

CLEVELAND COUNTY BOARD OF COMMISSIONERS

July 12, 2011

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: Johnny Hutchins, Chairman
Ronnie Hawkins, Vice-Chairman
Mary S. Accor, Commissioner
Jason Falls, Commissioner
Eddie Holbrook, Commissioner
David C. Dear, County Manager
Andrea Leslie-Fite, Attorney
Kerri Melton, County Clerk
April Crotts, Deputy Clerk
Eddie Bailes, Assistant County Manager
Chris Green, Tax Administrator
Bill McCarter, Planning Director
Dorothea Wyant, Health Director
Chris Crepps, Finance Director
Barry Ditz, *Cleveland Headline News*
Other individual names on file in the Clerk's Office

CALL TO ORDER

Chairman Johnny Hutchins called the meeting to order. Nicholas Falls, Luke Johnson and Levi Johnson, Scouts from Kings Mountain led the audience in the "Pledge of Allegiance" to the flag of the United States of America. Jason Allen of New Bethel Baptist Church provided the invocation.

AGENDA ADOPTION

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

SPECIAL RECOGNITION

AMATEUR RADIO OPERATOR FIELD DAY

Commissioners presented the Amateur Radio Emergency Service, the Shelby Amateur Radio Club and the Cleveland County Amateur Radio Service with a proclamation congratulating each club on a successful Amateur Radio Operators Field Day.

Number 04-2011

**CELEBRATING AMATEUR RADIO OPERATORS
FIELD DAY IN CLEVELAND COUNTY**

WHEREAS, Amateur Radio is regulated by the FCC as a licensed, voluntary non-commercial communication service; and

WHEREAS, amateur radio operators offer their equipment and services free of charge to provide backup emergency communication to local service agencies such as Emergency Management and the American Red Cross during disaster, drills, or public service events; and

WHEREAS, according to the FCC, there are over three-hundred-fifty federally licensed Amateur Radio Operators residing in Cleveland County; and

WHEREAS, June 25th and June 26th marked the annual Field Day emergency communications exercise in which Amateur Radio Operators test their equipment under simulated emergency conditions; and

WHEREAS, held the fourth full weekend in June each year, this annual Field Day sponsored by the American Radio Relay League is the largest on-the-air gathering of Amateur Radio operators; and

WHEREAS, in Cleveland County, the Amateur Radio Emergency Service and the Shelby Amateur Radio Club set up at the Cleveland County Fairgrounds and the Cleveland County Amateur Radio Service sets up at the Moss Lake Campground; and

WHEREAS, Amateur Radio Operators not only provide a vital contribution to Cleveland County by providing volunteer emergency communication, but operators also promote global goodwill with world-wide communication.

NOW, THEREFORE, ON BEHALF OF THE CLEVELAND COUNTY BOARD OF COMMISSIONERS, I hereby congratulate Cleveland County's Local Amateur Radio Operators on a successful Field Day event and thank them for their continued service of providing backup emergency communication throughout Cleveland County.

SIGNED THIS THE 12th DAY OF JULY 2011.

PLANNING DEPARTMENT: ZONING MAP AMENDMENT- ALVIN YARBRO (Case #11-05)

Bill McCarter, Planning Director, presented a petition from Alvin Yarbrow requesting a zoning map amendment from Residential (R) to Heavy Industrial (HI) for an approximately 206.75 acre tract off of Oveda Ct. between Kings Mountain and Grover. Mr. McCarter reviewed the recommendation from the Planning Board and from Isothermal Planning and Development Commission. He made note that it is his recommendation to amend the Land Use Plan prior to approving the zoning map amendment thus making the property consistent with the Land Use Plan. He recommended not only amending the land use plan to encompass this one property but a larger area including a property that was also recently rezoned Heavy Industrial. Amending the Land Use Plan would indicate that this would be an area of industrial growth.

Chuck Nance, Planning Consultant, Isothermal Planning and Development Commission: DENY

Rezoning Case 11-05 is a request from Alvin Yarbrow to rezone approximately 207 acres off Oveda Ct from R Residential to HI Heavy Industrial. The surrounding property is zoned R Residential, RM Manufactured Homes and Parks, and there is a LI Light Industrial (not adjacent) to the south, and a HI Heavy Industrial (not adjacent) to the east. The future land use is projected as residential. It is our opinion that since the property is surrounded by residentially zoned property, and that the future land use is projected as residential, that Cleveland County should deny this request in that this proposal may be considered "spot zoning".

