fundraiser	\$6,136.	
010.441.5.790.16	Sheriff/K-9 Fundraiser	6,136.	
010.441.4.810.00	Sheriff/Contributions/Donation	100.	
010.441.5.790.00	Sheriff/Donation/Contribution	100.	

Explanation of Revisions: Request approval to budget proceeds from raffle of two puppies/sale of tee shirts at 2007 CC Fair by K-9 officers. Funds will be used to purchase needed canine items not provided for in budget. Request approval to budget donation (\$100) rec'd from CC Schools in appreciation of traffic control.

SHERIFF'S OFFICE: BUDGET AMENDMENTS (BNA #022)

ACTION: Ronnie Hawkins 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>
010.442.4.311.00/USICE-P442	Fed. Forfeited Prop/Fed-Other Revenues	\$14,316.	
010.442.5.910.00/USICE-P442	Fed. Forfeited Prop/Capital Equipment	14,316.	

Explanation of Revisions: Request approval to budget funds to replace \$11,316 that was used to purchase two replacement Polaris four wheelers; remaining \$3,000 will be used to outfit eq. #1476 (new Ford Expedition) with emergency response equipment (lights, siren and radios).

EMERGENCY MANAGEMENT: BUDGET AMENDMENTS (BNA #023)

ACTION: Ronnie Hawkins 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>
010.445.4.810.00	Emergency Mgt./Donations	\$ 850.	
010.445.5.790.00	Emergency Mgt./Donations	850.	

Explanation of Revisions: To budget donations received in fiscal years 05/06 and 06/07.

HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #024)

ACTION: Ronnie Hawkins made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, ***to approve the following budget amendments:***

<i>Account Number</i>	<i>Department/Account Name</i>	<i>Increase</i>	<i>Decrease</i>
012.516.4.310.00/93994-1120	SMART START/Federal Grants	\$12,751.	
012.516.5.213.00/93994-1120	SMART START/Office Supplies	\$ 600.	
012.516.5.310.00/93994-1120	SMART START/Travel	\$ 335.	
012.516.5.321.00/93994-1120	SMART START/Telecommunications	\$ 100.	
012.516.5.370.00/93994-1120	SMART START/Advertising	\$ 2,716.	
012.516.5.490.00/93994-1120	SMART START/Professional Services	\$ 4,000.	
012.516.5.581.00/93994-1120	SMART START/Awards/Appreciation	\$ 1,000.	

Explanation of Revisions: Budget additional funds from UNC-Chapel Hill Quality Enhancement Program for operating expenses of the Child Care Consultant.

HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #025)

ACTION: Ronnie Hawkins made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, *to approve the following budget amendments:*

<i>Account Number</i>	<i>Department/Account Name</i>	<i>Increase</i>	<i>Decrease</i>
012.530.4.350.00/01120-4110	General/State Govt. Grants	\$15,000.	
012.530.5.370.00	General/Advertising	\$ 500.	
012.530.5.490.00	General/Professional Services	\$14,500.	

Explanation of Revisions: Budget General Aid-to-counties funds for professional services and brochures pertaining to prevention of suicide among adolescents and young adults- additional funding.

HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #026)

ACTION: Ronnie Hawkins made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, *to approve the following budget amendments:*

<i>Account Number</i>	<i>Department/Account Name</i>	<i>Increase</i>	<i>Decrease</i>
012.534.4.540.00	SCHOOL HEALTH/Contracted Revenue	\$ 2,000.	
012.534.5.490.00	SCHOOL HEALTH/Professional Services	\$ 2,000.	

Explanation of Revisions: Budget Funds received from Cleveland County Schools for OSHA/Bloodborne Pathogens training.

SPECIAL RECOGNITION

GLEND A O'SHIELDS AND LINDA CABINESS- CLEVELAND MEMORIAL LIBRARY

BOARD

Commissioners presented certificates to Glenda O'Shields and Linda Cabiness for twelve years of service on the Cleveland Memorial Library Board. While on the board, Glenda O'Shields served as Chairman of the Board and Linda Cabiness served as Secretary. They both attended meetings faithfully and were instrumental in the Library becoming a part of Cleveland County Government.

