

**CLEVELAND COUNTY BOARD OF COMMISSIONERS**

**February 3, 2004**

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:** Mary S. Accor, Chairwoman  
Ronald J. Hawkins, Vice-Chair  
Tom Bridges, Commissioner  
Willie B. McIntosh, Commissioner  
Jerry L. Self, Commissioner  
David Dear, Assistant County Manager/Finance Director  
Bob Yelton, County Attorney  
Wanda Crotts, CMC, County Clerk  
Patricia D. Spangler, Deputy Clerk  
Bill McCarter, Planning Director  
Joy Scott, The Star  
Jennipher Hammerstein, Cleveland Headline News  
Other individual names on file in the Clerk's Office

**CALL TO ORDER**

Chairwoman Accor called the meeting to order and led the audience in the "Pledge of Allegiance" to the flag of the United States of America. Vice-Chairman Hawkins provided the invocation for the meeting.

**AGENDA ADOPTION**

**ACTION:** Tom Bridges made the motion, seconded by Jerry Self, and adopted by a unanimous vote of the Board, to ***adopt the agenda as presented by the County Clerk, with the following additions:***

***(1) Add to Regular Agenda: MRA Industries - NC Rural Economic Development Center grant award - Press release (Mary Accor)***

**CONSENT AGENDA**

**APPROVAL OF MINUTES**

There being no corrections, additions, or deletions to the minutes of ***January 2, 2004***, and ***January 20, 2004***, motion was made by Willie McIntosh, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to ***approve*** the minutes as written.

**SOCIAL SERVICES: BUDGET AMENDMENT (BNA #020)**

**ACTION:** Willie McIntosh made the motion, seconded by Ronnie Hawkins, 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>
011.504.4.310.00	Title XX/Federal Gov't Grants	\$19,204.	
011.504.5.500.00	Title XX/Misc Grant Expenses	19,204.	

**Explanation of Revisions:** Budget amendment necessary to accept additional Federal Adoption Incentive funds for F/Y 03/04.

**PURCHASING: OUTREACH PLAN AND GUIDELINES FOR RECRUITMENT AND SELECTION OF MINORITY BUSINESSES FOR PARTICIPATION FOR COUNTY OF CLEVELAND BUILDING CONSTRUCTION CONTRACTS**

**ACTION:** Willie McIntosh made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to ***approve the request of Chairwoman Accor that this item be deleted from this agenda and placed on the February 17, 2004 agenda.***

**HUMAN RESOURCES: REDUCTION IN FORCE - POSITION 101.492.5038 - CLEVELAND COUNTY CHAMBER, TRAVEL AND TOURISM DEVELOPMENT**

**ACTION:** Willie McIntosh made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to ***approve the reduction in force request from the Cleveland County Chamber, effective January 23, 2004.*** (Reference Memorandum of Agreement with the Chamber adopted July 2, 2002 regarding economic and tourism development positions.)

**GROVER RESCUE SQUAD FRANCHISE AGREEMENT: CHANGE IN HOURS OF SERVICE**

**ACTION:** Willie McIntosh made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to ***approve the franchise agreement found on Pages \_\_\_\_\_ of Minute Book \_\_\_\_\_.***

**CLEVELAND COUNTY BOARD OF HEALTH: RECIPIENT OF THE ASSOCIATION OF NORTH CAROLINA BOARDS OF HEALTH OUTSTANDING BOARD OF HEALTH AWARD**

**ACTION:** Jerry Self made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to ***approve the following resolution***, which was presented to members of the Board of Health.

**NUMBER 04-2004**

**RESOLUTION**  
**IN RECOGNITION OF THE**  
**CLEVELAND COUNTY BOARD OF HEALTH**

***WHEREAS***, on January 29, 2004, the Association of North Carolina Boards of Health presented the Cleveland County Board of Health the Outstanding Board of Health Award; and,

***WHEREAS***, the Cleveland County Board of Health was nominated for this prestigious award because of their “community involvement, citizen support, interagency collaboration, innovative approaches and the impact they have made on the public’s health in Cleveland County”; and,

***WHEREAS***, through their strong leadership and advocacy for health promotion and preventive health initiatives, citizens are becoming more educated about their health; and,

***WHEREAS***, their initiatives have motivated policy changes that create a healthy environment in the local communities through such programs as Walkable Communities, Task Force on Overweight/Obese Children, Faith Wellness Initiative, and education regarding substance abuse prevention, minority health disparities, cardiovascular disease, teen pregnancy, child health and violence - *only to name a few!*

***NOW THEREFORE BE IT RESOLVED***, that the Cleveland County Board of Commissioners hereby congratulate the Cleveland County Board of Health for having received this distinguished award, further acknowledgment of their commitment to assuring that quality public health services are accessible to all residents of Cleveland County.