It has been a while since we have discussed Spot Zoning. Spot Zoning is an arbitrary tract that is singled out and allowed different restrictions than those of surrounding parcels. The restrictions could be more or less than the surrounding parcels depending upon the proposal, but in this case would allow the tract owner to be able to use his property in a way that the surrounding parcel owners would not be able to do, and may be detrimental to the surrounding parcels. In determining Spot Zoning the County should consider four factors: 1) the size of the tract; 2) compatibility with planning efforts-what does the future land use specify; 3) benefits and detriments-is there a balance between who benefits and who is harmed; and 4) relationship of uses-in this case the difference between uses allowed in the R Residential Zone and HI Heavy Industrial.

However, if the County does think that this request has some merit (especially with the other industrial zoned property nearby), then the County should revisit the proposed future land use and determine if the Land Use Plan should be amended before proceeding with rezoning. At least this way you would have a basis for rezoning if this case was challenged.

Planning Board Recommendation: DENY

The Planning Board voted 5-2 to recommend that the rezoning be denied. They felt that rezoning the property would be considered spot zoning.

In 2005, NCGS 153A-341 was amended to require that planning board review include written comments on the consistency of the amendment with the Land Use Plan and any other relevant plans. The Board must also explain why the action is “reasonable and in the public interest”.

2015 Land Use Plan

This area was designated as Residential, and therefore would be inconsistent with the 2015 Land Use Plan.

Is the amendment reasonable and in the best interest of the public?

Support of the neighbors appear to mixed. One adjoining property owner spoke against rezoning the property while another adjoining property owner spoke in favor of rezoning the property.

Surrounding Properties

The area is in a rural part of our county, and comprised primarily of large agricultural tracts. There is a subdivision adjoining this property to the west and there is some industrial zoned property near this area closer to Battleground Ave. and the I-85 Corridor.

Chairman Hutchins stated he spoke with the Planning Board members who voted in favor of the rezoning. Those members believe, if the county had an economic development client wanting to locate on this property, the county would re-zone the property without a problem. They felt that an individual who has a buyer interested in the property should have the same right.

Chairman Hutchins opened the public hearing and asked anyone wishing to speak for or against the proposed zoning map amendment to come forward.

Attorney Tim Moore, 305 E. King Street, spoke as the attorney for the Yarbro family. Attorney Moore described this area as a “transition zone with many different uses.” He explained there is a company interested in this property. However, at this time, all parties involved have signed confidentiality agreements so he is unable to give much information about the company or the intended use of the property.

The Yarbro family has owned the property for approximately fifty years. They have maintained the property and left it agricultural.

Attorney Moore said, “Should you rezone this property, it is unlikely that you would have a manufacturing facility locate here. It would probably be something similar to a solar farm.” He explained this is a time sensitive project. Should the prospective client located here, they will not ask for any incentives from the county. This project would provide a positive economic impact on the community.

In his opinion, Attorney Moore felt the project would not have a negative impact on the value of surrounding properties. With the size of this parcel, he felt that the issue of spot zoning could be argued. In closing, he asked Commissioners for support of this project and urged them to take action “tonight”.

Connie Bell, 2006 Dixon Dairy Road, spoke in opposition to the zoning map amendment. Ms. Bell lives on 35 acres of farmland. It is very important to the residents in the area that the Commissioners do not override the Planning Board's recommendation. "You will facilitate sale of land without knowing the people or what their intent is."

Scott Glidden, 130 Medelin Road, Grover, presented the Clerk with a written statement which he read to Commissioners:

"My name is Scott Glidden. I live at 130 Medelin Road, Grover, NC with my wife Cynthia. We purchased our home and property in 1978. It is the parcel due north of the Yarbros property we are discussing today.

I am a jacquard textile designer. Cynthia is an educator. Our farm was certified "organic" in 1987 by the Carolina Farm Stewardship Association.

In 2004, we decided to put all our efforts into organic farming. Today we have grown our effort into an artisanal food business. We sell at the farm, and on Saturdays at the Yorkmont Farmers market in Charlotte.

We love what we do!!

Last fall, we decided that in order to grow the business to its full potential, we would need to build ourselves a new facility where we could produce value added farm products such as aged cheese.

We went through the usual zoning and permit process. Currently, we are 50% complete in building our new facility. You can read about us, the home, and our architect in the spring issue of *Carolina Home and Garden*.

Our property is in the middle of a 2000 acre rural residential area. You would think it pretty safe to build a new home and food business there, wouldn't you? I did.

