

CLEVELAND COUNTY BOARD OF COMMISSIONERS

February 17, 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
Patricia D. Spangler, Deputy Clerk
Raymond Hamrick, Sheriff
Eddie Bailes, Human Resources Director
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: 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.***

CONSENT AGENDA

APPROVAL OF MINUTES

There being no corrections, additions, or deletions to the minutes of ***February 3, 2004***, motion was made by Tom Bridges, seconded by Willie McIntosh, and unanimously adopted by the Board, to ***approve*** the minutes as written.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #022)

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>
012.530.4.350.00	General/State Government Grants	\$ 2,259.	
012.530.5.910.00	General/CO Equipment	2,259.	
012.535.4.410.00	Health Promotion/Local & other grants	12,500.	
012.535.5.490.00	Health Promotion/Professional services	12,500.	
012.537.4.350.00	School Health/State government grants	6,835.	
012.537.5.310.00	School Health/Travel	6,835.	
012.541.4.350.00	Environmental Health/State gov. grants	1,031.	
012.541.5.241.00	Environmental Health/Motor fuels	403.	
012.541.5.310.00	Environmental Health/Travel	628.	

Explanation:

- 530) Budget funds received from immunization branch to improve vaccine storage and handling to go toward the purchase of a freezer. Bioterrorism funds that were previously budgeted for purchase of freezer will be moved on DBLIT to purchase a laptop computer/printer.
- 535) Budget Kate B. Reynolds allocation for professional services to continue the Cleveland County Alliance for Health programs and services.
- 537) Budget state immunization funds received for administration of Hepatitis B in schools for travel expenses.
- 541) Budget Environmental Health funds to offset cost of Environmental Health Specialist mileage and travel expenses.

SHERIFF'S DEPARTMENT: BUDGET AMENDMENT (BNA #023)

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>
010.443.4.991.00	State Forfeited Property/Fund Balance Approp.	\$20,000.	
010.443.5.211.00	State Forfeited Property/Controlled Prop. Exp.	1,275.	
010.443.5.310.00	State Forfeited Property/Travel-Training	500.	
010.443.5.500.00	State Forfeited Property/Miscellaneous Exp.	18,225.	

Explanation: Request additional forfeiture funds to be budget to be used as drug buy funds to allow for year end expenses and purchase covert body-worn equipment (color hi-resolution body-button camera and mini DV camcorder).

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #024)

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>
012.540.4.350.00	WIC/State Government Grants	\$29,731.	
012.540.5.121.00	WIC/Salaries-Reg.	8,741.	
012.540.5.131.00	WIC/FICA	542.	
012.540.5.133.00	WIC/Hospital Insurance	1,096.	
012.540.5.134.00	WIC/Dental Insurance	52.	
012.540.5.136.00	WIC/Medicare Insurance	126.	
012.540.5.210.00	WIC/Departmental Supplies	4,375.	
012.540.5.211.00	WIC/Controlled Property Exp.	11,100.	
012.540.5.213.00	WIC/Office Supplies	1,000.	
012.540.5.230.00	WIC/Medicine & Supplies	699.	
012.540.5.310.00	WIC/Travel	1,200.	
012.540.5.322.00	WIC/Postage	300.	
012.540.5.370.00	WIC/Advertising	500.	

Explanation of Revisions: Budget State WIC funds for Processing Assistant III and Nutritionist II (3 months), four personal computers/printers, infant scales, books, videos, portable breast pumps, disposable breast pumps, office supplies, travel and postage. WIC funds should increase in the next fiscal year to continue positions.

TAX ABATEMENTS AND SUPPLEMENTS

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during **January 2004**. The monthly grand total of tax abatements was listed as (\$65,891.05); and, the monthly grand total for tax supplements was listed as \$861.62.

TAX COLLECTOR'S MONTHLY REPORT

The Tax Collector provided Commissioners with the following detailed written report regarding taxes collected during **January 2004** (copy found on Page _____ of Minute Book 27).

