Cleveland County Board of Commissioners September 19, 2017

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, Chairman

Susan Allen, Vice-Chair
Jason Falls, Commissioner
Johnny Hutchins, Commissioner
Ronnie Whetstine, Commissioner
Jeff Richardson, County Manager
Tim Moore, County Attorney
Phyllis Nowlen, Clerk to the Board
Brian Epley, Finance Director

Andrea Leslie-Fite, Assistant County Attorney Kerri Melton, Director of Community Services Allison Mauney, Human Resources Director

CALL TO ORDER

Chairman Eddie Holbrook called the meeting to order and Commissioner Johnny Hutchins led the audience in the Pledge of Allegiance and provided the invocation for the meeting.

AGENDA ADOPTION

<u>ACTION:</u> Commissioner Falls made the motion, seconded by Commissioner Allen and unanimously approved by the Board to, *approve the agenda*.

SPECIAL PRESENTATION

Kings Mountain Historical Museum: Chairman Holbrook recognized Adria Focht, Director and Curator of the Kings Mountain Historical Museum. Ms. Focht gave an update to the Board about the Kings Mountain Historical Museum.



































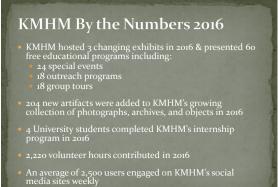


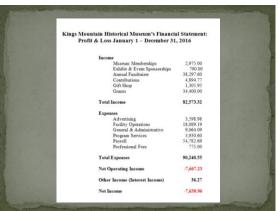










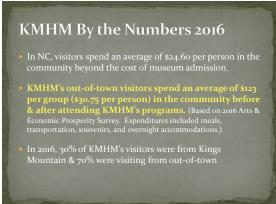




- THE ARTS MEAN BUSINESS

 In addition to the important aspects of preservation, education, and quality of life that the museum brings to the community, there is a significant return on investment for supporting arts & culture in terms of economic impact.

 N.C. tourism generated record visitor spending in 2016 with a total of \$22.9 billion, a 4.3 percent increase from 2015. Tourism industry-supported employment topped 218,000 jobs to set another record for the state. Nearly 50 million people from across the U.S. visited N.C. destinations last year. The money they spent supported 218,340 jobs and more than 45,000 businesses.
- THE ARTS MEAN BUSINESS
 State tax receipts from visitor spending in 2016 rose 5.2 percent to nearly \$1.2 billion. Visitors spent nearly \$63 million per day in N.C. last year and contributed about \$5.1 million per day in state and local tax revenues as a direct result of that spending.
 On average, museums return \$5 in tax revenue for every \$1 they receive in government funding.
 Worldwide, museums host ~850 million visitors each year, more than all major league sporting events and theme parks combined.



KMHM By the Numbers 2016
6,799 visitors reached in 2016 through KMHM's exhibits, events, and outreach programs – a 22% increase from 2015.
KMHM's 2016 visitors came from at least 25 different states across the nation and 3 foreign countries
KMHM's visitation has MORE THAN DOUBLED since 2012.



The Kings Mountain Historical Museum offers three free exhibits to the public each year. The museum celebrated its 30th Anniversary in March. Some of the most popular yearly events held at the museum is The Battle of Kings Mountain and the Model Train Display. In 2016, 30% of Kings Mountain Historical Museum visitors were from the local area and 70% were visiting from out of town. Ms. Focht advise the museum continues to grow about 20% each year and invited everyone to visit and learn about the local history.

Cleveland Community College: Commissioner Falls introduced Dr. Bill Aiken, Interim President of Cleveland Community College. Dr. Aiken thanked the Board for their continued support of the college. One of his primary goals while at the College is building the workforce which in turn helps build and support the community. Dr. Aiken wants to continue to build and strengthen the relationship between the College and the County. He wants the community to know the College is no longer in a state of limbo, they are moving forward and will continue to move in a positive direction. The enrollment at the College is stable with 1,900 full time students and they are about to break ground on a new advanced manufacturing building.

CITIZEN RECOGNITION

No citizens registered to speak.

CONSENT AGENDA

APPROVAL OF MINUTES

The Clerk to the Board included the Minutes of the *September 5, 2017 regular meeting*, in Board Members packets.

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

TAX ABATEMENTS AND SUPPLEMENTS

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during *August 2017*. The monthly grand total of tax abatements was listed as (\$34,040.49). Monthly grand total for tax supplements was listed as \$16,589.72.

