

CLEVELAND COUNTY BOARD OF COMMISSIONERS

January 18, 2005

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: Ronald J. Hawkins, Chairman
Jerry L. Self, Vice-Chairman
Mary S. Accor, Commissioner
Johnny Hutchins, Commissioner
Willie B. McIntosh, Commissioner
David C. Dear, County Manager
Sam Craig, Deputy County Attorney
Wanda Crotts, CMC, County Clerk
Sherry Evans, County Manager's Office
Bill McCarter, Planning Director
Eddie Bailes, Human Resources Director
Robert Williams, Citizens for Good Government
Other individual names on file in the Clerk's Office

CALL TO ORDER

Chairman Hawkins called the meeting to order and led the audience in the "Pledge of Allegiance" to the flag of the United States of America. Stuart Gilbert, Cleveland County Chamber of Commerce President, provided the invocation for the meeting.

AGENDA ADOPTION

ACTION: Willie McIntosh 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) PLANNING DEPARTMENT: ZONING MAP
AMENDMENT REQUEST TO SCHEDULE A PUBLIC
HEARING - DAVID MORROW (Willie McIntosh)**

CONSENT AGENDA

APPROVAL OF MINUTES

There being no corrections, additions, or deletions to the minutes of **December 21, 2004**, motion was made by Mary Accor, seconded by Johnny Hutchins, and unanimously adopted 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 **December 2004**. The monthly grand total of tax abatements was listed as (\$20,180.53); and, the monthly grand total for tax supplements was listed as \$7,072.68.

TAX COLLECTOR'S MONTHLY REPORT

The Tax Collector provided Commissioners with the following detailed written report regarding taxes collected during **December 2004** (copy found on Page _____ of Minute Book 28).

SHERIFF'S OFFICE: BUDGET AMENDMENTS (BNA #034)

ACTION: Mary Accor made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to **approve the following budget amendments.**

<u>Account Number</u>	<u>Project Code/Department/Account Name</u>
<u>Increase</u>	<u>Decrease</u>
010.441.4.310.00 \$ 5,384.	16607-P438/Sheriff/Federal Grants
010.441.5.250.00 5,384.	16607-P438/Sheriff/Uniforms/Clothing

Explanation of Revisions: To budget additional grant funds from the Department of Justice for 50% reimbursement for body armor purchased.

LAW ENFORCEMENT GRANTS: BUDGET AMENDMENTS (BNA #036)

ACTION: Mary Accor made the motion, seconded by Johnny Hutchins, and unanimously

adopted by the Board, to ***approve the following budget amendments.***

<u>Account Number</u>	<u>Project Code/Department/Account Name</u>
<u>Increase</u>	<u>Decrease</u>
010.438.4.310.00 \$98,948.	16710-5438/Sheriff/Federal Grants
010.438.5.340.00 37,395.	16710-5438/Sheriff/Maint Bldg/Grounds
010.438.5.211.00 2,400.	16710-5438/Sheriff/Controlled Property
010.438.5.899.00 59,153.	16710-5438/Sheriff/Reserve Funds

Explanation of Revisions: *To budget a grant from the US Department of Justice. This grant is to be used toward the Video Arraignment Grant to purchase equipment for this system. This system will be used to eliminate transportation of the inmates into the courtrooms for trials.*

**PROCLAMATION: COUNCIL ON AGING ROCKAROUND THE CLOCK
ROCKATHON WEEKEND - JANUARY 28-20, 2005**

ACTION: Willie McIntosh made the motion, seconded by Jerry Self and unanimously adopted by the Board, to ***approve the following proclamation.***

NUMBER 01-2005

**PROCLAIMING JANUARY 28 - 29, 2005
AS "ROCKAROUND THE CLOCK" ROCKATHON WEEKEND
IN CLEVELAND COUNTY**

WHEREAS, beginning at 4:00 p.m. on Friday, January 28, 2005 and continuing through 4:00 p.m. on Saturday, January 29, 2005, more than 500 people of all ages will come together for a fun-filled community event at the Cleveland County Council on Aging Neal Center to benefit Cleveland County services to older adults;

WHEREAS, this annual event features top-notch entertainers, food and fellowship, while raising funds to benefit the Senior Center and other charities;

WHEREAS, this project is one of the largest events to promote community involvement for our older citizens, featuring 24 rocking chairs sponsored by businesses and organizations across Cleveland County, who enthusiastically decorate their chairs in preparation for the rockin' excitement!