RESOLUTION CANCELING REGULAR COMMISSION MEETING OF MARCH 2, 2004

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

NUMBER 06-2004

RESOLUTION
CHANGE IN REGULAR MEETING SCHEDULE OF THE
CLEVELAND COUNTY BOARD OF COMMISSIONERS

WHEREAS, the Cleveland County Board of Commissioners have determined that it is necessary to cancel their regular meeting of: **MARCH 2, 2004** so Commissioners may attend the National Association of Counties legislative conference in Washington.

NOW, THEREFORE, BE IT RESOLVED, THAT, public notification of this change will be conducted in accordance with the mandates of North Carolina General Statute 153A-40 and 143-318.12. The regular meeting schedule, as adopted by the Board, will remain in place for all other regular meetings of the Commission.

ADOPTED THIS 17 DAY OF FEBRUARY 2004.

LANDFILL: RIGHT-OF-WAY AGREEMENT WITH NELLA JO BEAM BRECHT

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

FORESTRY SERVICE: ACCEPT FOREST RANGER'S REPORT (July 1 - December 31, 2003)

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

**CLEVELAND COUNTY COMMISSIONER REPORT
JULY 1, 2003 THROUGH DECEMBER 31, 2003**

Cleveland County has around 297,000 acres of land surface. Approximately 130,300 acres or 4.5% of this area is forest land. John Hunt is the Cleveland County Forest Ranger. Doug Wise is the Assistant County Ranger.

ACCOMPLISHMENTS:

Forest Fire Control and Prevention

From January 1 - December 31, 2002, some 87 wildland fires have occurred. Normally in a twelve-month period 60 wild fires occur. Much credit goes to the local fire departments of Cleveland County for quick response to fire calls, which kept these fires small with minimal property damage.

Forest fire arson cases in November 2001 resulted in 24 warrants being served and all parties were found guilty in court and ordered to pay the fire suppression costs back to the N.C. Forest Service.

2103 burning permits were written by 12 burning permit agents during 1999-2000. Most townships have at least one agent; permits are free and are good for up to 30 days if conditions are safe to burn.

Some 20 Smokey Bear appearances during July 1 through December 31, 2003. These included the Cleveland County Fair, National Fire Prevention Week and holiday parades in Fallston and Casar.

Forest Management

Some 200 acres of forest regeneration were recorded July 1, 2003 through December 31, 2003. In addition, 60 forest management plans were prepared on 2088 acres.

Some \$9,424.00 cost-share money through the Forest Incentives Program was allocated to forest landowners in Cleveland County on 210 acres on 13 tracts in fiscal year 2002. This federal program cost-shares about half of cost of reforestation. The Shelby Natural Resource and Conservation Service office (Gail Page) handles this program. Since Fiscal Year 1997 some \$88,855.00 in FIP cost-share has been used by forest landowners in Cleveland County. Local farmers who live and raise their families here in Cleveland County mostly do this planting. Some \$175,000 has been paid to these farmers since that time.

Forest Pest Control

A Southern Pine Beetle flight was conducted in June 2002. Some 150 new beetle spots have been found and marked on aerial photographs. Around 130 spots were located on the ground and the owners of the property notified. Some 75 of these spots have been controlled by harvest or salvage operations. Pine bark beetles outbreaks occur in cycles and we were due for another infestation. Most of Western North Carolina is in an epidemic stage of infestation. This means that the beetle populations are increasing and may keep increasing until the rainfall deficient is made up. Pine beetles cause more loss to timber in Cleveland County than wildfires and remain a top priority. Shaun Davis is now working as a SPB Technician here two days a week. Hopefully Mr. Davis can make a more recent aerial flight to spot the SPB.

Some 120 Gypsy Moth traps were set and checked during June-September 2003. Most of North Carolina is still free of the Gypsy Moth and this trapping program insures that.

Some 10 shade trees checked during the year 2003. We examine these trees per request. Most shade tree problems can be corrected and some of these individual trees can be saved with proper recommendations and timely treatment. Common problems include leaf spots, aphids, slime flux, decays, and root rots. A four-year drought has not helped any. Perhaps the adequate spring rain will help.

