

CLEVELAND COUNTY BOARD OF COMMISSIONERS

June 1, 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
R. L. Alexander, County Manager
David Dear, Assistant County Manager/Finance Director
Bob Yelton, County Attorney
Wanda Crotts, CMC, County Clerk
Eddie Bailes, Human Resources Director
Bill McCarter, Planning Director
Denese Stallings, Health Director
Sam Lockridge, Health Department
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. Ronnie Hawkins provided the invocation for the meeting.

AGENDA ADOPTION

ACTION: Ronnie Hawkins made the motion, seconded by Willie McIntosh, and adopted by a unanimous vote of the Board, to ***adopt the agenda as presented by the County Clerk, with the following additions:***

(1) ***Economic Development: Incentives for STI changed to Plush Fabrics, Inc.***

(R.L. Alexander)

(2) ***Special Presentation: Elk Oratorical Contest*** (Willie McIntosh)

CONSENT AGENDA

APPROVAL OF MINUTES

There being no corrections, additions, or deletions to the minutes of **May 18, 2004**, motion was made by Tom Bridges, seconded by Willie McIntosh, and unanimously adopted by the Board, to **approve** the minutes as written.

CLEVELAND COUNTY TRAVEL POLICY

ACTION: Tom Bridges made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to **adopt the proposed amendments to the Cleveland County Travel Policy as found on Pages _____ of Minute Book 28.**

UPPER CLEVELAND RESCUE SQUAD FRANCHISE

ACTION: Tom Bridges made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to **approve the amended franchise agreement as found on Pages _____ of Minute Book 28.**

HEALTH DEPARTMENT: BUDGET AMENDMENT #34

ACTION: Tom Bridges made the motion, seconded by Willie McIntosh, 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>
012.533.4.810.00 \$5,000.	ADULT HEALTH/Donations-Contributions
012.533.5.790.00 5,000.	ADULT HEALTH/Donations-Contributions
012.541.4.350.00 1,126.	ENVIRONMENTAL HEALTH/State Gov't Grant
012.541.5.241.00 403.	ENVIRONMENTAL HEALTH/Motor Fuels
012.541.5.310.00 723.	ENVIRONMENTAL HEALTH/Travel

Explanation of Revisions:

533) *Budget funds received from Cleveland Regional Medical Center for the purchase of indigent drugs.*

541) Budget funds from the NC Department of Environment & Natural Resources for Environmental Health Specialist training.

SOCIAL SERVICES: BUDGET AMENDMENTS (BNA #35)

ACTION: Tom Bridges made the motion, seconded by Willie McIntosh, 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>
011.507.4.310.00	OUTSIDE POOR/Federal Government Grants		\$322,316.
011.507.4.350.01	OUTSIDE POOR/Smart Start		\$ 91,586.
011.507.5.420.00	OUTSIDE POOR/Contract Services		230,730.

Explanation of Revisions:

533) Budget amendments necessary to adjust county budget to match actual state allocation for child day care funds. Approved allocation was more than estimated for CCDF and less than estimated for Smart Start day care for 03/04.

INFORMATION TECHNOLOGY: BUDGET AMENDMENTS (BNA #36)

ACTION: Tom Bridges made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to **approve the following budget amendments.**

<u>Account Number</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
010.421.4.970.00	IT/Other Financing Sources		\$146,374.
010.421.7.920.00N	IT/Lease Purchase Payments		146,374.

Explanation of Revisions: To report revenues and expenses for the IBM lease for AS400 equipment. Equipment includes ISERIES Low-End, Remarketed Servicesuite, Ultrium 2 tape drive and maintenance. Equipment will allow for faster operation of AS400 system.

SOLID WASTE: BUDGET AMENDMENTS (BNA #37)

ACTION: Tom Bridges made the motion, seconded by Willie McIntosh, 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>
054.474.4.350.00	SOLID WASTE-P/C 05510-4474/State Gov't Grant		
		\$81,656.	
054.474.4.999.00	SOLID WASTE/Reserve Funds		
		\$ 81,656.	

Explanation of Revisions: To budget White Goods Management account funds for capital improvements in the county's white goods program. This is to help fund a roll off truck that will be used approximately 75% of the time for white goods disposal in the county.

B & W FIBERGLASS: GRANT RESOLUTION

ACTION: Tom Bridges made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to **approve the following amended resolution regarding B & W Fiberglass** (Project Tahoe - reference Commission meeting Minutes of January 20, 2004).

NUMBER 13-2004

RESOLUTION
B & W FIBERGLASS, INC.

BE IT RESOLVED, that a grant from the Department of Commerce through the County of Cleveland be made to B & W Fiberglass, Inc., Cleveland County, North Carolina.

BE IT FURTHER RESOLVED, that Cleveland County will administer this grant in accordance with the rules and regulations of the Department of Commerce.

BE IT FURTHER RESOLVED, that the County will administer this grant through the County Finance Office.

BE IT FURTHER RESOLVED, that the grant will be monitored quarterly to assure compliance with this proposal and the Department of Commerce

regulations. Also, creation of new jobs will be monitored in accordance with the regulations of the Department of Commerce.