NOW, THEREFORE, WE, THE CLEVELAND COUNTY BOARD OF COMMISSIONERS, proclaim January 28 - 29 as "**Rockaround the Clock**" **Rockathon Weekend**" in Cleveland County; and,

FURTHERMORE, we encourage everyone to participate the in excitement and support these "**young folks**" by encouraging them to "**rock on!**"

ADOPTED THIS THE 18th DAY OF JANUARY 2005.

COUNTY EMPLOYEE SERVICE AWARDS

Commissioners presented the following employees with certificates in appreciation for

their dedicated service to Cleveland County.

5-Years of Service:

Christopher N. Cook (*Sheriff's Office*)
Brent A. Harp (*Sheriff's Office*)
Pamela A. Ellwood (*Health Department*)
Tabitha W. Langley (*Social Services*)
Patty J. Lynch (*Social Services*)
Aubrey L. Moore (*Social Services*)
Gail H. Walker (*Social Services*)
Christopher D. Crepps (*Finance*)

10-Years of Service:

Lisa S. Borders (*Health Department*)
Angela M. Bridges (*Health Department*)
Wendy W. Jamison (*Health Department*)
Bobby H. McCall, Jr. (*Health Department*)

Vickie B. Wyatt (*Health Department*)
Sherry W. Yocum (*Health Department*)
Alison L. Clark (*Social Services*)
Andrew L. Hopper, Sr. (*Social Services*)
Teresa M. Richardson (*Social Services*)

15-Years of Service:

David M. Fisher (*Sheriff's Office*)
Pamela M. McCurry (*Tax Assessor's Office*)
Nancy M. Ledford (*Board of Elections*)
Steve G. Hawkins (*Health Department*)
Marie A. Vinson (*Social Services*)

Commissioners presented the following employees with a plaque in recognition of their dedicated service to Cleveland County:

20-Years of Service:

Hal F. Grigg, Jr. (*Health Department*)
Rita B. Stafford (*Planning Department*)

25-Years of Service

Ronald R. Bridges (*Health Department*)
Linda H. Kimble (*Maintenance Department*)
Debra H. Ross (*Building Inspection Department*)

**6:00 P.M. PUBLIC HEARING: ECONOMIC DEVELOPMENT -
INCENTIVES FOR CURTISS-WRIGHT CONTROLS, INC.**

Stuart Gilbert, Chamber President, explained this is a grant request for an amount to be no more than \$11,477.72 over the next five fiscal years, being no more than \$2,295.54 per year. He reviewed that the total expected level of valued investment is \$740,498, and, based upon the net new investment, it is estimated that property tax revenues received from this project would amount to more than \$40,756.58 over five tax years. Other economic benefits expected from this industrial project are the creation of 35 new full-time permanent employment positions over the next 36-months with an estimated annual payroll of \$1,505,000 and a total

company payroll of \$12,555,686 once full employment is reached. Current employment is 220 employees. He said, "It's broken out as \$360,000 in building and \$380,498 in new investment and equipment."

He added other economic benefits for the citizens of Cleveland County will be realized through an increase in sales tax revenues and the increased purchase of local goods and services. The City of Shelby has also adopted a resolution and grant process supporting this for their tax base. Mr. Gilbert said, "Curtiss-Wright is one of the most premier manufacturers in the Charlotte region. We're pleased they are in town, we're pleased they'll be celebrating the first part of February, their 20-year anniversary in Cleveland County."

Chairman Hawkins declared the public hearing open at 6:31 p.m. (*Notice of this public hearing was conducted in accordance with N.C.G.S. 158-7.1 with a legal advertisement published in The Star on January 6, 2005.*) Hearing no comments, Chairman Hawkins closed the public hearing at 6:32 p.m.

ACTION: Mary Accor made the motion, seconded by Jerry Self, and unanimously adopted by the Board, to ***approve the incentives for Curtiss-Wright as requested*** (*copy of legal ad and contract found on Pages _____ of Minute Book 28*).

ECONOMIC DEVELOPMENT: PROCLAMATION IN SUPPORT OF PROJECT DOMINO

Mr. Gilbert stated, "Project Domino is a project we've been working with for some time and they want to locate a manufacturing facility in Cleveland County . . . in the unincorporated area." He explained a resolution to support a "rail spur" is needed to obtain "funds from the Department of Transportation" and "that's what they need more than anything . . . more than 18,200 linear feet of rail built and that's very

expensive . . . they are willing to put a lot of their own money in and all they are asking for is your support . . . without your support they will not get support through the Department of Transportation.” He added the Economic Development Commission has already adopted a resolution of support for this project, which has “no funding relationship behind it, it’s just a resolution of support to endorse the project.”