***ADOPTED THIS THE 3 DAY OF FEBRUARY 2004.***

**POWERFUL YOUTH FRIENDS UNITED UPDATE**

Adam Oates provided an update to his report of August 19, 2003. Mr. Oates stated, “A lot has happened . . . with the help of the Mental Health Association and Pathways, I have helped in forming a local youth group from ages 13 - 21 that have mental illness called the Cleveland County Powerful Youth Friends United. Our meetings are held twice a month. We are working on team building skills and communication. This past Saturday, we made a proposal to the Youth Board of United Way for funding to hold a youth rally to be held in May. I’m grateful that we received most of what we had asked for . . . this will help in our fight against stigma. The youth rally will be at the Cleveland County Fairground. I urge each and every one of you to come and join us. As you know, I am also part of a statewide youth group called the Powerful Youth Friends United. We have been busy and our upcoming months will be even busier. We had a leadership training in January in which we had a lot of new youth from across the state . . . we have been asked to present to the clients rights conference in May and also give a panel presentation. In May, we are planning on holding training on how to speak to your legislatures and then go and speak to them in Raleigh. In October of this year, we have also been asked to present at the

School Social Workers conference in Blowing Rock. We are participating in a tela-conference with the substance abuse and mental health administration soon. We all continue to speak to groups at our individual local counties and at various places. We, of course, like a lot of groups out there, are still struggling with finding funding. I ask if any of you hear of any potential funding, please contact me.”

Commissioners commended Adam for his dedication and hard work.

**REGIONAL TRAVEL DEMAND MODELING PROCESS - LAKE NORMAN AND ROCKY RIVER RURAL PLANNING ORGANIZATION (RPO)**

\_\_\_\_\_ Rebecca Yarbrough, Centralina Council of Governments, reviewed the following written summary explaining this project.

The Charlotte metropolitan region includes four Metropolitan Planning Organizations: the Mecklenburg-Union MPO, the Gaston Urban Area MPO, the Cabarrus-Rowan MPO, and the Rock Hill-Fort Mill Area Transportation Study. We also are served by two Rural Planning Organizations, or RPO's - the Lake Norman RPO and the Rocky River RPO.

These agencies, along with the two states' departments of transportation, NCDOT, and SCDOT, are collaborating to develop a Regional Travel Demand Model. This Travel Demand Model is a critical element of our region's response to the anticipated designation by the US EPA of our region as an air quality non-attainment area in April of 2004. Once designated as non-attainment, the region must prepare and submit a transportation conformity plan, demonstrating that the region's transportation system (*both existing and proposed for the future*) does not worsen air quality. Failure to submit such a plan results in *transportation non-conformity*, and entails significant economic penalties in the form of the withholding of federal transportation dollars to the region. The attached map (*reference Page \_\_\_\_\_ of Minute Book \_\_\_\_\_*) shows the current proposed non-attainment area.

Much work has already gone into development of the modeling effort. Extensive data has been collected and verified on current land use, employment, and population distribution. Additional studies have been done to determine how much traffic passes through the region as opposed to staying within the region, and how likely people are to drive, car pool, walk, etc. to get to their destinations. However, much of the Regional Travel Demand Model project involves predicting *where residential and employment growth will occur in our area*, and we have used local "expert panels" involvement as an essential component of developing realistic and credible growth projections.