BE IT FURTHER RESOLVED, that B & W Fiberglass, Inc. will create fifteen (15) new jobs in a period of two years from 2004 to 2006.

BE IT FURTHER RESOLVED, that in accordance with creation of fifteen (15) jobs, the amount of the grant application will be \$13,125.

ADOPTED this the 1 day of June 2004.

Chairwoman
Commissioners

/S/ Mary S. Accor,
Cleveland County Board of

ELKS ORATORICAL CONTEST

ACTION: Willie McIntosh made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to **approve the following resolution.**

NUMBER 04-2004

IN APPRECIATION OF
THE IMPROVED BENEVOLENT PROTECTIVE ORDER OF ELKS
OF THE WORLD
RECIPROCITY LODGE #693 AND EMMA V. KELLEY TEMPLE #748

WHEREAS, the Improved Benevolent Protective Order of Elks of the World is a social organization whose primary concern is to aid the community, along with our youth;

WHEREAS, one of the ways this is achieved is by hosting the Elk Oratorical Contest, an annual scholarship program on a national level. Each contestant must advance through the ranks to win the national scholarship, but prizes and trophies are awarded at each level of competition;

WHEREAS, this year the contest for the Eighth District was held on May 8, 2004, hosted by Reciprocity Lodge #693 and Emma V. Kelley Temple #748;

WHEREAS, the Eighth District includes Lodges and Temples from Asheville, Charlotte, Gastonia, Morganton, Salisbury and Shelby,

WHEREAS, the oratorical competition allows youngsters the opportunity to express themselves and gain confidence in their abilities, outlines boundaries, expectations, constructive use of time, commitment to learning and establishing positive values;

WHEREAS, other objectives of the contest include the development of leadership qualities, the ability to think and speak clearly and intelligently.

NOW, THEREFORE, BE IT RESOLVED that the Cleveland County Board of Commissioners hereby express their gratitude to Donald L. Schenck, Exalted Ruler, and Bettie Allison, Daughter Ruler, as well as all members of Reciprocity Lodge #693 and Emma V. Kelley Temple #748 for their commitment to our youth in providing this scholarship opportunity by sponsoring this competition.

ADOPTED THIS THE 1 DAY OF JUNE 2004.

*(Original signed by each
Commissioner)*

Commissioners presented a Certificate of Recognition to Laurell Bell, Shelby High School Senior, for winning first place at both the local and district levels (Eighth District) in the Elk Oratorical Contest.

PUBLIC HEARING: CLEVELAND COUNTY BUDGET: FISCAL YEAR 2004-2005

ACTION: Willie McIntosh made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to ***open the public hearing.*** *(Notice of this public hearing was accomplished in accordance with the mandates of NCGS 159-11 and NCGS 159-12. Legal advertisement was published in the Star on May 10 and 21, 2004.)*

R. L. Alexander, County Manager, reviewed budget highlights, stating, "The budget process began the first week of February. At one of the first meetings that we had, the Commissioners met with department heads and appealed to them to be as conservative with their budget requests that they

possibly could be and I think the result of that meeting was reflected in the requests that the department heads made.”

He said, “Because this is a revaluation year, Commissioners made the decision to have some town meetings on revaluation. Commissioner Self prepared a spreadsheet that reflected what those theoretical bills may look like dependent upon different assumptions for the entities that have control of their tax rate.” He reviewed some of the proposed tax rates for the different entities over which Commissioners do not control but appear on the tax bill: “Lattimore Fire District is proposing to maintain a 2-cent rate for their district, that’s a Chapter 69 district. Rippy proposed to maintain a 3-cent rate. County fire service district rate remain at 3-cent. Consolidated school district rate reduced from 16-cent to 15-cent. County general fund rate reduced by 4-cent from 62-cent to 58-cent. We have not heard from the Kings Mountain Downtown revitalization district, which is currently 28-cent. The Uptown Shelby District is currently 20-cent and we do not know whether it will be lowered or not. In all likelihood, Kings Mountain will probably maintain a 36-cent tax rate, and there is some high degree that Shelby will maintain a 42-cent tax rate. We are told that Lawndale will maintain their 23-cent. Lattimore maintains 20-cent. Casar maintain a 5-cent rate. Sanitary District maintains 2-cent. Kingstown maintain 35-cent. Polkville maintains 5-cent. Boiling Springs is considering a 3-cent reduction. We have not heard from Grover on their 29-cent nor Waco on their 10-cent.”

Mr. Alexander stated that Commissioners have directed a budget to be prepared that was “as close to revenue neutral as possible and we have complied with that direction.” He said Commissioners were given a copy of the recommended budget on May 18, 2004 which reflects the 4-cent rate reduction. He advised the budget has been available for public inspection since May 21, 2004, which is more than the minimum days required by General Statutes.

Mr. Alexander reviewed the budget message, a copy of which is found on Pages _____ of Minute Book 28. At this point, Chairwoman Accor opened the floor to receive public comments.