We received a report from the BRIDGE unit of the forest service for projects since 1987. Most recently, in July, a BRIDGE crew constructed a bridge over Ward's Creek so persons living on South Valley Drive could cross the creek where heavy rains had washed the bridge out. In Cleveland County, some 677 hours since 1987 were spent on fire suppression. Another 140 hours were spent on disaster relief, (or road clearing) during ice storms, tornadoes, etc. BRIDGE is young offenders who spend part of their jail sentence assisting the forestry community.

Bridge crews also gather acorns for the state nurseries. These acorns are sown in beds to grow oak trees for sale to the public as one-year-old seedlings. The live oaks in uptown Shelby are the only source of live oak acorns in western North Carolina. Some 477 pounds of oak seeds (acorns) were collected in October through November 2000 in Cleveland County for nursery use. Bridge crews spent two days in early January 2001 felling SPB spots on young, small pines to slow losses. These trees could be not sold or salvaged for pulpwood and the spread of the beetle was stopped.

FINANCE: AUDIT SERVICES - AWARD BID TO MARTIN STARNES AND ASSOCIATES, CPA, PA

ACTION: Tom Bridges made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to **award the bid for audit services, beginning with fiscal year 2003-2004 to Martin Starnes & Associates, CPAs, P.A.** Bids were received as follows:

<u>Bidder</u>	<u>FY 03/04 BID</u>	<u>FY 04/05</u>	<u>FY 05/06</u>	<u>EXCEPTIONS OF BID</u>
	<u>Cost Proposal</u>	<u>Cost Estimate</u>	<u>Cost Estimate</u>	

Crisp Hughes Evans
LLP, CPA's

\$53,000.
\$53,000.
\$53,000.
Plus costs of
providing more than
two copies of the
final "financial and
compliance" report.

Martin Starnes &
Associates, CPA's
PA

\$40,320. \$41,500. \$42,750.

McGladrey & Pullen
LLP, CPA's

\$55,000 \$58,000. \$61,000.

SURPLUS PROPERTY: SHANGHAI VOLUNTEER FIRE DEPARTMENT REQUEST FOR SURPLUS QRV

ACTION: Tom Bridges made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to **approve donating a surplus QRV pickup truck to Shanghai VFD once it has been classified as surplus property.**

SHELBY RESCUE SQUAD: APPROVE AMBULANCE FEES

ACTION: Tom Bridges made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to **approve the rate increase for Shelby Rescue Squad as follows:**

<u>Description</u>	<u>Prior Rate</u>	<u>Requested Rate 1/1/04</u>
Transport BLS fee	\$180.00	\$250.00
Transport mileage fee	\$3.00/per mile	\$5.00/per mile

CLEVELAND COUNTY CORONER: APPOINT CORONER TO COMPLETE UNEXPIRED TERM OF THE LATE RALPH MITCHEM

ACTION: Jerry Self made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to **appoint Assistant Coroner Douglas Tysinger to serve as Coroner for the remainder of the late Ralph Mitchem's term of office, scheduled to conclude 2006.**

Betsy Wells, Chairwoman of the Cleveland County Democratic Party, said it was the unanimous recommendation of the Executive Committee to recommend Mr. Tysinger for this appointment. (This appointment is made in accordance with NCGS 152-1.)

SHERIFF'S OFFICE: SEMI-ANNUAL REPORT

Sheriff Raymond Hamrick read the report found on Pages _____ of Minute Book _____.

Following Sheriff Hamrick's report, there was discussion on various issues, including training through Cleveland Community College and the fact the College is undergoing a "restructuring process" and Sheriff Hamrick requested Commissioners talk with College officials to encourage them to support training programs for law enforcement personnel. There was also discussion regarding the caseload for transporting mental health clients; the need for defibrillation machines located in county offices and personnel trained to use them, suggested a committee be formed to study.

Sheriff Hamrick thanked the many officers present for coming to show their support.
PLANNING DEPARTMENT: ZONING MAP AMENDMENT - DAVID WRIGHT, 1222 MARY'S GROVE CHURCH ROAD (Petition to rezone approximately 1.5 acres from Residential to Neighborhood Business.) (Request to schedule public hearing for March 16, 2004)

ACTION: Ronnie Hawkins made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to ***schedule a public hearing regarding this petition for March 16, 2004 as requested.***
HOMELAND SECURITY: DISCUSSION REGARDING PROPOSAL FROM CHARLIE VANHOY DURING FEBRUARY 3, 2004 MEETING

ACTION: Willie McIntosh made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to ***accept the proposal presented by Mr. Vanhoy.*** Chairwoman Accor directed Mr. Alexander to meet with Mr. Vanhoy and Mr. Cook regarding implementation of the proposal.