Unfortunately, if you agree to Mr. Yarbros Zoning Amendment request, we will find ourselves bordering Heavy Industry.

Please, vote against changing the Yarbros property to Heavy Industry.

There are many reasons against making this property Heavy Industry.

1. Its Spot Zoning. It puts a spot of Heavy Industry smack in the middle of 2,000 acres of land that is zoned residential.
2. Uncertainty, Heavy Industry could mean anything. A mine, factory, a sewage treatment plant or a parking lot. Who knows what else?
3. Water pollution. All the little creeks originating on Mr. Yarbros property run down into Long Branch Creek & most of those creeks run through my property.
4. The Yarbros property is above all the surrounding property. The noise pollution from a mine or mill would echo down through all the valley.

5. Think of the air pollution, all that mica dust settling on trees, stunting the growth of our vegetables.
6. Value. If you approve this change, with a wave of the hand, 25 properties become residential bordered by Heavy Industry. All of our properties lose value.

Please say it isn't so.

The only reason I have heard for making this zoning change is that "a man should be able to do what he wants with his own property." Well I ask you, why bother to have zoning?

I believe this zoning change, if approved, hurts all. If this property is rezoned, our rural neighborhood is hurt and only one family is rewarded.

I believe that it is your responsibility to "provide for the general welfare" by voting to deny this zoning change. Thank you!

Matt Bell, lives at property adjacent to the Yarbrow property, on a farm with his wife, three children and cattle.

"When I first heard about this case, I read the Land Use Plan and the uses that are allowed in the Heavy Industrial zoning district and it scared me to death. I am not in opposition of someone being able to do what they want with their property, but, by rezoning this property, you are affecting a lot more people. Within this Heavy Industrial zoning district, you are opening yourself up to a broad scope of things that could be in my back yard. There are lots of unknowns and we are scared of that. I don't want any decision to come tonight. I am asking you Commissioners to follow through with the research required to make this decision."

Hearing no further comments, Chairman Hutchins closed the public hearing.

Commissioners discussed the pro's and con's of the zoning map amendment request.

Commissioner Accor voiced her concern with the impact on the surrounding citizens, "If it is time sensitive around this meeting, I don't feel like we have enough answers to make a decision. The only information I do have is from the citizens saying that it will negatively impact them."

Commissioner Hawkins voiced his concern with the access to the property. Attorney Moore gave a rebuttal, "The folks looking at this property will be spending lots of money. If they didn't think the road could handle the traffic to their property, I don't think that they would locate there. I feel, with a high degree of certainty, that if this zoning map amendment is approved, this project will happen."

Commissioner Hawkins does not like the issue with the access road. He also told Commissioners, as a property owner, he has been faced with many zoning changes around his house. However, he believes that Commissioners will be faced with this exact rezoning request again.

“There are not many large tracts of land in Cleveland County that could be used for industrial development.”

Commissioner Holbrook, who serves as the Commissioner representative on the Cleveland County Economic Development Partnership Board, clarified, “Should this property be rezoned, it does not give the owner free reign to do whatever they would like on the property. There are many permit processes that will need to be completed including a look at the streams, erosion control and air quality.....I would submit to you that the property values in this area will increase as evidenced by properties around other areas of development.”

Commissioner Falls asked the County Attorney’s opinion as to making the zoning contingent upon the sale of the property within a certain period of time. Attorney Fite recommended Commissioners not tie the zoning decision to a particular use. “That is not the purpose of rezoning.”

Commissioner Accor voiced her concern with the issue of spot zoning. “Some of you are saying that it is not a spot, I believe it is based on our Planning Boards recommendation. They have done their homework. We have denied many of these spot zones. How it is going to be used has no relevance on our Land Use Plan.”

Attorney Fite again brought up the recommendation by Mr. McCarter to change the Land Use Plan prior to approving any zoning map amendment. “The intent behind the recommendation from Mr. McCarter is that, if you go against the Land Use Plan, it gives a basis for appeal to Superior Court.”

This property in question has been for sale for the last two to three years. Commissioner Holbrook commented, “If it has been for sale for the last 2-3 years as residential property and it hasn’t sold, wouldn’t you think that it may not be a good residential use.”

County Manager David Dear also recommended that Commissioners amend the Land Use Plan to make this property, as well as several other large tracts, connect to an existing area which is currently Heavy Industrial on the Land Use Plan. This would make the property, should it be rezoned, conforming.

