

**CLEVELAND COUNTY BOARD OF COMMISSIONERS**

**October 2, 2012**

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 (arrived at 6:15 pm)  
Mary S. Accor, Commissioner  
Jason Falls, Commissioner  
Eddie Holbrook, Commissioner  
Eddie Bailes, County Manager  
Andrea Leslie-Fite, Attorney  
Kerri Melton, County Clerk  
April Crotts, Deputy Clerk  
Chris Green, Tax Administrator  
Rebecca Clark, *The Star*  
Other individual names on file in the Clerk's Office

**CALL TO ORDER**

Chairman Johnny Hutchins called the meeting to order. Chairman Hutchins led the audience in the "Pledge of Allegiance" to the flag of the United States of America and provided the invocation for the meeting.

**AGENDA ADOPTION**

**ACTION:** Mary Accor made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, to *adopt the agenda as presented by the County Clerk.*

**CITIZEN RECOGNITION**

Commissioner Mary Accor introduced Cheyenne Lund of Shelby High School. Ms. Lund participated in the Miss Cleveland County Fair pageant. During the talent portion of the pageant, she presented a challenge to stop bullying in the form of a painting. Ms. Lund presented Commissioners with information about bullying. She is hoping to further her efforts to stop bullying by making people more aware of the problem. Commissioner Accor asked that the painting be displayed in the lobby of the Administrative Building.

**CONSENT AGENDA**

**SHERIFF'S OFFICE: BUDGET AMENDMENT (BNA #012)**

**ACTION:** Mary Accor made the motion, seconded by Eddie Holbrook, 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>
010.441.4.810.15	Sheriff/Donations-Sheriff K-9	\$ 1,000.	
010.441.5.790.15	Sheriff/Donations-Sheriff K-9		1,000.

*Explanation of Revisions: Request to budget \$500 donation from Reno Chiropractic Kings Mountain and \$500 from Reno Chiropractic Shelby for a total of \$1,000 which will be solely for K-9 Division of the Sheriff's Office.*

**HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #013)**

**ACTION:** Mary Accor made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, *to approve the following budget amendment:*

<u>Account Number/Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
012.535.4.310.00/93283-540X	Health Promotion/StateGovt Grants	\$ 494.	
012.535.5.311.00	Health Promotion/Education Expense	494.	

*Explanation of Revisions: Budget additional DHHS funds for Health Promotion activities.*

**HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #014)**

**ACTION:** Mary Accor made the motion, seconded by Eddie Holbrook, 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>
012.542.4.810.00	Rabies Control/Donations/Contributions	\$ 288.	
012.542.5.790.00	Rabies Control/Donations/Contributions	288.	

*Explanation of Revisions: Budget donations for operating expenses.*

**SOCIAL SERVICES: BUDGET AMENDMENT (BNA #015)**

**ACTION:** Mary Accor made the motion, seconded by Eddie Holbrook, 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>
011.507.4.410.00	Outside Poor/Local & Other Grants	\$ 5,000.	
011.507.5.700.00	Outside Poor/Grants	5,000.	

*Explanation of Revisions: Budget amendment necessary to accept WalMart grant in the amount of \$5,000 FY 2012/2013. This grant will assist with emergency food for adults.*

**ECONOMIC DEVELOPMENT: BUDGET AMENDMENT (BNA #016)**

**ACTION:** Mary Accor made the motion, seconded by Eddie Holbrook, 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>
010.492.4.350.00/0NCID-7673	Economic Development/St. Govt Grants	\$228,000.	
010.492.5.700.00/0NCID-7673	Economic Development/ Grants	228,000.	

*Explanation of Revisions: To budget NC One grant Kendrion FAS Controls Building Reuse Grant. County is matching \$140,565 toward grant thru an incentive agreement. City of Shelby will be matching \$87,435. A NC Rural Center Grant has also been awarded for Kendrion FAS Controls.*

**ECONOMIC DEVELOPMENT: BUDGET AMENDMENT (BNA #017)**

**ACTION:** Mary Accor made the motion, seconded by Eddie Holbrook, 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>
010.492.4.350.00/0REDC-2FAS	Economic Development/St. Govt Grants	\$285,000.	
010.492.4.991.00/0REDC-2FAS	Economic Development/Fund Bal Approp	14,250.	
010.492.5.490.00/0REDC-2FAS	Economic Development/Prof Serv.	11,000.	
010.492.5.700.00/0REDC-2FAS	Economic Development/Grants.	288,250.	