COMMISSIONER REPORTS

CLEVELAND COUNTY SCHOOLS

Chairwoman Accor stated the Gaston County Board of Education voted last evening to "keep the Kings Mountain kids" (*students who live in Gaston County but within the city limits of Kings Mountain*) in Gaston County.

CONSENSUS: It was the unanimous consensus of the Board to ***allow Chairwoman Accor and Vice-Chairman Hawkins to meet with members of the Gaston County Board of Commissioners to encourage them to allow the Kings Mountain children, along with the funding for those children, to remain in the Cleveland County School system.***

CLEVELAND COUNTY CHAMBER ECONOMIC DEVELOPMENT LUNCHEON

Mr. Alexander advised that North Carolina Senate Pro-Tem Marc Basnight will be the featured speaker for the luncheon on February 26, 2004 from 12 - 1:15 p.m. at North Lake Country Club. He encouraged Commissioners to attend to address with Senator Basnight the need for the Highway 74 bypass project to be expedited.

DEFENSE INDUSTRY RECRUITMENT

Commissioner McIntosh advised he has requested the County Manager schedule a meeting with the legislative delegation to work toward developing a plan to attract the "defense industry" to Cleveland County.

TOWN MEETINGS

Vice-Chairman Hawkins stated he has received calls indicating people appreciate Commissioners holding the "town meetings" to give citizens an opportunity to ask questions regarding the revaluation process.

Commission Self advised he attended the Polkville Town Council meeting, where plans to install a sidewalk was top on their agenda.

COMMISSIONERS CALENDAR

Chairwoman Accor reviewed the following items for Commissioners to include on their calendar:

- (1) February 28, 2004 (10:00 a.m. until 2:00 p.m.) - Architectural Perspectives of Cleveland County book signing by authors Brian Eades and Dan Pezzoni. Cleveland County Arts Center, Shelby.
- (2) March 16, 2004 (10:00 a.m. until 2:00 p.m.) - Kings Mountain Lion's Club - Kings Mountain Middle School and Kings Mountain High School (more information to follow) - Chairwoman Accor will be guest speaker to explain the role of the County Commissioners.
- (3) April 8, 2004 (7:00 p.m.) - Appreciation program recognizing the leadership of elected officials, law enforcement, public safety and military personnel. Maranatha Baptist Church.
- (4) March 22, 2004 (10:00 a.m. - 4:00 p.m.) - Harvard Leadership Training for E-Government.
- (5) February 19, 2004 - Chairwoman Accor has a "One-On-One" interview scheduled with Cleveland Headline News (*Channel 33*).
- (6) March 10, 2004 (1:00 p.m.- 4:00 p.m.) - NC Public Health Task Force 2004 - Regional Town Meeting.
Mountain Area Health Education Center, Asheville.
- (7) May 3, 2004 (5:30 p.m.) Kings Mountain Schools Service Awards Banquet - KMHS Cafeteria; and, at 7:00 p.m. the Awards Program - KMHS Barnes Auditorium.
- (8) February 18, 2004 (6:00 p.m.) - Commissioners special town meeting to discuss revaluation - Boiling Springs Town Hall.

Vice-Chairman Hawkins and Commissioner McIntosh noted they had recently participated in a fund raiser for the Burns Middle School baseball team.

RECESS TO RECONVENE AT A TIME AND PLACE CERTAIN

ACTION: Willie McIntosh made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to recess this meeting (*at 7:05 p.m.*) to be reconvened on ***Friday, February 20, 2004 at 10:00 a.m.*** ***to meet with County department heads regarding budget issues.***

Mary S. Accor, Chairwoman
CLEVELAND COUNTY BOARD OF COMMISSIONERS

Wanda Crotts, CMC, Clerk
CLEVELAND COUNTY BOARD OF COMMISSIONERS