Johnny Hutchins questioned if Commissioners considered the cost-of-living increase for citizens when they set the tax rate. Mr. Alexander explained the different entities for which Cleveland County collects taxes but for which Commissioners have no control.

John McBrayer spoke in support of the proposed budget, stating he felt “we as citizens do not realize the depth of what it takes to run government.”

Robert Williams expressed his disagreement with State mandates and unfunded programs. He suggested Commissioners “refuse” to pay.

There was discussion among Commissioners as to the need for more public input and citizen understanding of the budget.

ACTION: Willie McIntosh made the motion, seconded by Jerry Self, and unanimously adopted by the Board, to ***recess this public hearing to reconvene on June 15, 2004 at 6:00 p.m.***

ACTION: Ronnie Hawkins made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to ***recess this meeting to reconvene at the time and place certain of Wednesday, June 2, 2004 at 5:00 p.m. in this Chamber, to conduct a work session.***

PLANNING DEPARTMENT: ZONING MAP AMENDMENT - JOHN MCBRAYER (CASE 04-06) (ALONG US 74)

ACTION: Ronnie Hawkins made the motion, seconded by Jerry Self, and unanimously adopted by the Board, to ***open the public hearing***. (*Public notice of this hearing was conducted in accordance with NCGS 153A-343, with legal ads published in the Star on May 19 and 29, 2004.*)

Mr. McCarter reviewed that John McBrayer has presented a petition to rezone a 20-acre tract along US-74 from Residential Manufactured Homes & Parks (RM) to Residential (R).

Mr. McCarter advised both the Planning Board and the Planning Consultant have recommended the petition be approved. He reviewed the following recommendations:

Chuck Nance, Planning Consultant: Approve Isothermal Planning and Development

The proposal is simply to extend an existing R-Restricted zoning district onto a 20+ acre parcel that is currently zoned RM-Residential Manufactured Homes & Parks. I see no reason why this request should not be granted.

John McCulloch, Chairman: Approve Cleveland County Planning Board

The board recommended approving this request by a unanimous vote.

Conforms with the Land Use Plan

This area is indicated as "Agricultural/Rural" on the 2005+ Projected Land Use Plan, and rezoning to residential uses would conform to the plan.

Surrounding Properties

Adjoining properties are predominately rural residential. The adjoining property owners indicated support for the petition.

Non-Conforming Uses

No non-conforming uses.

Traffic

Rezoning will not increase the traffic impact on US-74.

Utilities

Utilities are sufficient to accommodate the uses in the R-Residential district.

At this point, Chairwoman Accor opened the floor for public comment.

John McBrayer encouraged Commissioners to approve the rezoning request, which he said would rezone the “historic” property to a more appropriate classification. He said it was an oversight that this property was not zoned this classification initially.

ACTION: Ronnie Hawkins made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to ***close the public hearing.***

ACTION: Ronnie Hawkins made the motion, seconded by Jerry Self, and unanimously adopted by the Board, to ***approve the rezoning request as presented.***

PLANNING DEPARTMENT: ZONING MAP AMENDMENT - Kay Maddox (Case 04-08) (Request for public hearing on June 15, 2004 at 6:00 p.m.)

ACTION: Jerry Self made the motion, seconded by Tom Bridges, and unanimously adopted by the Board, to ***schedule the public hearing as requested.***

TOWN OF POLKVILLE: SEWER GRANT

Commissioner Self advised that the Town of Polkville has received a Sewer Capacity Building Grant from the Rural Center for \$400,000 this year. He said the project would be for a “pressured sewer line from the Town of Polkville to Union School that would connect with the sewer line that is going through Kingstown to Union School.” This line would also have the capacity to allow businesses to access the sewer.

Commissioner Self explained Mayor Jack Shytle has communicated a request on behalf of the Town that Commissioners “treat them like we have other communities” by assisting them with the 10% local match required by this grant (*\$20,000 from the County; \$20,000 from Polkville*).

Commissioner McIntosh questioned if this connection would help complete the “loop between Kingstown, Polkville and Lawndale or if this is a band-aide fix-it thing.” Chairwoman Accor advised the material provided regarding this project indicate this is one of the phases needed to accomplish the

growth of the sewer project in that area of Upper Cleveland County. She noted this type funding is consistent with what Commissioners have done to assist other communities.

ACTION: Jerry Self made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to ***approve the County sharing in the cost of the local match as presented.***

ECONOMIC DEVELOPMENT: PLUSH FABRICS, INC.

ACTION: Ronnie Hawkins made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to ***schedule a public hearing regarding proposed incentive grants for June 15, 2004 at 6:00 p.m.***

RECESS TO RECONVENE AT TIME AND PLACE CERTAIN

Chairwoman Accor declared this meeting in recess (*at 7:15 p.m.*) to reconvene at the time and place certain of Wednesday, June 2, 2004 at 5:00 p.m. in this Commission Chamber (*reference motion earlier in this meeting*).

Mary S. Accor, Chairwoman
CLEVELAND COUNTY BOARD OF COMMISSIONERS

Wanda Crotts, CMC, Clerk
CLEVELAND COUNTY BOARD OF COMMISSIONERS