*Explanation of Revisions: To budget NC Rural Center grant for Kendrion FAS Controls Building reuse Grant County is matching \$14,250 towards grant administration and building renovations. A NC One Grant has also been awarded for Kendrion FAS Controls.*

**SHERIFF'S OFFICE: BUDGET AMENDMENT (BNA #018)**

**ACTION:** Mary Accor made the motion, seconded by Eddie Holbrook, 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>
010.441.4.310.00/16738-8476	Sheriff/Fed Gov't Grants	\$ 44,106.	
010.441.4.991.00/16738-8476	Sheriff/Fund Balance Appropriated	14,702.	
010.441.5.121.00/16738-8476	Sheriff/Salaries/Wages FT	30,140.	
010.441.5.122.00/16738-8476	Sheriff/Salaries/Wages PT	6,308.	
010.441.5.131.00/16738-8476	Sheriff/Social Security Taxes	2,260.	
010.441.5.132.00/16738-8476	Sheriff/Retirement	2,110.	
010.441.5.133.00/16738-8476	Sheriff/Hospital Insurance	5,340.	
010.441.5.134.00/16738-8476	Sheriff/Dental Insurance	180.	
010.441.5.135.00/16738-8476	Sheriff/Employer 401(k)	1,508.	
010.441.5.136.00/16738-8476	Sheriff/Medicare Taxes	527.	
010.441.5.211.00/16738-8476	Sheriff/Controlled Property Expense	494.	
010.441.5.250.00/16738-8476	Sheriff/Uniforms/Clothing	686.	
010.441.5.910.00/16738-8476	Sheriff/Capital Equipment	9,255.	

*Explanation of Revisions: Request to budget 2012 Governors Crime Commission grant funded for one year with 75% funded- 25% local match. Funds will be used to hire one full-time investigator and one part-time investigator and equipment needed for the program.*

### **SPECIAL RECOGNITION**

#### **CLEVELAND COUNTY SCHOOLS OUTSTANDING EDUCATORS OF THE YEAR**

Commissioners recognized the following with a certificate of Recognition:

Dr. Aaron Allen- Burns High School- Principal of the Year  
Heather Brown- Springmore Elementary- Teacher of the Year  
Yvonne Williams- Bethware Elementary- Teacher Assistant of the Year

### **PUBLIC HEARINGS**

Teresa Spires, Isothermal Planning & Development Commission, discussed the funding options available for the 2012 CDBG Grant cycle.

Community Development Block Grant (CDBG) is a funding that comes to North Carolina from the federal Housing and Urban Development agency as a block grant. The State of NC makes awards to qualifying small cities and counties throughout the state for projects that meet one of 3 National Objectives as established in the original legislation from Congress. They are (1) benefit low and moderate income persons, (2) remove slum and blight, and (3) assist with meeting an urgent need where other funds are not available. In addition, the project must be on the list of eligible activities established in the legislation. These include a variety of things from planning, administration and public services to water, sewer, roads and other infrastructure improvements to housing related activities.

North Carolina received about \$40 million in 2012 to fund various activities through the Small Cities CDBG program. This money is divided into various categories under state law to fund Economic and Community Development activities.

Funds for CDBG economic development activities are available through the Commerce Finance Center in the North Carolina Department of Commerce. Each year approximately 20 percent of the

CDBG funding received in the State is used for Economic Development activities. There are three basic types of projects in this category.

**Infrastructure Grants:** These funds – up to \$1 million – are used by a local government to provide water, sewer, access roads, rail spurs, electrical upgrades or natural gas lines to serve a company that is expanding or opening a new facility and will invest significant money and create jobs in the community. The money available is based on the number of jobs committed by the company and the type business. In a tier one County, the local government has no match requirement.