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

NUMBER 01-2005

**RESOLUTION IN SUPPORT OF “PROJECT DOMINO”
TO LOCATE A MANUFACTURING FACILITY IN CLEVELAND
COUNTY**

WHEREAS, Project Domino is considering locating a manufacturing facility in Cleveland County, North Carolina;

WHEREAS, Project Domino proposes to invest \$1,000,000 and to employ at least 20 persons when the company is fully operational;

WHEREAS, Cleveland County plan conforms with all applicable state and local ordinances and policies;

WHEREAS, Cleveland County is committed to work with the North Carolina Department of Transportation (*NC DOT*) in a leadership role to make transportation improvements that address the safety needs of the public, contractors and employees of Project Domino.

NOW, THEREFORE, BE IT RESOLVED, by the Cleveland County Board of Commissioners:

Section 1: Cleveland County supports the location of Project Domino in Cleveland County and confirms that its plans are consistent with and conforms to state and local laws, plans and policies; and,

Section 2: Cleveland County endorses the application of Project Domino to request financial support from the NCDOT to assist in the funding of a rail industrial access track to serve Project Domino; and,

Section 3: Cleveland County commits to work with the NCDOT to make needed transportation improvements necessary to protect the safety of the public, contractors and employees of Project Domino.

ADOPTED THIS THE 18 DAY OF JANUARY 2005.

PLANNING DEPARTMENT: ZONING MAP AMENDMENT - DAVID MORROW (REQUEST TO SCHEDULE PUBLIC HEARING)

ACTION: Jerry Self made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board to ***schedule a public hearing on this rezoning petition for February 1, 2005 at 6:00 p.m. for (1) 2328 LaFayette Street (Case 05-04); and, (2) 2323 & 2426 South LaFayette Street (Case 05-05).***

COUNCIL ON AGING: FUNDING FOR MEALS PROGRAM

Pete Moore, Board of Directors Chair, accompanied Libby Shipley, Council on Aging Executive Director, and other board members and Council on Aging staff, reviewed the status of the county wide nutrition program that was transferred by the Department of Social Services to the Council on Aging (COA) approximately six years ago. He reviewed the following report, which was presented to Commissioners for their review prior to the meeting.

“We have been successful in managing the program and maintaining service to the Cleveland County Seniors even in spite of the economy and reduction of funds. The meals program has always been catered by Canteen Food Service Company out of

Hickory. While the service was good, we did not always have control of the time that they arrived on site. Cost per meal was another area that we wanted to try to improve on as well as the freshness of the product.

As you know, this year we made the decision to move ahead with our plans to cater the meals from the Neal Center Kitchen. From the beginning, our kitchen facility was designed with that program in mind.

We have had nothing but positive remarks on the food and have been extremely pleased so far with the performance of the staff. This program, as you know, serves all of Cleveland County. Approximately 275 older adults county wide, Monday through Friday, receive a hot, nutritious meal.

There are three congregate dining sites in Cleveland County - West Warren in Shelby, Kings Mountain Senior Center, and Bliss Center in Lawndale. Meals on Wheels are delivered to the same County areas, plus Boiling Springs.

To provide this service, five new jobs were created. Three full-time and two part-time were hired. Two of the new hires were previous "Work First" placements here at the Senior Center.

A delivery truck for delivering meals to the sites and new equipment for keeping the food warm at the sites were also purchased. The cost of this year's operating budget of start up for this new program over and above Federal reimbursements and contributions is approximately \$50,000.

The Senior Center's on site lunch program operates Monday through Friday and serves an additional 75-100 meals each day.

It is anticipated that due to increased operating efficiency from professional kitchen management, we will be able to generate income in excess of expenses. However, the first year that will probably not happen.

The Upper Cleveland nutrition site is undergoing changes that will require a move from Bliss Center to another location. We are

currently working with the Upper Cleveland Satellite Advisory Board and the Lawndale Town Council for recommendations, which will include combining the nutrition program and the Satellite Senior Center Program. This change will be helpful to older adult residents in Upper Cleveland who would want to access Senior Center Services and activities at the same site. While change is hard and will take time to adjust, it should be a positive move toward better service to that part of the county.

Concerning finances, you might like to know that our capital campaign efforts have been on hold due to the United Way fund drive.

Monday night Bingo is two-years old this month and has allowed us to deposit \$20,000 toward the debt. Last year's Rock-a-thon raised approximately \$22,000 toward the debt and the January 28 and 29, 2005 Rock-a-thon has a \$45,000 goal. This year's paid pledges have contributed another \$100,000 toward the debt.

Our Board and our staff are diligent and persistent in their efforts to retire the debt and look forward to that day. Meanwhile, a private citizen Mike Macomson is recruiting other citizens to serve on a steering committee to raise funds toward that goal. He expresses great concern over the apathy of the community toward the retirement of this debt and is very enthusiastic about contributing his time and resources toward this cause. January 13, 2005 will be an official kick off, banquet here at the Senior Center, and we appreciate the commissioners' support of this new campaign.