SPECIAL RECOGNITION

SHERIFF'S OFFICE- K9 DIVISION

Commissioners presented Sgt. Mark Self, Cpl. Chris Cook, John McIntyre, Kevin Pruitt, Cliff Irvin, Jon Bradley and Bryan Ledford of the Cleveland County Sheriff's Office with a certificate of appreciation for their fundraising efforts. Officers also brought in their dogs and introduced them to the Board. The certificates presented read as follows:

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

IN RECOGNITION OF HIS COMMITMENT TO CLEVELAND COUNTY ~ IN APPRECIATION

**OF HIS EFFORTS IN RAISING FUNDS TO SUPPORT THE K-9 UNIT OF THE
CLEVELAND COUNTY SHERIFF'S OFFICE ~FOR GOING ABOVE AND
BEYOND HIS REGULAR DUTIES SAVING TAXPAYER DOLLARS~ WE COMMEND YOU!**

Presented this the 6th day of November 2007.

REGULAR AGENDA

TACC PROPERTY LEASE AGREEMENT

County Attorney Bob Yelton presented a request from Transportation Administration of Cleveland County (TACC), for Cleveland County to accept a transfer of their land and its two buildings at 952 Airport Road. TACC also requested that, Cleveland County immediately lease this property back to TACC. The TACC Board of Director's approved the transfer of this property at their September 24, 2007 board meeting.

ACTION: Jo Boggs made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, *to accept title to the property at 952 Airport Road and immediately lease the property to TACC. (copy of agreement found on Page _____ of Minute Book 30)*

ISOTHERMAL PLANNING & DEVELOPMENT COMMISSION: COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SCATTERED HOUSING

At the August 21, 2007 County Commission meeting, Commissioners held a public hearing requesting comments on the 2007 Community Development Block Grant Scattered Housing Grant. No comments were made at that time. Beth Pollard with Isothermal Planning and Development Commission presented the Policies and Plans for this project to Commissioners for approval.

ACTION: Johnny Hutchins made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, *to accept the Policies and Plans for the 2007 Community Development Block Grant Scattered Housing Project as presented by Isothermal Planning and Development Commission.*

MEDICAL DIRECTOR APPOINTMENT

Joe Lord, Cleveland County Emergency Medical Services (EMS) Director introduced Dr. Ivan Sanchez to Commissioners. In July of this year, Cleveland County EMS dissolved their contract with the former Medical Director, Dr. Kevin O'Dell. Since July, Dr. Sanchez has been helping Cleveland County EMS, but there has been no formal contract. Mr. Lord presented Commissioners with a contract and recommended the appointment of Dr. Ivan Sanchez to the position of Cleveland County Medical Director. Dr. Sanchez told Commissioners, "I am finding a lot of satisfaction from this position."

ACTION: Ronnie Hawkins made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, *to appoint Dr. Ivan Sanchez as Cleveland County Medical Director. (copy of contract found on Page _____ of Minute Book 30)*

CLEVELAND MEMORIAL LIBRARY ANNUAL REPORT

Carol Wilson, Library Director, presented a PowerPoint report, a copy of which is found on Pages _____ of Minute Book 30.

PLANNING DEPARTMENT: MINIMUM HOUSING CODE ENFORCEMENT – JERRY & SHIRLEY COOKE (3000 BLACKSBURG ROAD)

Mr. McCarter advised a public hearing was held on August 29, 2003 regarding this case and the owner was allowed 90-days to demolish the dwelling. The order expired December 29, 2003. Mr. Cook has been granted several extensions, but to date no further action has been taken.