**Building Reuse Renovation Program:** This funding is used to pay for up to 50% of the cost of renovating a vacant building so that a new company can move in and create jobs. Eligible expenses include any system or structural repair to the building, such as HVAC, electrical upgrades, plumbing, roof or interior upfit. This program is a deferred forgivable loan from the local government to the project business with a pro-rated amount forgiven each year that the company is open and employing at least 90% of its committed jobs. The entire amount is forgiven 5 years after the loan closes.

**Shell Building Program:** This funding provides help for local governments to construct shell industrial buildings. This is a 5-year loan to the local government and is repaid with interest at the end of that period. The maximum funding available under this program is \$1,000,000.

**Community Development programs:**

CDBG Community Development programs are operated by the Community Investment and Assistance division of the Department of Commerce. About 80% of the available funding each year is managed by this division. They operate a number of grant categories. Information and deadlines for each program are outlined below:

**Small Business Entrepreneurial Assistance grants:** Applications for 2012 are due October 17, 2012. This category provides funding for a dual purpose. First the majority of funds are used to assist a local business that wants to expand, but lacks the funding to do so. The business must be at least two years old and have at least one, but not more than 100 employees. The remainder of the funding -- \$5,000 – is reserved by the local government to conduct activities to help develop an entrepreneurial environment in the community. The maximum grant award is \$250,000 or \$25,000 per job created. For 2012, the state has \$2.5 million available in this category.

***CDBG awards are limited to \$1.25 million per local government per program year with a few exceptions.***

Chairman Hutchins opened the public hearing.

Hearing no comments, Chairman Hutchins closed the public hearing.

**ACTION:** Ronnie Hawkins made the motion, seconded by Mary Accor and unanimously adopted by the board, *to accept the information as presented by Teresa Spires.*

**ECONOMIC DEVELOPMENT ~ INCENTIVES FOR STOUT BREWING COMPANY**

Kristin Fletcher thanked Commissioners for being the lead Economic Development Agent in Cleveland County. Stout Brewing Company will purchase an existing building at 518 North Simms Street in Kings Mountain. The company will create \$6 Million in new investment and 61 jobs over the next five years. Ms. Fletcher shared three positive aspects of the project:

1. The project represents renovation and reuse of an existing facility.
2. The project is entrepreneurial in scope, however it is well capitalized and has good backing.

Approving this project shows Commissioners commitment to supporting entrepreneurs.

3. This project represents diversity of industries throughout Cleveland County. Diversity is the key to a sustainable economy.

Ms. Fletcher also made note that this project will not only create production jobs but the project will also create research and development jobs.

Chairman Hutchins opened the public hearing. (*Public notice of this hearing was accomplished in accordance with the mandates of North Carolina General Statutes, with a legal advertisement published in the Star on September 21, 2012.*)

***Michael Chrisawn, Cleveland County Chamber President*** spoke in support of the incentive agreement. “This is an exciting entrepreneurial project with a good capital investment and quite a few jobs.” Mr. Chrisawn reiterated that this project diversifies and broadens the economic development base for Cleveland County.

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

**ACTION:** Ronnie Hawkins made the motion, seconded by Eddie Holbrook and unanimously adopted by the board, *to approve the incentive agreement (copy found on Page \_\_\_\_ of Minute Book \_\_\_\_).*

**PLANNING DEPARTMENT~ CODE TEXT AMENDMENT~TABLE OF USES TO UPDATE NAICS CODES FOR 2012**

The Cleveland County Planning Department uses the North American Industrial Classification System (NAICS) to describe business uses and to categorize these uses into the Zoning Table of Uses, Sec. 12-124 of the Cleveland County Code of Ordinances. The Code currently uses the 1997 edition of the NAICS. Chris Martin, Zoning Administrator, requested Commissioners approve a text amendment to update the Table of Uses and base them on the 2012 NAICS, which is the most recent version.

Mr. Martin reviewed the following recommendations from the Planning Board and the Planning Consultant:

Jim Edwards, Planning Consultant, Isothermal Planning and Development Commission: APPROVE

The proposed update of the Table of Uses to conform to the 2012 NAICS codes should improve the efficiency of administration of the Zoning Ordinance. As zoning applications begin using the new NAICS codes, the staff will be able to more easily match uses in the Table to the new codes.