In the Expert Panels, we asked the Expert Panel to first review data on what land is currently being used for the county, and help to identify factors that influence what makes land desirable for development. We also asked for the Expert Panel's input on what factors are most important for *residential growth* in various parts of the county - for example, in some areas lake proximity may be the key, whereas in other areas, interstate proximity may be important. We presented the Expert Panel with a series of maps that show geographically how these factors impact current undeveloped or redevelopable land in the Expert Panel's county. We sought the Panel's input on whether or not our estimations look realistic, and on any mitigating factors - factors that would either speed or slow development in an area, such as proximity to a landfill.

We then took the Expert Panel's input and converted it into draft population projections, based on the total developable capacity for each part of the county. We then brought the results back to the Expert Panel for final review. At the same meeting, which was held in late August in Iredell County, we also discussed employment trends - as we have used some land for residential development, where will future jobs go? Which jobs will need to be located adjacent to residential development (*day cares, laundries, etc.*) and which are not dependent on a nearby residential base? We are now at the point of allocating projections of job growth by industry cluster from a consultant to various geographic locations within the county, based on the Panel's expert input.

These projections will form the basis for projecting travel patterns throughout the region in the future, and relating projected travel patterns to current transportation plans. Eventually, projections of "Vehicle Miles Traveled" will be produced for each county and the region as a whole, and these will be used to produce the studies needed to determine transportation conformity with EPA air quality standards.

The participation of the local Expert Panels in this process has proven critical to obtaining reasonable, credible, and defensible projections of growth and its geographic distribution throughout the region. We cannot stress the public service the Expert Panel's participation in this process has represented, both for the county, the Lake Norman RPO, and the region as a whole.

The role of local elected officials is equally important. In order for the projections of population and employment growth to have credibility with federal agencies reviewing the conformity plan, they must have the concurrence of local elected officials. The projections we are using should adequately reflect what you see as growth and development patterns in your community. If you plan any significant changes in the codes or regulations that would affect density of development, and thus population projections, it is important that these be reflected in the projections.

Ms. Yarbrough stated, "We'll be coming to you probably in March and April to get input on any additional transportation needs that you all may have as we go toward 2030 . . . we want to be sure those are included in the regional transportation plan that is developed as a part of this effort. So we'll be going to be coming back to you with two things that we would like input on, the first is the population projections and where you see growth occurring in the county, which again we will validate and work into the land use planning process, but then secondly, the transportation needs that you all identify even beyond those that you have requested from the Transportation Improvement Program (TIP). Again, you all are fortunate that you don't have to worry about any of the EPA consequences of this, this is one of those times you just reap the benefit from being near somebody who has problems but you didn't have them yourselves."

Commissioner Self asked, "Is this a possible vehicle for us to get two things that we need done like the bypass speeded up that's being built north of Shelby; and, also in terms of getting an Interstate designation of three digits for Highway 74?" Ms. Yarbrough said, "I don't know that it would have any impact on the Interstate designation. It is remotely possible that if there are congestion issues with not having the bypass that are air quality problems in the non-attainment area, that could cause there to be a desire to move that forward. Now, the other part of the problem is that you've not only got to have the desire, but you've also got to have the money, so that would have to be something that is negotiated as a part of the regional transportation plan, but that could happen if there was congestion happening in Cleveland County that in fact was causing a spillover of air quality problems into the non-attainment area."

### **HOMELAND SECURITY**

Charlie Vanhoy, Shelby Chief of Police, said, "I making a proposal that is very simplistic in nature that somehow seems to get complicated. My proposal is that we create a synergized uniform command process that all municipalities and county agencies are familiar with, have trained together and planned together. No single agency has all the answers as to how to respond to a WMD incident; however, by combining the resources we have throughout the county, we can come closer to being prepared to respond effectively and efficiently if the need arises. The concept that I present to you is not unique, is not original to me, it's not my idea. I actually got it out of a trade magazine about a year ago. I put the plan together and presented it to the fire service and law enforcement personnel within the City of Shelby. I was told this needs to be done on a larger scale to be effective, it needs to be a county initiated and a county managed plan if it's going to work, simply because of the issues involved in a WMD incident. I'm not here to tell you that I think that Cleveland County will ever be hit or imposed upon by a weapon of mass destruction, but the issues involved in a WMD incident are so closely related to all the other issues that we deal with regularly - natural disasters, weather related disasters - they do correlate, there is some overlap, but what I'm recommending is that we take the planning and the training and the preparedness to the next level. We are 42 miles from Charlotte and Charlotte has been designated as a potential lower level target. We are also in the evacuation route of two nuclear plants. Again, I think there are plans in place that address all of those issues, I'm recommending we take it to another level."