In addition, the purpose of sharing so much information is to ask for the county's help to cover the start up cost of catering our county wide meals programs. A special \$50,000 grant from the county would cover the cost of our vehicle and the new thermal equipment purchases that had to be made this year.

Very little new equipment has been purchased in over 25-years of the nutrition program's existence, until now."

There was discussion regarding the nutrition program waiting list of citizens to be served; discussed addressing this request during the

regular budget process; asking municipalities to help support this program; and considering this one-time contribution to the capital investment as building infrastructure.

ACTION: It was the *consensus of the Board to (1) discuss this request during the Commissions upcoming planning session; (2) suggested the Senior Center representatives attend a CAGO meeting to discuss this request with the municipalities.*

EMERGENCY WATERSHED PROGRAM: AMEND BRUSHY CREEK AGREEMENT TO INCLUDE BEAVER DAM CREEK

Mr. McCarter advised Ben Robinson, NRCS District Conservationist, has determined that no additional action will be needed, since the State has agreed to amend the earlier agreement (*reference Pages _____ of Minute Book 28*) to include Beaver Dam creek.

Commissioner McIntosh suggested all county creek/river beds be checked to determine if others have potential problems and advised he would arrange for a helicopter to take Mr. McCarter to survey these areas.
PLANNING DEPARTMENT: CODE TEXT AMENDMENT (Request public hearing for February 1, 2005) (Section 12-21. Definition of Basic Terms; and, Section 12-134. Airport Overlay District)

ACTION: Mary Accor made the motion, seconded by Jerry Self, and unanimously adopted by the Board, to schedule the public hearing for February 1, 2005 at 6:00 p.m. as requested.

PLANNING DEPARTMENT: CODE TEXT AMENDMENT (Continued from November 16, 2004 meeting)

Bill McCarter, Planning Director, reviewed that a public hearing was held on November 16, 2005 to consider amending our table of uses to address the location of public safety facilities. He said, "There were

concerns raised about the variety of correctional facilities that would be permitted in the General Business zoning district. You asked that I distinguish between a large state/federal facility and a local county jail.” Mr. McCarter reviewed the revised Table of Permitted Uses which lists a county detention center as a permitted use in General Business and both industrial districts but limits state and federal facilities to industrial districts only.

ACTION: Willie McIntosh made the motion, seconded by Jerry Self, and unanimously adopted by the Board, to ***adopt the amendments as proposed*** (copy found on Page _____ of Minute Book 28).
PLANNING DEPARTMENT: CODE TEXT AMENDMENT - Historic Preservation Commission - Text Amendment (Request to schedule public hearing for February 1, 2005)

ACTION: Mary Accor made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to ***schedule the public hearing as requested.***
PLANNING DEPARTMENT: ZONING MAP AMENDMENT - LISA PATTERSON (Case 05-03; 731 Stony Point Road) (Request to schedule public hearing for February 1, 2005)

ACTION: Mary Accor made the motion, seconded by Jerry Self, and unanimously adopted by the Board, to ***schedule the public hearing as requested.***
HUMAN RESOURCES DEPARTMENT: PERSONNEL CODE TEXT AMENDMENT - Article I. Section 2; Article III. Section 9, 12; Article VI. Section 3, 12; Article VII. Section 9.2; Article IX. Section 5; Appendix I, VI. (Request to schedule public hearing for February 1, 2005)

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

BOARD APPOINTMENT: CLEVELAND COUNTY CHILD FATALITY PREVENTION TEAM - CHILD PROTECTION TEAM

ACTION: Willie McIntosh made the motion, seconded by Mary Accor, and unanimously adopted by the Board, to ***reappoint Dr. Leslie Richardson to serve as a member of the Child Protection/Fatality Prevention Team.*** This reappointment is for a term of three-years, scheduled to conclude on January 31, 2008.

RECESS TO RECONVENE AT A TIME A PLACE CERTAIN

Commissioner McIntosh made the motion, seconded by Commissioner Accor, and unanimously adopted by the Board, to recess this meeting (*at 7:15 p.m.*) to be ***reconvened on Monday, January 24, 2005 at 4:00 p.m.*** in order for the Commission ***to conduct a planning and goal setting session.***

Ronald J. Hawkins, Chairman
CLEVELAND COUNTY BOARD OF COMMISSIONERS

Wanda Crotts, CMC, Clerk
CLEVELAND COUNTY BOARD OF COMMISSIONERS