Jeff Ward, Chairman, Cleveland County Planning Board: APPROVE

The Planning Board voted unanimously to approve the amendment to the Table of Uses. This amendment will update the Table so that it will be based on the 2012 North American Industrial Classification Codes.

Chairman Hutchins opened the public hearing. (*Public notice of this hearing was accomplished in accordance with the mandates of NCGS 153A-343, with legal advertisements published in the Star on September 21 and September 28, 2012.*)

Hearing no comments, Chairman Hutchins closed the public hearing.

**ACTION:** Mary Accor made the motion, seconded by Jason Falls and unanimously adopted by the board, *to approve the code text amendment as follows:*

**Sec. 12-124. Table of Permitted Uses.**

Within each zoning district indicated on the official zoning map and subject to all requirements and conditions specified in this ordinance, land, buildings, and structures shall only be used, and buildings or structures shall only be erected which are intended or designed to be used for uses listed in the table of permitted uses. Within this table, uses permitted by right in the various districts are indicated by a "Z," uses requiring a conditional use permit from the board of adjustment are indicated by a "C." A blank space in the table indicates that the use is not permitted.

The "North American Industry Classification System-1997 2012" was utilized in the preparation of this table. NAICS is used by the federal government to describe business uses. NAICS (as amended) will be used as a guide to review all uses of the property to assure that all uses conducted on the property are permitted in the applicable zoning district. A use is not required to be the primary use of the property to be considered for zoning district permitted use purposes. When a use is not listed in the table, the administrator will attempt to classify it by the use most similar to it. If the administrator should determine that a use is not listed and is not similar to a use in the table, then said use is prohibited.

<b>Table of Permitted Uses</b>										
<b>RA-Rural Agricultural RR-Restricted Residential R-Residential RM-Manufactured Homes &amp; Parks</b>	<b>NAICS</b>	<b>RA</b>	<b>RR</b>	<b>R</b>	<b>RM</b>	<b>NB-Neighborhood Business GB-General Business CP-Corridor Protection</b>	<b>NB</b>	<b>GB</b>	<b>CP</b>	<b>LI-Light Industrial HI-Heavy Industrial</b>
<b>RESIDENTIAL</b>										
Residential Single Family	00000	Z	Z	Z	Z	Z	Z			
Modular Home	00000	Z	Z	Z	Z	Z	Z			
Manufactured Homes	00000	Z		Z	Z	Z	Z			
Manufacture Home Parks	00000			C	Z					
Two-Family (Duplex)	00000	Z		Z	Z	Z	Z			
Multi-Family Housing	00000			Z	Z	Z	Z			
Family Development	00000	Z								
<b>AGRICULTURAL</b>										
Crop production	111	Exempt								
Greenhouse, Nursery & Floriculture	1114	Exempt								
Animal Production	112	Exempt								
Forest Nursery & Products	113	Exempt								
Agriculture & Forestry Support Activities	115	Z				Z	Z	Z		
<b>MINING</b>										
Mining & Quarrying	2120									Z
Construction Sand	2123	Z					Z	Z	Z	Z
Mining Support Activities	2131									Z
<b>UTILITIES</b>										
Electric Power Generation/Distribution	2211						Z	C	Z	Z
Other Electric Power Generation (Solar)	221119	C	C	C	C	C	Z	C	Z	Z