ACTION: Ronnie Hawkins made the motion, seconded by Jo Boggs, and unanimously adopted by the Board, *to approve the following ordinance authorizing the demolition of the dwelling.*

CLEVELAND COUNTY
NORTH CAROLINA

AN ORDINANCE AUTHORIZING THE CODE ENFORCEMENT OFFICER TO DEMOLISH A DWELLING AT 3000 BLACKSBURG ROAD

WHEREAS, pursuant to the provisions of Chapter 160A, Article 19, Part 6 of the North Carolina General Statutes, the dwelling located at 3000 Blacksburg Road, Cleveland County, North Carolina has been inspected and found to be unfit for human habitation and to otherwise constitute a danger to persons and a threat to the health and welfare of the citizens within County; and

WHEREAS, according to the procedures provided by law, the owner(s) of said property have been given notice of the aforesaid inspection, defective conditions, determination and order to bring said property into compliance with the minimum housing code of Cleveland County and the State of North Carolina by appropriate repair and/or demolition of said dilapidated dwelling; and

WHEREAS, the owner(s) have not complied with the Findings and Order by the Code Enforcement Officer within the period allowed by law; and

WHEREAS, the said dilapidated dwelling remain at this time unfit for human habitation, dilapidated, and a danger to the health and safety of the citizens of Cleveland County and should be demolished in order to prevent and alleviate such danger and dilapidated conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CLEVELAND COUNTY BOARD OF COMMISSIONERS that the dilapidated dwelling located at 3000 Blacksburg Road now or formerly owned by Jerry N. Cooke and Shirley V. Cooke, shall be demolished, and a lien placed against the property for the costs incurred by the county as provided by GS160A-446(6).

Adopted and approved this the 6th day of November, 2007 by the Cleveland County Board of Commissioners in open session.

PLANNING DEPARTMENT: MINIMUM HOUSING CODE ENFORCEMENT – GERRY LEE LAWRENCE (1671 FRIENDSHIP ROAD)

Mr. McCarter advised a public hearing was held on May 31, 2005 regarding this case and the owner was allowed 90 days to demolish the dwelling. The order was issued on June 14, 2005 and expired on September 14, 2005. The property owner could not be located, so the order was published in the Shelby Star on April 10, 2006. After allowing an additional 90 days, the property was re-inspected, and no action had been taken to repair or demolish the dwelling. Mr. Lawrence was difficult to contact due to the fact that he is in prison. Commissioner Hawkins voiced concern over the fact that Mr. Lawrence may be unaware that his property will be demolished. Mr. McCarter informed Commissioners

that Mr. Lawrence's daughter signed an affidavit stating that her father is aware of the situation. Bob Yelton, County Attorney, confirmed that the signed affidavit by Mr. Lawrence's daughter and the advertising of the order of demolition were sufficient advertising requirements for the ordinance to be adopted.

ACTION: Jo Boggs made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, *to approve the following ordinance authorizing the demolition of the dwelling.*

CLEVELAND COUNTY
NORTH CAROLINA

*AN ORDINANCE AUTHORIZING THE CODE ENFORCEMENT OFFICER TO DEMOLISH
DWELLING AT 1671 FRIENDSHIP ROAD*

WHEREAS, pursuant to the provisions of Chapter 160A, Article 19, Part 6 of the North Carolina General Statutes, the dwelling located at 1671 Friendship Road, Cleveland County, North Carolina have been inspected and found to be unfit for human habitation and to otherwise constitute a danger to persons and a threat to the health and welfare of the citizens within County; and

WHEREAS, according to the procedures provided by law, the owner(s) of said property have been given notice of the aforesaid inspection, defective conditions, determination and order to bring said property into compliance with the minimum housing code of Cleveland County and the State of North Carolina by appropriate repair and/or demolition of said dilapidated dwelling(s); and

WHEREAS, the owner(s) have not complied with the Findings and Order by the Code Enforcement Officer within the period allowed by law; and

WHEREAS, the said dilapidated dwelling(s) remain at this time unfit for human habitation, dilapidated, and a danger to the health and safety of the citizens of Cleveland County and should be demolished in order to prevent and alleviate such danger and dilapidated conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CLEVELAND COUNTY BOARD OF COMMISSIONERS that the dilapidated dwelling located at 1671 Friendship Road now or formerly owned by Gerry Lee Lawrence, shall be demolished, and a lien placed against the property for the costs incurred by the county as provided by GS160A-446(6).

Adopted and approved this the 1st day of July 2006 by the Cleveland County Board of Commissioners in open session.