Mr. Vanhoy said, "I want to be delicate and I may be out in left field on this, but I have an idea that we can bring all the players together - all the players being public health, the medical community, the fire side, the rescue side, the law enforcement side, bring them all together at the same place at the same table and over a period of time develop a plan specifically addressed to WMD, trust being developed by communicating and talking and planning over time and then combining the resources from the City of Kings Mountain and the City of Shelby and all of unincorporated Cleveland County and make those specialized services not need to be duplicated. That each of the players knows what the other expects

and will need, that they plan together and train together and communicate well together. That seems simplistic, but I've been part of this for all my career and I know that sometimes those communications don't happen and I'm not standing here telling you that I can wave a wand and make that happen, but I'm telling you as one of the folks involved, soon to be retired, that communication needs to take place and we all need to work together better than we have . . . and WMD is the vehicle to cause that to happen."

He said, "There will be two sides to this endeavor. The first is the taskforce where all the players, all the stakeholders . . . bring those folks to the table, let them plan and prepare and share their resources with each other. Over a period of time this group would evolve into a smaller response-oriented group of the actual folks that go out and respond, and that would be the second phase of the taskforce concept. The agenda would be very specific to WMD, this is where I think there is sometimes an overlap in emergency preparedness and WMD response."

He continued, "We all get caught up in a lot of meetings, and I would submit to you that more meetings is not the answer to anything, but meetings that are sanctioned by this governing body to the public service providers and the emergency service workers throughout this county - that it is your wish these meetings be attended and it is your wish that the end product be a unified response plan, it can be made to happen."

Mr. Vanhoy stated that in the proposal (*found on Pages \_\_\_\_\_ of Minute Book \_\_\_\_\_*) he tried to "create very identifiable goals with measurable objectives."

Commissioners supported Mr. Vanhoy spearheading this plan, stating they felt he was the correct person to "champion" this project and that they look forward to hearing further discussion on the matter.

**PLANNING DEPARTMENT: ZONING MAP AMENDMENT - FRANK RUDISILL (Case #04-01) (2219 South Post Road, Shelby)**

**ACTION:** Ronnie Hawkins made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to ***approve scheduling a public hearing on March 16, 2004 regarding this petition.***

**PLANNING DEPARTMENT: ABANDONMENT OF PUBLIC RIGHT-OF-WAY REDMAN ROAD (SR 1968)**

\_\_\_\_\_ There was discussion regarding the fact that one of the adjoining property owners would be adversely affected by the proposed abandonment. Commissioners requested Mr. McCarter talk with the property owner before the public hearing.

**ACTION:** Tom Bridges made the motion, seconded by Jerry Self, and unanimously adopted by the Board, to ***adopt the following resolution.***

**NUMBER 05-2004**

**RESOLUTION**  
**INTENT TO ABANDON PUBLIC RIGHT-OF-WAY**  
**REDMAN ROAD (SR 1968)**

**WHEREAS**, the Board of County Commissioners of Cleveland County, North Carolina, have received a petition from property owners adjoining a portion of **REDMAN ROAD (SR 1968)**, requesting that the public right-of-way (*approximately 0.17 miles*) be abandoned.

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with the mandates of NCGS 153A-241, the Cleveland County Board of Commissioners do hereby call for a public hearing regarding the proposed abandonment of a portion of **REDMAN ROAD (SR 1968)**, to hear all interested persons with respect to the proposed abandonment, on **TUESDAY, MARCH 16, 2004, at 6:00 p.m.** in the Commission Chamber, Cleveland County Administrative building, 311 East Marion Street, Shelby, North Carolina.

**ADOPTED THIS 3RD DAY OF FEBRUARY 2004.**

/S/ Mary S. Accor, Chairwoman

**CLEVELAND COUNTY EMPLOYEE PRODUCTIVITY AWARD REVIEW COMMITTEE - BOARD APPOINTMENTS**

**ACTION:** Ronnie Hawkins made the motion, seconded by Jerry Self, and unanimously adopted by the Board, to **reappoint (1) Willie McIntosh as Commissioner representative; and, (2) reappoint Joe Hendrick as citizen representative to the Employee Productivity Award Review Committee.** Each appointment is for a period of one year, scheduled to conclude February 2005.