ACTION: Jason Falls made the motion, seconded by Ronnie Hawkins, and adopted by a majority vote *to approve the zoning map amendment request and to leave the current Land Use Plan as is.* (Votes were recorded as Commissioners Hutchins, Hawkins, Holbrook and Falls voting to approve and Commissioner Accor voting to deny)

**ORDINANCE AMENDING THE CLEVELAND COUNTY ZONING MAP
Approximately 206.75 acres off Oveda Court**

Residential (R) to Heavy Industrial (HI)

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, Alvin E. Yarbrow, Jr. presented a petition to amend the Cleveland County Zoning Map at 120 Oveda Court, Parcel #10613 from Residential (R) to Heavy Industrial (HI); and

WHEREAS, the Cleveland County Planning Board found this parcel was classified as “Residential” on our 2015 Future Land Use Plan, and the Heavy Industrial zoning district would not be consistent with the comprehensive plan; and

WHEREAS, the Cleveland County Planning Board voted 5-2 to recommend that the amendment be denied because it may be considered “spot zoning”; and

WHEREAS, in accordance with NCGS 153A-343, a public hearing was held by the Cleveland County Board of Commissioners on July 12, 2011, and legal notices published on June 24 and July 8, 2011 and a sign posted on June 24, 2011 as required by law; and

WHEREAS, after consideration of comments made at the public hearing, along with the recommendation of the Cleveland County Planning Board,

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 zoning classification of parcel 10613 from Residential (R) to Heavy Industrial (HI) as illustrated on the attached map designated “Case 11-05”, and being incorporated herein by reference and made part of this ordinance.

BEGINNING at a sourwood and runs thence south with Turner’s line 62 poles to a stake in said line; thence a new line 68 west 100 poles to a stone, a new corner; W.C. Graham’s line; thence north 19 west 27 1/2 poles to a pine; thence north 8 east 38 poles to a pile of stone in Gibson’s line; thence with it north 65 east 108 poles to the BEGINNING, containing 42 acres, more or less. The same being a part of the James Earl tract and being that tract of land conveyed to Robert H. Oates, by J.A. Anthony, Administrator, by deed dated January 29, 1901, and recorded in Book II, Page 450, and being that same property deeded to John M. McDowell by J.L. Suttle and M.A. Spangler and wife, Ethel Spangler, May 5, 1938.

BEGINNING on a rock, the Oates corner on the Graham line, and running north 69 east 23.50 to a rock in an old field; thence north 82 ¼ east 1.50 to a stake, on old line; thence south 4 ¼ west 29.87 to a pine stump, the Keeter and Mullinax corner, the Dixon corner; thence north 85 ½ west 13.75 to a hickory; thence north 16 ½ west 4.75 to a rock; thence north 30 ¼ west 8.83 to a black gum stump on east bank of branch; thence north 4 west 6.00 to a pine; thence north 15 ½ west 2.66 to the beginning, containing 46 ¼ acres, more or less also one other tract of land adjoining the above described premises, bounded by Mrs. Gardner, W.K. Shepherd and others.

BEGINNING on a rock, Shepherd’s corner, and running north 87 east 10.00 to a stone pile on Shepherd’s line; thence south 3 ¼ west 39.50 to W.O., thence south 29 ½ west 14.20 to a rock, Robert’s corner; thence north 87 west 18.10 to a stake and pointers; thence north 3 ¾ east 50 ½ with Mrs. Gardner’s line to a sourwood on Gibson’s line; thence north 70 east 11.00 to a stake on Shepherd’s line; thence south 25 east 6.22 to the beginning, containing 118 ½ acres, more or less. Same being the lands of the M.M. Stewart Estate, deed to which will be found in Book 4-Q at Page 421 in the Register of Deeds office for Cleveland County, North Carolina.

This Ordinance shall become effective upon adoption and approval.

Adopted this 12th day of July, 2011 at 6:00 p.m.

STEP ONE CHALLENGE WINNERS

Anne Short, Director of Cleveland County Alliance for Health, thanked Commissioners for their support of the Step One Challenge. This year 187 teams reported covering 854 individuals. 37 of those teams were comprised of county employees. The winning team was based on the highest number of average steps per team per person. Ms. Short introduced the winning individual and winning team as well as the County employee with the highest number of steps and the first place team made up of county employees.