Solar Electric Power Generation	221114										
Natural Gas Distribution	2212						Z		Z	Z	
Water & Sewer Treatment (Major)	2213						C		C	C	
Water & Sewer Treatment (Minor)	2213	C	C	C	C	C	C	C	C	C	
CONSTRUCTION											
Family Development	23321	Z									
Residential Single Family	23321	Z	Z	Z	Z	Z					
Modular Home	23321	Z	Z	Z	Z	Z					
Manufactured Homes	23321	Z		Z	Z	Z					
Manufactured Home Parks	23321			C	Z						
Two-Family (Duplex)	23322	Z		Z	Z	Z					
Multi-Family Housing	23322			Z	Z	Z					
Construction Trades	23500	Z					Z		Z		
Residential Building Construction	23611	Z					Z		Z		
Non-Residential Building Construction	23620	Z					Z		Z		
Heavy and Civil Engineering Construction	23700						Z		Z		
Specialty Trade Contractors	23800	Z					Z		Z		
MANUFACTURING											
Food	31100								Z	Z	
Beverage & Tobacco Products	31200									Z	
Winery	31200	Z							Z	Z	
Textiles	31300								Z	Z	
Textile Products	31400								Z	Z	
Apparel	31500								Z	Z	
Leather & Allied Products	31600								Z	Z	
Wood Products	32100	C								Z	
Paper	32200									Z	
Printing & Related Support Activities	32310	Z				Z	Z	Z	Z	Z	
Petroleum & Coal Products	32410									Z	
Chemical	32500									Z	
Plastics & Rubber	32600								Z	Z	
Nonmetallic Mineral Products	32700									Z	
Primary Metals	33100									Z	
Fabricated Metal Products	33200								Z	Z	
Machinery	33300									Z	
Computer & Electronic Products	33400								Z	Z	
Electrical Equipment, Appliances	33500								Z	Z	
Transportation Equipment	33600									Z	
Furniture Products	33700								Z	Z	
Miscellaneous	33900								C	Z	
WHOLESALE TRADE											
Auto Parts	42110 42310									C	C
Furniture & Home Furnishings	42120 42320						Z		Z	Z	
Lumber & Construction Materials	42130 42330								Z	Z	
Professional & Commercial Equipment	42140 42340								Z	Z	
Metal & Mineral	42150 42350									Z	
Electrical Goods	42160 42360						Z		Z	Z	
Hardware, Plumbing, Heating Equip.	42170 42370								Z	Z	
Machinery, Equipment & Supplies	42180 42380								Z	Z	
Paper & Paper Products	42210 42410									Z	
Drugs & Sundries	42220 42420						Z		Z	Z	
Apparel & Piece Goods	42230 42430						Z		Z	Z	
Grocery	42240 42440						Z		Z	Z	
Farm Products	42250 42450	Z					Z		Z	Z	
Chemical & Allied	42260 42460									Z	
Petroleum & Related Products	42270 42470									Z	
Alcoholic Beverage	42280 42480						Z		Z	Z	
RETAIL TRADE											
Automobile Dealers – New & Used	44110	Z					C	Z	Z	Z	