**GOVDEALS ONLINE AUCTION OF SURPLUS AND CONFISCATED ITEMS POLICY**

During their regular meeting of December 2, 2003, Commissioners approved the policy with GovDeals for online auction of surplus and confiscated items. Commissioner McIntosh expressed concern that many citizens may not have access to a computer. He also noted that many people “look forward” to the auction each year and he felt this method may not be the “best for citizens who pay the taxes”, wanting citizens to “have the opportunity” to buy instead of “competing online” with out-of-county bidders.

Other Commissioners indicated they felt it was their responsibility to secure the highest return on these surplus and confiscated items and that obtaining the maximum price would “benefit all citizens.”

**CONSENSUS:** It was the consensus of the Board to **go through the online process once and “if it does not bring in more than the live auction, then revisit the matter.”**

**MRA INDUSTRIES: NORTH CAROLINA RURAL ECONOMIC DEVELOPMENT CENTER GRANT**

Chairwoman Accor announced that the county has received a sewer infrastructure grant award. She said, “The Executive Board of the North Carolina Rural Economic Development Center has awarded Cleveland County the sum of \$37,407 to help fund a sewer line extension from the Kings Mountain wastewater treatment system to the 50,000 square foot facility within the county’s industrial park that will house MRA Industries.” She advised the grant amount could double to a total allotment of \$74,815 if the company generates 30 jobs within the next two years. MRA Industries is a manufacturer of machined components for the automotive and powertrain industries, and provides products to Original Equipment Manufacturers (OEM) and their Tier 1 suppliers.

**COMMISSIONER REPORTS**

\_\_\_\_\_ Commissioner McIntosh stated an update on the Pathways divesture plan will be heard by Commissioners within the next few weeks.

Vice-Chairman Hawkins advised the Cleveland County Board of Education will meet on Monday, February 9, 2004 at Elizabeth School. Michael Crowell is the scheduled speaker and will discuss the election process.

Commissioner Self reported he attended the Shelby City Council meeting last night and that online ordinances were an issue of concern discussed by Council members. He stated that recently a portion of the Shelby City ordinances was inadvertently omitted from the online publication, which allowed a business to receive a permit that would not have otherwise been allowed. Commissioners suggested all departments review the county online ordinance for accuracy. He also noted that Mayor Alexander had requested a copy of the resolution recently adopted by Commissioners regarding the demolition landfill be sent to City Council for them to consider a similar resolution of support. Commissioner Self advised that Hal Mason with the City has advised the City has a consultant drawing up an airport zoning ordinance and suggested this may be another opportunity for the county and the city to work together.

Chairwoman Accor reviewed the Fire Chiefs will hold a meeting on February 24, 2004 at 6:30 p.m. and encouraged Commissioners to attend. She also reminded Commissioners of the town meeting

schedule to discuss the tax revaluation process. She thanked Chris Green, Tax Assessor, and his staff for their "excellent" job in addressing citizen concerns and questions. Commissioner McIntosh suggested Mr. Green develop written handout to be provided to citizens at these meetings showing a list of what is mandated by the state and federal governments and what is the responsibility of the local government.

Chairwoman Accor stated she had attended the YMCA "employee awards" today. She also advised the Christmas tree located in the lobby of the County Administrative building is to honor those military men and women currently serving in a combat zone. She stated the names of those individuals will be placed on the tree, which will remain up until "they return home."

**ADJOURN**

There being no further business to come before the Board at this time (7:10 p.m.), Ronnie Hawkins made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to adjourn the meeting. The next regular meeting of the Board is scheduled for **Tuesday, February 17, 2004, at 6:00 p.m.**

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*Mary S. Accor, Chairwoman*  
CLEVELAND COUNTY BOARD OF COMMISSIONERS

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*Wanda Crotts, CMC, Clerk*  
CLEVELAND COUNTY BOARD OF COMMISSIONERS