**PLANNING DEPARTMENT: MINIMUM HOUSING CODE ENFORCEMENT – DON WRIGHT
AND SON CONSTRUCTION (210 SMARR PLACE)**

Mr. McCarter advised a public hearing was held on October 18, 2006 regarding this case and the owner was allowed 90 days to demolish the dwelling. The order expired on January 25, 2007. The property was re-inspected, but to date, no further action has been taken to demolish the dwelling. Mr. McCarter informed Commissioners that he had talked to Mr. Wright and he has no problem with the county burning the dwelling.

Commissioners advised Mr. McCarter and County Attorney, Bob Yelton to research General Statutes regarding the reimbursement of administrative costs incurred by these demolition projects (advertising, mailing, copying, etc.).

ACTION: Ronnie Hawkins made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, *to approve the following ordinance authorizing the demolition of the dwelling.*

*CLEVELAND COUNTY
NORTH CAROLINA*

*AN ORDINANCE AUTHORIZING THE CODE ENFORCEMENT OFFICER TO DEMOLISH A
DWELLING AT 210 SMARR PLACE*

WHEREAS, pursuant to the provisions of Chapter 160A, Article 19, Part 6 of the North Carolina General Statutes, the dwelling located at 210 Smarr Place, Cleveland County, North Carolina has been inspected and found to be unfit for human habitation and to otherwise constitute a danger to persons and a threat to the health and welfare of the citizens within County; and

WHEREAS, according to the procedures provided by law, the owner(s) of said property have been given notice of the aforesaid inspection, defective conditions, determination and order to bring said property into compliance with the minimum housing code of Cleveland County and the State of North Carolina by appropriate repair and/or demolition of said dilapidated dwelling; and

WHEREAS, the owner(s) have not complied with the Findings and Order by the Code Enforcement Officer within the period allowed by law; and

WHEREAS, the said dilapidated dwelling remain at this time unfit for human habitation, dilapidated, and a danger to the health and safety of the citizens of Cleveland County and should be demolished in order to prevent and alleviate such danger and dilapidated conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CLEVELAND COUNTY BOARD OF COMMISSIONERS that the dilapidated dwelling located at 210 Smarr Place now or formerly owned by Don Wright & Son Construction, shall be demolished, and a lien placed against the property for the costs incurred by the county as provided by GS160A-446(6).

Adopted and approved this the 6th day of November, 2007 by the Cleveland County Board of Commissioners in open session.

PUBLIC HEARING

PLANNING DEPARTMENT CODE AMENDMENT - TOWN OF MOORESBORO (Case #07-05)

Mr. McCarter presented a code amendment to Commissioners. The Town of Mooresboro recently asked the Planning Board to review the screening standards in response to recent complaints. The primary issue was that there are no minimum height requirements on the trees at planting. In the Mooresboro case, the grass was taller than the cypress trees. These plantings did not create the “visual buffer” that the adjoining property owner was hoping for. The Planning Board has recommended that trees used as screening have a minimum height at planting of two feet, and reach a height of six feet within two years. The Planning Board made this recommendation rather than requiring six foot plantings.

Vice-Chairman Eddie Holbrook opened the public hearing. (Notice of this hearing was accomplished in accordance with NCGS 153A-343, with legal ads published in the Star on October 19 and October 26, 2007.) Hearing no comments, Vice-Chair Holbrook declared the public hearing closed.

Vice-Chair Holbrook called for a motion to accept the proposed code amendment. Commissioner Hawkins voiced his concerns stating, “What happens if it doesn’t meet a height of six feet?” Commissioner Hutchins felt that Commissioners would be putting the burden on the whole county for

one situation in Mooresboro. He suggested the following, “tree must be three feet at planting and maintain normal growth.”

ACTION: Commissioners agreed to table the request until the November 20th regular scheduled meeting. Commissioners advised Mr. McCarter to prepare revised code amendment incorporating the suggestions of Commissioner Hutchins.

Proposed Text Amendments	Revision 11-06-07
---------------------------------	--------------------------

ARTICLE XV. SCREENING AND TREES

Sec. 12-302. General Screening Standard.