Recreational Vehicle Dealers	44120	Z				C	Z	Z	Z	
Auto Parts, Tires & Accessories	44130	Z					Z	Z	Z	
Furniture	44210						Z	Z		
Home Furnishings	44220						Z	Z		
Electronics & Appliances	44310						Z	Z	Z	
Building Materials & Supplies	44410						Z		Z	Z
Lawn & Garden Supplies	44420	Z					Z	Z	Z	
Grocery	44510	Z				Z	Z	Z	Z	
Specialty Foods	44520	Z				Z	Z	Z		
Alcoholic Beverages	44530						Z	Z		
Health & Personal Care	44610	Z				C	Z	C	Z	
Convenience Food / Gas	44710	Z				C	Z	Z	Z	Z
Clothing	44810					Z	Z	Z		
Jewelry	44830					Z	Z	Z		
Sporting Goods	45110					Z	Z	Z		
Books & Music	45120	Z				Z	Z	Z		
Department Store	45210						Z	Z		
General Merchandise	45290						Z	Z		
Florists	45310	Z				Z	Z	Z		
Office Supplies / Gifts	45320	Z				Z	Z	Z		
Used Merchandise	45330	Z					Z	C		
Other Miscellaneous Retail	45390	Z				Z	Z	Z		
Internet / Mail Order	45410	Z				Z	Z	Z		
Vending Machine Operator	45420						Z	Z		
Fuel Dealer – Oil & Gas	45430						Z	Z	Z	Z
<b>TRANSPORTATION &amp; WAREHOUSING</b>										
Airport-Scheduled Air Transport	48110								C	C
Airport-Non Scheduled Air Transport	48120								C	C
Rail Transportation	48210						Z	Z	Z	Z
General Freight Trucking	48410						Z		Z	Z
Specialized Freight Trucking	48420						Z		Z	Z
Urban Transit System	48510						Z		Z	Z
Rural Bus Transportation	48520						Z		Z	Z
Taxi & Limousine Service	48530					Z	Z			
School Bus Transportation	48540						Z		Z	
Charter Bus	48550						Z			
Pipeline – Oil & Gas	48600								Z	Z
Transportation Support	48800						Z			
Postal Service	49100					Z	Z	Z	Z	Z
Couriers & Messengers	49200						Z		Z	Z
Warehousing & Storage	49300						Z		Z	Z
<b>INFORMATION</b>										
Publishing / Information / News	51100					Z	Z		Z	Z
Motion Picture & Video	51210						Z	Z	Z	
Sound Recording	51220						Z	Z	Z	
Radio & TV Broadcasting	51310 51510						Z		Z	Z
Cable TV Distribution	51520 51520						Z		Z	Z
Telecommunications	51721					Z	Z		Z	Z
Amateur Radio Tower	51721	C	C	C	C	C	C	C	C	C
Library	51912	Z		Z	Z	Z	Z	Z		
<b>FINANCE &amp; INSURANCE</b>										
Central Bank	52100					Z	Z	Z	Z	Z
Credit & Related Activities	52200	Z				Z	Z	Z		
Securities & Commodities	52300					Z	Z	Z		
Insurance & Related Activities	52400					Z	Z	Z		
Funds, Trusts & Other Financial	52500					Z	Z	Z		
<b>REAL ESTATE, RENTAL &amp; LEASING</b>										
Real Estate Agents & Brokers	53120					Z	Z	Z		
Property Managers	53130					Z	Z	Z		
Auto Rental & Leasing	53210						Z	Z	Z	
Consumer Goods Rental	53220						Z	Z	Z	
General Rental Centers	53230						Z		Z	
Equipment Rental	53240						Z		Z	
<b>PROFESSIONAL, SCIENTIFIC &amp; TECHNICAL SERVICES</b>										
Legal Services	54110					Z	Z	Z		
Accounting / Tax Payroll Services	54120					Z	Z	Z		
Architectural, Engineering & Related	54130					Z	Z	Z		
Specialized Design Services	54140					Z	Z	Z		
Computer Systems Design & Related	54150					Z	Z	Z		
Consulting Services	54160					Z	Z	Z		
Scientific Research & Development	54170						Z	Z	Z	
Advertising & Related	54180						Z		Z	