First Place Individual: Aaron Vassey, *Killin Time* **1,159,954** steps

First Place Team: *Team Tenderfoots* **922,614** avg. per person
 Tracie Dennis, Captain
 Kevin Dennis
 Travis Dennis
 Robert Dennis
 Charlotte Dennis
 Tricia Flemming

COUNTY EMPLOYEES

First Place Individual: Jean Mews, *Walk this Way* **785,819** steps

First Place Team: *The Globetrotters* **621,410** avg. per person
 Jean Mayes, Captain
 Scott Bowman
 Brent Harp
 Bill McCarter
 Pam McCurry
 Gabbe Rudisill

CONSENT AGENDA

APPROVAL OF MINUTES

There being no corrections, additions, or deletions to the Minutes of *June 7, 2011 and June 21, 2011*, motion was made by Ronnie Hawkins, seconded by Jason Falls, and unanimously adopted by the Board, to ***approve the minutes as written.***

PUBLIC SAFETY GRANTS: BUDGET AMENDMENT (BNA #001)

ACTION: Ronnie Hawkins made the motion, seconded by Jason Falls, and unanimously adopted by the Board, to ***approve the following budget amendment:***

<u>Account Number</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
010.437.4.310.00/97067-1446	Public Safety Grants/Federal Grants	\$29,925.	
010.437.5.910.00/97067-1446	Public Safety Grants/Cap Equip		29,925.

Explanation of Revisions: To budget grant award from NC Crime Control and Public Safety to purchase and install GTS Switch at the City of Shelby Parks facility. Cleveland County is the sub-grantee with Catawba County as the grantee.

TAX ADMINISTRATION: ORDER TO COLLECT TAXES

ACTION: Ronnie Hawkins made the motion, seconded by Jason Falls, and unanimously adopted by the Board, to ***approve the following Order to Collect Taxes.***

State of North Carolina
County of Cleveland

To Linda Wiggins, Tax Collector:

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records for the year 2011, and all taxes outstanding for tax years 2001 through 2010, as filed in the office of the Tax Collector and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in Cleveland County and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, and to use or cause to be used, all remedies provided by law.

Adopted this the 12th day of July 2011.

TAX COLLECTOR'S MONTHLY REPORT

The Tax Collector provided Commissioners with a detailed written report regarding taxes collected during *June 2011* (copy found on Page _____ of Minute Book _____).

TAX ABATEMENTS AND SUPPLEMENTS

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during *June 2011*. The monthly grand total of tax abatements was listed as (\$5,996.46); and, the monthly grand total for tax supplements was listed as \$21,016.75.

REGULAR AGENDA

MEMORANDUM OF UNDERSTANDING; SPECIAL MEDICAL NEEDS SHELTER

Earlier in the meeting, Commissioners approved a budget amendment accepting a grant from NC Crime Control and Public Safety to purchase and install a transfer switch at the City of Shelby Park Community Center. Cleveland County EMS is requesting that the City of Shelby Park Community Center be used as a Special Medical Needs (SMN) Shelter in an emergency. The SMN Shelter would be used to house those who have special medical needs such as oxygen or nursing services during a possible disaster. This shelter would be equipped with a generator to provide continuous electricity.

The shelter would be available to neighboring counties. Should Cleveland County receive grant funds, usage fees or in-kind donations for this event, these funds will be used to offset operational costs of the facility.

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the board, *to approve the Memorandum of Understanding as presented* (copy found on Page _____ of Minute Book _____).

RESOLUTION: REQUEST NCDOT DISCRETIONARY FUNDS FOR CLEARWATER RAIL SPUR AND LEGRAND CENTER TURN LANE

Cleveland County received two grants for construction of the roadway and rail spur to serve Clearwater Paper. County officials did not anticipate the requirement of a turn-lane by NCDOT in the design phase of this project. The additional cost to construct the turn lane required funding from the rail spur portion of the project, in turn, causing the rail spur project to fall short on funding. A similar situation occurred with the requirement of a turn lane into the LeGrand Center. County Manager, David Dear recommended Commissioners request funding from the North Carolina Office of the Speaker of the house and from the Office of the President Pro Tem of the Senate to assist with the overage incurred by the requirement of a turn lane to serve Clearwater Paper and the LeGrand Center.