Prior to the issuance of a certificate of occupancy, every development in the zoning districts indicated below shall install between it and the adjacent existing uses, the appropriate screening as described in section 12-305.

Industrial district: Whenever a lot in an industrial district abuts upon the following districts, with no intervening street, the indicated screen shall be required.

- All residential districts -- Type A Opaque screen
- Business district -- Type B Semi-opaque screen

- (1) *Business district:* Whenever a lot in a business district abuts upon any residential district, with no intervening street or highway, a Type B Semi Opaque Screen shall be required.
- (2) ~~Manufactured Homes & Parks *Mobile home residential*:~~ Whenever a lot in a Residential Manufactured Homes & Parks mobile home residential district abuts a developed single family residential lot upon the following districts, with no intervening street, the indicated screen shall be required. A Type C-Broken Screen shall be required.

- ~~Restricted residential -- Type B, semi-opaque screen~~
- ~~Residential -- Type C, broken screen~~

- (4) *Corridor overlay districts:* When a lot in this zoning district is developed for a business use and abuts a residential use district, with no intervening public street or highway, a Type B semi-opaque screen shall be required.

(Amd. of 12-17-02)

Sec. 12-303. Retention and protection of large trees.

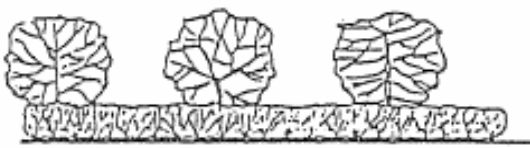

- (1) The County board encourages the retention and protection of existing large trees to the maximum extent possible, consistent with the development process.
- (2) The plantings, fences, walls, or berms that constitute a required screen shall be properly maintained. Any vegetation that dies shall be replaced. Board discourages any excavation or other subsurface disturbance or the placement of any impervious surface within the drip line of any tree eighteen (18) inches in diameter or more. For purposes of this subsection, a drip line is defined as a perimeter formed by the points farthest away from the trunk of a tree where precipitation falling from the branches of that tree lands on the ground.

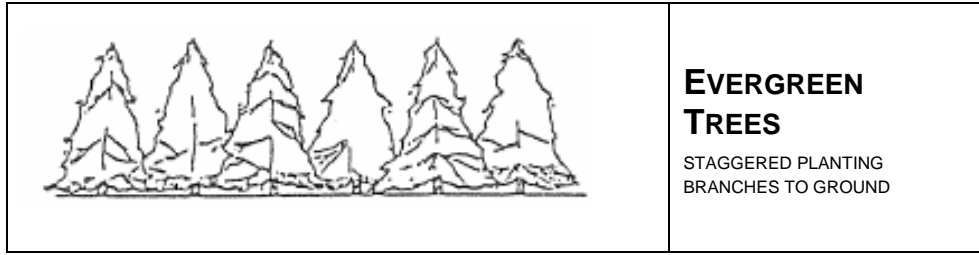
Sec. 12-304. Flexibility in administration required.

~~The Board of Commissioners recognizes that because of the wide variety of types of development and the relationships between them, it is neither possible nor prudent to establish inflexible screening requirements. Therefore, the permit-issuing authority The Administrator may permit deviations from the presumptive requirements of section 12-302 and may either require more intensive or allow less intensive screening whenever it finds such deviations are more likely to satisfy the standard set forth in this section without imposing unnecessary costs on the developer. Although these standards are considered minimum, the owner or developer may install additional screening if desired.~~