Veterinary Office / Clinic / Practice	54194	Z					Z		Z	Z
Other Professional / Technical Service	54199	Z					Z			Z
<b>MANAGEMENT OF COMPANIES &amp; ENTERPRISES</b>										
Management of Companies/Enterprises	55110						Z	Z	Z	
<b>ADMINISTRATIVE, SUPPORT, WASTE MANAGEMENT &amp; REMEDIATION</b>										
Office Administrative Services	56110						Z	Z	Z	
Facilities Support Services	56120						Z	Z	Z	
Employment Services	56130						Z	Z	Z	
Business Support Services	56140						Z	Z	Z	
Travel Arrangement & Reservations	56150						Z	Z	Z	
Investigation & Security	56160							Z	Z	
Services to Buildings & Dwellings	56170							Z	Z	Z
Other Support Services	56190							Z	Z	
Waste Collection	56210	C								Z
Waste Treatment & Disposal	56220	C								Z
Remediation	56290	C								Z
<b>EDUCATIONAL SERVICES</b>										
Elementary & Secondary Schools	61110	Z	Z	Z	Z	Z				
College & University	61130							Z	Z	Z
Business School	61140							Z	Z	Z
Technical & Trade	61150	Z						Z	Z	Z
Other Schools & Instruction	61160	C						Z		Z
<b>HEALTH CARE AND SOCIAL ASSISTANCE</b>										
Ambulatory Health Care Services	62100	Z					Z	Z		
Hospitals	62200							Z	Z	
Nursing Care Facility	62311	Z		Z	Z	Z	Z	Z	Z	
Family Care Home	62311	Z	Z	Z	Z	Z				
Residential Mental Health Facility	62320						C	C	C	
Assisted Living Facility	62331	Z		Z	Z	Z				
Group Home	62399	C	C	C	C					
Child Care Institution / Orphanage	62394 62399							C		
Individual & Family Assistance	62410	C					Z	Z	Z	
Food, Housing, Emergency Relief	62420							C	C	
Temporary Dependant Care Facility	62422	C	C	C	C					
Vocational Rehabilitation Service	62431									Z
Child Day Care	62441	Z	Z	Z	Z	Z	Z	Z	Z	
<b>ARTS, ENTERTAINMENT &amp; RECREATION</b>										
Performing Arts	71110							Z	Z	
Spectator Sports	71121	C					Z	Z	Z	Z
Racetrack	71121									C
Promoter / Agent / Manager	71130							Z		
Museum / Historical Site	71211	Z	Z	Z	Z	Z	Z	Z	Z	Z
Zoo / Botanical Gardens	71213	C	C	C	C	C	C			
Nature Park	71219	Z	Z	Z	Z					
<b>AMUSEMENT, GAMBLING &amp; RECREATION INDUSTRIES</b>										
Amusement Parks & Arcades	71310							Z	Z	
Gambling & Video Gaming Machine(s)	71320							C		
Golf Course & Country Club	71391	C	C	C	C	Z	Z	Z		
Marina	71393	C	C	C	C	Z	Z	Z		
Private Airpark	00000	C	C	C	C	Z	Z	Z	Z	Z
Fitness & Recreational Sport Center	71394					Z	Z	Z	Z	Z
Bowling	71395						Z	Z		
Other Amusement & Recreation	71399	Z	C	C	C	Z	Z	Z		
<b>ACCOMMODATION &amp; FOOD SERVICES</b>										
Hotel / Motel	72111							Z	Z	
Bed & Breakfast Inn	72119	Z	Z	Z	Z	Z	Z	Z		
RV Park & Campground	72120	C		C				Z	Z	
Rooming & Boarding House	72130	Z		Z	Z					
Restaurant	72211	Z					Z	Z	Z	Z
Special Food Services	72230	Z					Z	Z	Z	Z
Bar / Tavern	72241						C	C	C	C
Restaurant	72250	Z					Z	Z	Z	Z
<b>OTHER SERVICES</b>										
Auto Repair	81110	C					C	Z		Z
Electronic Repair & Maintenance	81120						Z	Z	Z	Z
Commercial Equipment Repair	81131							Z	Z	Z
Personal & Household Goods Repair	81141	Z					Z	Z	Z	Z
Personal Care Service	81210	Z					Z	Z	Z	
Death Care Service	81220	Z					Z	Z	Z	
Dry cleaning & Laundry	81230	Z					Z	Z	Z	Z
Other Personal Service	81290							Z		
Religious Organizations / Churches	81311	Z	Z	Z	Z	Z	Z	Z	Z	
Grant making & Giving	81320						Z	Z	Z	

Social Advocacy Organization	81330					Z	Z	Z		
Civic & Social Organization	81341	C	C	C	C	Z	Z	Z		
<b>PUBLIC ADMINISTRATION</b>										
General Government	92110					Z	Z	Z	Z	Z
Public Safety Facilities	92210	Z	Z	Z	Z	Z	Z	Z	Z	Z
Detention Center (County)	92214						Z		Z	Z
Correctional Institution (State & Federal)	92214								Z	Z
Human Resource Programs	92310					Z	Z	Z	Z	Z
Environmental Quality Programs	92410					Z	Z	Z	Z	Z
Housing / Community Development	92510				Z	Z	Z	Z		
Economic Programs	92610				Z	Z	Z	Z	Z	Z

Amd. of 6-17-03; Amd. of 4-6-04; Amd. of 1-18-05; Amd. of 3-1-05; Amd. of 3-21-06; Amd. of 9-5-06; 3-18-08; Amd. 3-3-09; Amd. 11-16-10.

**Editor's note:** Amd. of June 17, 2003 repealed section 12-124 in its entirety and replaced it with a new section 12-124. Former section 12-124 pertained to the restricted residential district and derived from Amd. of May 21, 1996; Ord. of June 17, 1997.