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to adopt the following resolutions:*

NUMBER 14-2011

**In Support of
Construction of a Rail Spur to serve Clearwater Paper**

WHEREAS, a recent expansion of Clearwater Paper, producer of more than half of the grocery store-brand tissue products in the United States, to Cleveland County includes construction of a distribution center and a manufacturing facility; and

WHEREAS, Cleveland County is currently a tier one county with an unemployment rate of 11.3%; and

WHEREAS, the new facilities are projected to include the addition of 260 new full-time jobs; and

WHEREAS, these new manufacturing jobs will be extremely helpful to improving the economic conditions for the citizens in Cleveland County; and

WHEREAS, in support of Clearwater Paper's decision to locate in Cleveland County, Commissioners pledged to assist with the application of grants for the construction of an industrial access road and rail spur; and

NOW, THEREFORE, BE IT RESOLVED, that the Cleveland County Board of Commissioners respectfully requests \$150,000 from the North Carolina Office of the Speaker of the House, Thom Tillis, and from the Office of the President Pro Tem of the Senate, Phil Berger, to assist with the construction costs for the Clearwater rail spur.

ADOPTED THIS THE 12th DAY OF JULY, 2011.

NUMBER 15-2011

**In Support of
Construction of a Turn Lane to Serve the
LeGrand Center**

WHEREAS, the LeGrand Center is an 84,000 square foot state-of-the-art facility located on the Cleveland Community College Campus; and

WHEREAS, this unique building project, scheduled to open in mid 2012, was formed through a partnership between Cleveland County, Cleveland County Schools and the Cleveland Community College Foundation; and

WHEREAS, the LeGrand Center will house the Cleveland County Early College High School, Cleveland Community College Continuing Education Department, Cleveland County Economic Development Offices and a Conference Center; and

WHEREAS, the LeGrand Center is unique in that, the Early College High School will prepare our young people for their future while the Continuing Education Department will train displaced workers with the skills needed to be competitive in today's workforce; and

WHEREAS, the Conference Center will host trade shows, banquets and local special events boosting tourism related activities with increased hotel stays, restaurant visits and other retail activities, all of which will positively affect the economy of our county; and

WHEREAS, due to increased traffic congestion along the two lane section of US 74 Business, a turn lane has been required by the North Carolina Department of Transportation;

NOW, THEREFORE, BE IT RESOLVED, that the Cleveland County Board of Commissioners respectfully requests \$200,000 from the North Carolina Office of the Speaker of the House, Thom Tillis, and from the Office of the

President Pro Tem of the Senate, Phil Berger, to assist with the construction costs for the turn lane to serve the LeGrand Center.

ADOPTED THIS THE 12th DAY OF JULY, 2011.

BOARD APPOINTMENT: PATHWAYS

Commissioners discussed the possible merger of Pathways and the chance of the Pathways Board vacancy only being a short appointment. Commissioner Falls, who serves on the Pathways board suggested that Commissioners fill the vacancy to give Cleveland County a strong representation on the board should issues such as retention of employees, be discussed.

ACTION: Eddie Holbrook made the motion, seconded by Ronnie Hawkins, and adopted by a majority vote *to appoint Rodney Borders to serve on the Pathways Board for a term of three-years to expire June 30, 2014.*

NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS: ANNUAL CONFERENCE VOTING DELEGATE SELECTION

ACTION: Ronnie Hawkins made the motion, seconded by Jason Falls and unanimously adopted by the Board, *to appoint Chairman Johnny Hutchins to serve as voting delegate at the 2011 Annual NCACC conference.*

COMMISSIONER REPORTS

Chairman Hutchins asked that Commissioners consider a work session to look at the Cleveland County Land Use Plan. He mentioned meeting prior to their August 2nd regular meeting at 3:00 pm.

Commissioner Holbrook invited Commissioners to the baseball stadium on Thursday, July 14th to have lunch with the American Legion National Commander who will be visiting Cleveland County. Two other items of interest he mentioned were: the 82nd Airborne Chorus will sing at the American Legion Banquet and it is a very good possibility that ESPN3 will be covering the games.

Commissioner Falls asked Commissioners to put the Bethware Fair on their calendars. The Fair will be held August 2-6.

Commissioner Accor met with the Youth Commission which is being led by students from Cleveland County Early College High School. She will be working towards a mentoring program for some of the students.

Chairman Hutchins attended the dedication of Veteran's Park in Fayetteville. Here handcastings of Veteran's from all 100 counties are displayed.

RECESS TO RECONVENE

There being no further business to come before the Board at this time, Eddie Holbrook made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to recess to reconvene*

for a work session to discuss the Cleveland County Land Use Plan on August 2, 2011 at 3:00 pm in the Commission Chamber.

*Johnny Hutchins, Chairman
Cleveland County Board of Commissioners*

*Kerri Melton, Clerk
Cleveland County Board of Commissioners*