			PENDING REFUNDS / RELEASE	S (RECOMMENDED F mber 19, 2017	OK APPRO	VAL)				
			Septe	mber 19, 2017			T			
e following requests ha	ve been re	viewed by th	l ne County Assessor and found to be in order. They	are hereby submitted	for approve	al by the C	leveland County	Board of Comm	issioners per G	\$ 105-381
			y Assessor's Office. Staff Recomendation: Approve							
			, , , , , , , , , , , , , , , , , , , ,	REQUESTED			TAX, FEES		REQ	UEST
NAME	YEAR	RECEIPT	NOTE	VALUE CHANGE	DISTRICT	RATE	& INTEREST	PAID	RELEASE	REFUND
OMPASS 21, INC	2016		PROPERTY SOLD PRIOR TO 1/1/2016	192,000	6	1.2172	2,526.14	0.00	2,526.14	
OMPASS 21, INC	2017		PROPERTY SOLD PRIOR TO 1/1/2017	192,000	6	1.2172	2,337.02	0.00	2,337.02	
ENDRA B. JOHNSON	2016	4199427	PROPERTY SOLD PRIOR TO 1/1/2016	2,594	51	0.7900	84.13	84.13		84.
ENDRA B. JOHNSON	2017		PROPERTY SOLD PRIOR TO 1/1/2017	2,594	51	0.8275	93.06	0.00	93.06	
A. McKAY LODGE	2017		EXEMPTION ON FILE FOR 2017	(24,742)	4	1.1500	284.53	0.00	284.53	
.A. McKAY LODGE	2016		EXEMPTION ON FILE FOR 2016	(24,742)	4	1.1500	309.45	0.00	309.45	
								TOTAL	5,550.20	84.
								IOIAL	3,330.20	04.
			PENDING REFUNDS / RELEASES (RECOMMENDED FOR I	ION-APPRO	OVAL)				
				mber 19, 2017						
			ne County Assessor and Assistant County Attorney. Idocumentation is on file in the County Assessor's Of				es not constitute	a valid defense t	o the tax impo	sed or any po
				REQUESTED			TAX, FEES		REQ	UEST
NAME	YEAR	RECEIPT	NOTE	VALUE CHANGE	DISTRICT	RATE	& INTEREST	PAID	RELEASE	REFUND
			(NONE CURRENTLY)							
							I	I		

TAX COLLECTOR'S MONTHLY REPORT

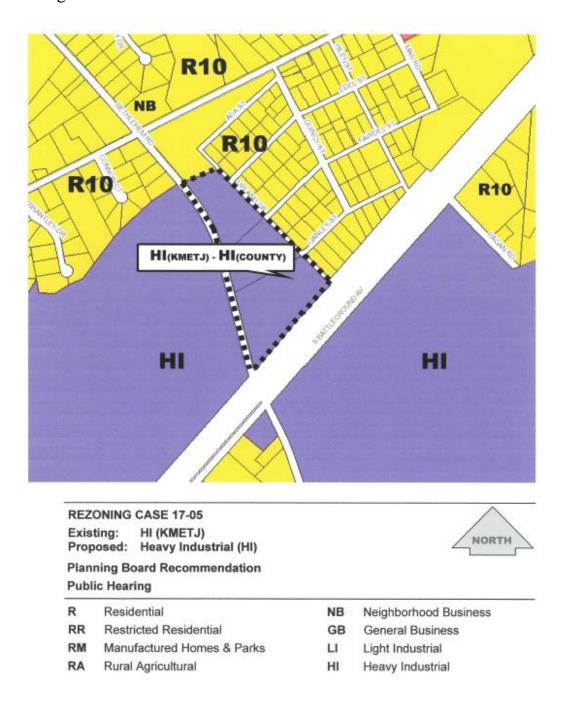
The Tax Collector provided Commissioners with the following detailed written report regarding taxes collected during *August 2017* (*copy found on Page* _____ *of Minute Book*____).