**REGULAR AGENDA**

**RESOLUTIONS IN MEMORY OF GEORGE CLAY & JIM ALLEN**

In late September, George Clay and Jim Allen passed away. Vice-Chairman Ronnie Hawkins requested Commissioners adopt a resolution in memory of the distinguished service of Mr. Clay and Mr. Allen.

**ACTION:** Mary Accor made the motion, seconded by Jason Falls and unanimously adopted by the board, *to adopt the following resolutions:*

**Number 20-2012**

***IN APPRECIATION OF CONTRIBUTIONS TO CLEVELAND COUNTY  
GEORGE CLAY JR.***

**WHEREAS**, the late George Clay Jr. was a well respected member of the Cleveland County Community; and

**WHEREAS**, his dedicated service to the community deserves special recognition; and

**WHEREAS**, Mr. Clay was a former Shelby mayor, city council member and co-founder of Clay Barnette Funeral Home; and

**WHEREAS**, Mr. Clay served as Mayor of Shelby for sixteen years, one of the longest mayoral terms in the city's history; and

**WHEREAS**, during his tenure as Mayor of the City of Shelby, Mr. Clay was a leader in the revitalization efforts of the city's uptown area; and

**WHEREAS**, as a funeral home owner, Mr. Clay has served the families of this community in their times of need for generations with care, compassion, and integrity; and

**NOW, THEREFORE, WE, THE CLEVELAND COUNTY BOARD OF COMMISSIONERS**, hereby express our sincere appreciation and deep gratitude for the dedication and distinguished service of George Clay Jr. to the citizens of the City of Shelby and Cleveland County.

**ADOPTED THIS THE 2<sup>nd</sup> DAY OF OCTOBER, 2012.**

**Number 21-2012**

***IN APPRECIATION OF CONTRIBUTIONS TO CLEVELAND COUNTY  
JIM ALLEN***

**WHEREAS**, the late Jim Allen was known as a visionary among the Cleveland County Community; and

**WHEREAS**, his dedicated service to the community deserves special recognition; and

**WHEREAS**, Mr. Allen served as Editor of the Shelby Daily Star for five years where he was an advocate for many important causes that positively affected the lives of citizens of Cleveland County as well as quality of life initiatives at a state and national level; and

**WHEREAS**, Mr. Allen led efforts to help promote countywide zoning and played an active role in the consolidation of the three school districts in Cleveland County; and

**WHEREAS**, Mr. Allen served as Chairman of the Board for numerous boards in Cleveland County leading to his earning the Shelby Lions Club Citizen of the Year in 1999; and

**WHEREAS**, Mr. Allen co-founded the Foothills Merry-Go-Round festival with the dream that the festival would be affordable to everyone in the community; and

**WHEREAS**, the vast array of activities that Mr. Allen participated in shows how Mr. Allen gave unselfishly his time and talent to benefit others.

**NOW, THEREFORE, WE, THE CLEVELAND COUNTY BOARD OF COMMISSIONERS**, hereby express our sincere appreciation and deep gratitude for the dedication and distinguished service of Jim Allen to the citizens of the City of Shelby and Cleveland County.

**ADOPTED THIS THE 2<sup>nd</sup> DAY OF OCTOBER, 2012.**

**COMMISSIONER REPORTS**

Commissioner Accor:

Several Commissioners attended the Board of Visitors meeting, the Disney Data Center tour, the Miss Cleveland County Fair Pageant and the Burns Homecoming parade.

Commissioner Holbrook:

A Healthy Heart event was held at the LeGrand Center. The Sanger Clinic performed heart testing. Carolinas Medical brought a mobile unit out. This unit has the flexibility to accommodate 250 beds.

Several Commissioners shared stories of their visits throughout the state where people are asking how Cleveland County is getting things done. Chairman Hutchins said he owed much of that to the fact that Commissioners get along and they think out of the box.

**ADJOURN**

There being no further business to come before the Board at this time, Mary Accor made the motion, seconded by Jason Falls, and unanimously adopted by the Board, to adjourn. The next regular scheduled meeting will be held ***Tuesday, October 16, 2012 in the Commissioners Chamber.***

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*Johnny Hutchins, Chairman  
Cleveland County Board of Commissioners*

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*Kerri Melton, Clerk  
Cleveland County Board of Commissioners*