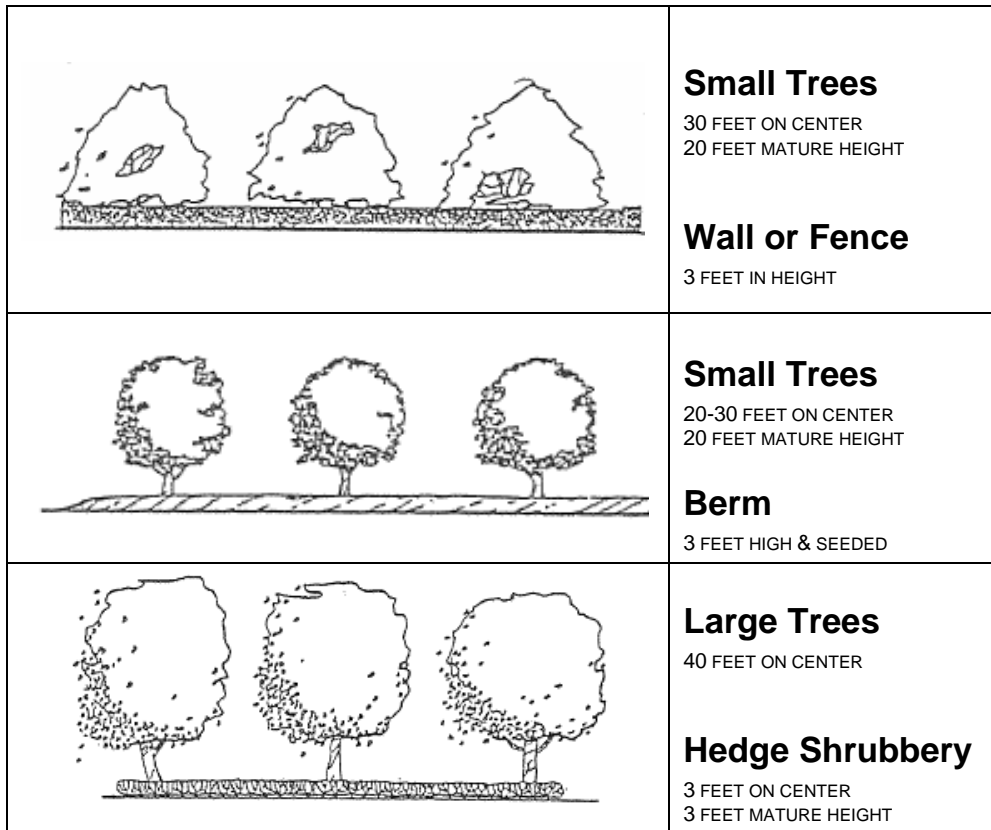
Sec. 12-305. Description of screens.

- (1) *Opaque Screen, Type A:* A screen that is opaque from the ground to a height of at least six (6) feet, with intermittent visual obstructions from the opaque portion to a height of at least twenty (20) feet. An opaque screen is intended to exclude all visual contact between uses and to create a strong impression of ~~spacial~~ separation. The opaque screen may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. Planted trees shall be at least two (2) feet in height at planting, and reach an average height of six (6) feet within two years. Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation. The opaque portion of the screen must be opaque in all seasons of the year. At maturity, the portion of intermittent visual obstructions should not contain any completely unobstructed openings more than ~~ten (10) feet wide. The portion of intermittent visual obstructions may contain deciduous plants.~~ Suggested planting patterns that will achieve this standard are listed below:

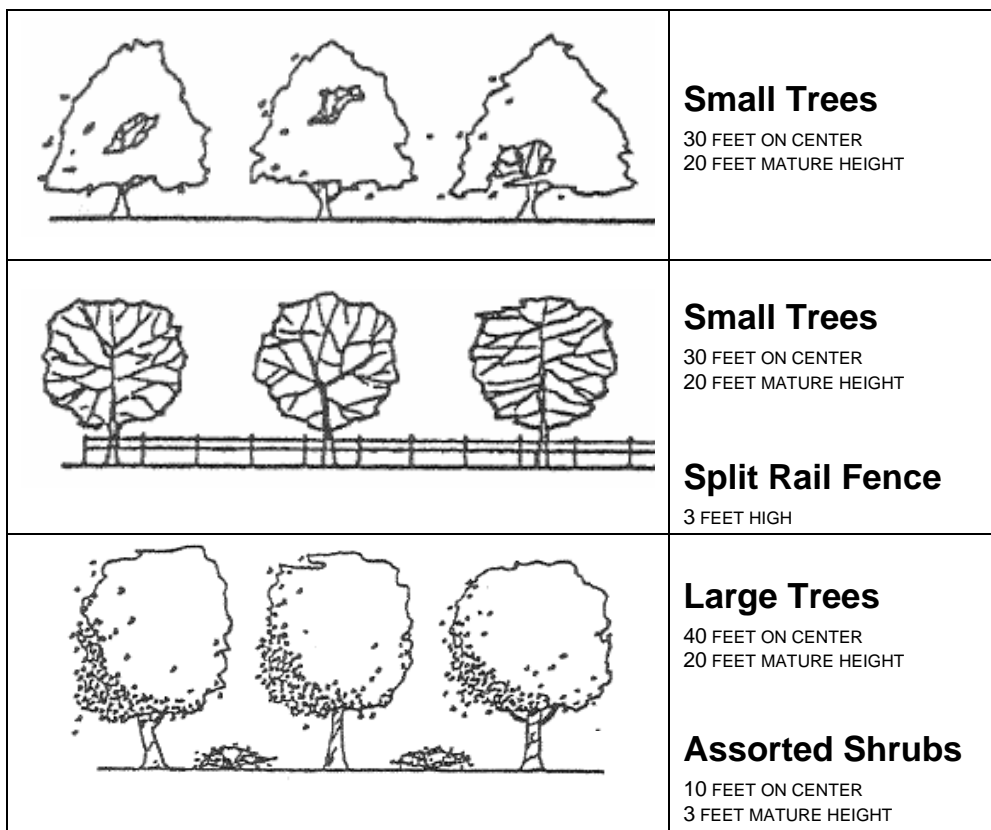
	<p>Small Trees 30 FEET ON CENTER 20 FEET MATURE HEIGHT</p> <p>Evergreen</p>
	<p>LARGE TREES 40 FEET ON CENTER</p> <p>Fence 6 FEET & OPAQUE</p>



(2) *Semi-opaque screen, Type B:* A screen that is opaque from the ground to a height of three (3) feet, with intermittent visual obstruction from above the opaque portion to a height of at least twenty (20) feet at maturity. This screen is intended to partially block visual contact between uses and to create a strong impression of the separation of spaces. The semi-opaque screen may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. Planted trees shall be at least two (2) feet in height at planting, and reach an average height of six (6) feet within two years. ~~Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation.~~ At maturity, the portion of intermittent visual obstructions should not contain any completely unobstructed openings more than ten (10) feet wide. The zone of intermittent visual obstruction may contain deciduous plants. Suggested planting patterns which will achieve this standard are illustrated below:



(3) *Broken screen, Type C:* A screen composed of intermittent visual obstructions from the ground to a height of at least twenty (20) feet. The broken screen is intended to create the impression of a separation of spaces without necessarily eliminating visual contact between the spaces. It may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. Planted trees shall be at least two (2) feet in height at planting, and reach an average height of six (6) feet within two years. ~~Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation.~~ The screen may contain deciduous plants. Suggested planting patterns which will achieve this standard are illustrated below:



COMMISSIONER REPORTS

Commissioner Hutchins- Commissioner Hutchins attended the graduation for the City of Shelby Police Academy. Most of the graduates actually live outside the city limits of Shelby. The goal of the City of Shelby Police Department is to decrease the crime rates from 1,400 per 10,000 to 800 per 10,000. They feel like this is attainable with citizen involvement. He also attended the groundbreaking of Indian Motorcycle in Belmont.

Commissioner Boggs- Commissioner Boggs attended the NCACC Board of Directors meeting and the LME (Pathways) Board training. She felt the training to be very worthwhile.

Vice-Chair Holbrook- Vice Chair Holbrook attended a meeting in Stanley County to discuss Early College program. Cleveland County Schools is working on implementing this program.

ADJOURN

There being no further business to come before the Board at this time, Johnny Hutchins made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to recess to reconvene on ***Tuesday, November 13, 2007 for a Commission Work Session in the RL Alexander Conference room.***

*Eddie Holbrook, Vice-Chairman
Cleveland County Board of Commissioners*

*Kerri Melton, Clerk
Cleveland County Board of Commissioners*