PUBLIC HEARINGS

PLANNING DEPARTMENT: ZONING CASE 17-05; 3 PARCELS ON BETHELEM ROAD

Chairman Holbrook called Chris Martin, Senior Planner for Cleveland County, to the podium. Mr. Martin stated the Planning Department is requesting to apply the County's Heavy Industrial (HI) zoning district to three adjoining parcels, totaling 18 acres, located along the intersection of Bethlehem Rd and S. Battleground Ave. The property was relinquished by the City of Kings Mountain from their Extra Territorial Jurisdiction (ETJ) to the County's jurisdiction, and therefore will need county zoning ordinances applied to it. On July 25, 2017, the Kings Mountain City Council voted unanimously to relinquish approximately 18 acres within their ETJ located south of Kings Mountain along Bethlehem Rd. This property was zoned Heavy Industrial by the City, is industrial in nature and is owned by C&C Scrap Iron and Metals, Inc. The existing use of the 3 parcels is a scrap metal business. The areas surrounding the property are zoned as Residential-20 (R20) to the North, while Industrial zoning lies along the southern area. The northern area consists of mostly residential uses while the southern surrounding area consists of the rail road and mining uses. Since this property was in the Kings Mountain ETJ, it is not designated as

a future use in our Land Use Plan and will also need a designation applied. Light and Heavy Industry designation would match the uses of this property and is consistent with the County's current land use designation to the south. Staff is recommending designation to the Heavy Industrial/zoning. This designation has the most compatibility with its current zoning and would ensure the smoothest transition.



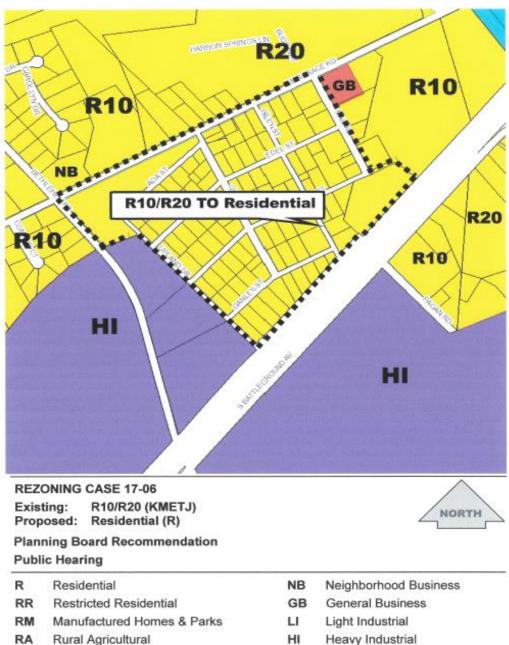
Chairman Holbrook opened the floor to the Board for questions. Commissioner Hutchins inquired on why the property is being zoned as light and heavy industrial and does the land use follow the zoning guidelines. Mr. Martin replied "the land use plan is designated as light/heavy industrial. The zoning would be heavy industrial. Land use plan differs from regular zoning. The heavy industrial does follow and is compliant with the light/heavy land use designation" Mr. Martin added there is no designation for heavy industrial only. Commissioner Hutchins stated, "this changes nothing as far as the use for the property right now." Mr. Martin stated that was correct.

Chairman Holbrook opened the Public Hearing at 6:26 pm for anyone wanting to speak for or against the rezoning case 17-05. No citizen chose to speak. Chairman Holbrook closed the Public Hearing at 6:27 pm. (Legal Notice was published in the Shelby Star on Friday, September 8, 2017 and Friday, September 15, 2017).

<u>ACTION:</u> Commissioner Hutchins made a motion, seconded by Commissioner Falls, and passed unanimously by the Board to, *adopt the heavy industrial zoning to the properties and apply the light/heavy industrial land use designation*.

PLANNING DEPARTMENT: ZONING CASE 17-06; 109 PARCELS ON MARGRACE ROAD

Chairman Holbrook called Chris Martin, Senior Planner for Cleveland County, to the podium. Mr. Martin stated The Planning Department is requesting applying the County's Residential (R) zoning district to properties located on Margrace Rd in the Mid Pine Community which are currently zoned by the City of Kings Mountain as resdential-10 (R-10) and Residential-20 (R-20). The property was relinquished by the City of Kings Mountain from their Extra Territorial Jurisdiction (ETJ) to the County's jurisdiction, and therefore will need our zoning ordinances applied to it. On July 25, 2017, the Kings Mountain City Council voted unanimously to relinquish approximately 65 acres within their ETJ located south of Kings Mountain along Margrace Rd. This relinquishment is residential in nature and contains: 109 parcels, 78 houses, 42 manufactured homes (19 of which are in a manufactured home park) and a church. The areas surrounding the property are zoned as Residential-10 (R-10) and Residential-20 (R-20) to the North, East, and West, while Industrial zoning lies along the southern area. This area consists of mostly mixed residential uses, with the rail road and a scrap metal industry to the south. Since this property was in the Kings Mountain ETJ, it is not designated as a future use in our Land Use Plan and will also need a designation applied. Residential designation would match the uses of this neighborhood and the surrounding area. Staff is recommending a zoning designation of Residential. This designation has the most compatibility with its current zoning and would ensure the smoothest transition. Zoning ordinances and building codes will now be applied to this area. Zoning to Residential (R) will allow the property owners to continue using these properties in a conforming manner. Staff is also recommending this area be designated as Residential on the County's Land Use Plan.



HI

Rural Agricultural

RA

Chairman Holbrook opened the floor to the Board for questions. Commissioner Falls asked if anyone had inquired why the City of Kings Mountain did not also relinquish the property across the road that is also classified as R10 and R20. Mr. Martin said that question had not been asked. Commissioner Hutchins stated Margrace Road services both sides of the neighborhood. The City of Kings Mountain has split the community; therefore, half the neighborhood will be in the city and the other half will be county's jurisdiction. Commissioner Hutchins doesn't think this was a good decision. He added, if Kings Mountain is unable to maintain the neighborhood, the County, in the near future, should acquire more of the surrounding ETJ. Chairman Holbrook asked Mr. Martin to follow up on Commissioner Falls' question and communicate back to the Board. Commissioner Falls also stated, for verification, "there is a time line that must be followed and the County must take action on this area or it becomes un-zoned." Mr. Martin replied "this was correct. General Statute states when a town or city relinquishes jurisdiction, the city or towns zoning is maintained up to 60 days or until the county applies there zoning. If the county fails to apply its zoning, the property becomes un-zoned."

Chairman Holbrook opened the Public Hearing at 6:31 pm for anyone wanting to speak for or against the rezoning case 17-06. No citizen chose to speak. Chairman Holbrook closed the Public Hearing at 6:32 pm. (Legal Notice was published in the Shelby Star on Friday, September 7, 2017 and Friday, September 15, 2017).

Commissioner Hutchins stated the relinquished property has been a concern. Staff has driven through the area. It is going to be challenging for the County to survey and enforce the multitude of code violations.

Commissioner Hutchins asked Chris Martin to take an aerial map of the neighborhood and make a correlating legend with each structure and owner information listed. This may help with the inspections and code enforcement. Chairman Holbrook asked Mr. Martin to keep the Board up to date with the progress of the neighborhood.

Commissioner Falls also requested a dialog be kept between the County and City of Kings Mountain as this issue is progressing. County Manager Jeff Richardson advised the Board he gave the City Manager of Kings Mountain the expectations Cleveland County has with not only this relinquished property but any other related issues from this point moving forward.

<u>ACTION:</u> Commissioner Hutchins made a motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board to, adopt the Residential zoning and land use designation to the properties noted by Chris Martin, Senior Planner.

<u>VETERAN'S ADVISORY BOARD</u>

Clerk to the Board, Phyllis Nowlen, presented Commissioners with a list of applicants for the Veteran's Advisory Board.

<u>ACTION:</u> Commissioner Hutchins made the motion, seconded by Commissioner Falls, and unanimously adopted by the Board, *to appoint Donald Schenck to serve as a member of this board*, for a period of three-years, scheduled to conclude June 30, 2020.

CLOSED SESSION

ACTION: Commissioner Allen made the motion, seconded by Commissioner Hutchins, and unanimously

adopted by the Board, to go into closed session per NCGS 143-318.11(a)(4) to discuss potential Economic

Development matter and per NCGS 143-318.11(a)(6) to consider the qualifications of an individual public

officer. (Copy of closed session minutes found in Closed Session Minute Book)

<u>RECONVENE IN REGULAR SESSION</u>

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Whetstine, and

unanimously adopted by the Board, to reconvene in open session.

Chairman Holbrook announced no action was taken during the closed session.

COMMISSIONER REPORTS

Commissioners had nothing to report at this time.

ADJOURN

There being no further business to come before the Board at this time, Commissioner Hutchins made the

motion, seconded by Commissioner Allen, and unanimously adopted by the Board, to adjourn the meeting. The

next meeting of the Commission is scheduled for *Tuesday, October 3, 2017 at 6:00 p.m. in the Commissioners*

Chamber.

Eddie Holbrook, Chairman Cleveland County Board of Commissioners

Phyllis Nowlen, Clerk to the Board Cleveland County Board of Commissioners