

CLEVELAND COUNTY BOARD OF COMMISSIONERS

January 17, 2006

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
Robert Yelton, County Attorney
Wanda Crotts, County Clerk
Kerri Melton, Deputy Clerk
Eddie Bailes, Assistant County Manager
Chris Crepps, Finance Director
Chris Green, Tax Administrator
Bill McCarter, Planning Director
Debra Blanton, Director of Election
Luther Baker, Electronic Maintenance
Alan Jenkins, The Star
Lindsey Allen, Cleveland Headline News
Other individual names on file in the Clerk's Office

CALL TO ORDER

Chairman Ronald J. Hawkins called the meeting to order and led the audience in the "Pledge of Allegiance" to the flag of the United States of America. County Manager David Dear provided the invocation for the meeting.

AGENDA ADOPTION

ACTION: Mary Accor made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to *adopt the agenda as presented by the County Clerk.*

CONSENT AGENDA

TAX COLLECTOR'S MONTHLY REPORT

The Tax Collector provided Commissioners with a detailed written report regarding taxes collected during *December 2005* (copy found on Page _____ of Minute Book 29).

TAX ABATEMENTS AND SUPPLEMENTS

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during *December 2005*. The monthly grand total of tax abatements was listed as (\$16,398.93); and, the monthly grand total for tax supplements was listed as \$17,825.48.

SOCIAL SERVICES: BUDGET AMENDMENTS (BNA #A026)

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

<u>Account Number/Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
011.519.4.350.00/93568-P372	Public Assistance/State Gov Grants	\$54,312.	

011.519.5.512.05

Public Assistance/Crisis

\$54,312.

Explanation of Revisions: Budget Amendment necessary to accept special state Crisis Intervention funds for FY 2005/2006

SHERIFF'S OFFICE: BUDGET AMENDMENTS (BNA #A027)

Account Number/Project Code Department/Account Name Increase Decrease

010.442.4.311.00/USICE-P442 Fed. Forfeited Property/Fed-Other Revenues \$85,826.

010.442.5.910.00/USICE-P442 Fed. Forfeited Property/Capital Equipment \$85,826.

Explanation of Revisions: Request approval to budget funding to purchase three (3) 2006 Ford Expeditions (4 x 2, XLT) and one (1) 2006 Ford F250 Pick-up Truck.

ECONOMIC DEVELOPMENT: B & W FIBERGLASS INDUSTRIAL INCENTIVE GRANTS PUBLIC HEARING

Scott Darnell, Senior Vice President of Economic Development, presented the incentive grant contract to the Commissioners. B & W Fiberglass was recruited to Cleveland County approximately a year ago. The company is doing great. The purpose of this contract is to finalize the terms of the incentive agreement.

Public Hearing opened at 6:10pm and closed at 6:11pm with no comments made by the public.

ACTION: Willie McIntosh made the motion, seconded by Jerry Self, and unanimously adopted by the Board, *to approve the contract (copy found on Page _____ of Minute Book 29) as reviewed and presented by Scott Darnell.*

CLEVELAND COUNTY SCHOOLS: SCHOOL FACILITY PLAN

Superintendent Dr. Gene Moore accompanied by Dr. Larry Allen, Deputy Superintendent for Auxiliary Services, and School Board Chairman Dr. George Litton, reviewed the School Facility Plan.

Dr. Gene Moore opened by stating that this is a five to ten year plan that was required by the NC Department of Public Instruction. This document (*copy of cost summary found on Page _____ of Minute Book 29*) will give the state a sense of the needs for the Cleveland County Schools. Following the submittal of plans similar to this a number of years ago, an 18 million dollar statewide bond was passed.

Next, Dr. Larry Allen stated that Springmore Elementary School and Kings Mountain Intermediate School exist because of the statewide bond mentioned above. This statewide bond brought a total of between 22-23 million dollars to Cleveland County. (Note: Schools were not merged at that time.)

Dr. Allen noted that a number of citizens in Cleveland County are pushing for a new high school to be built. This was not a request in the facility plan. Over the last three years, Kindergarten numbers have decreased. The state thinks that these numbers will continue to decrease. Dr. Allen said that he believes that population trends and the birth rate have caused this. He believes that the loss of industry has discouraged families from becoming larger.

The list of needs in the facility plan is not a prioritized list. Should this money, or a portion of it, come to Cleveland County, the Cleveland County Board of Education will form a task group to assess these needs and assign priority on them.

Dr. Moore stated that the Board of Commissioners are not required to adopt this plan but only to sign that they have seen this Plan.

Commissioner Jerry Self commended Cleveland County Schools on the work on this plan. He stated that Dr. Larry Allen and his team did a great job looking at the needs of each school.

ACTION: Willie McIntosh made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, *to approve the signing of the document by Chairman Ronald J. Hawkins and County Manager David Dear.*

RESOLUTION: BOARD OF ELECTIONS VOTING MACHINES

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

Commissioner Jerry Self noted that the purchase of these machines is purely directed by the State Board of Elections.

NUMBER 02-2006

CLEVELAND COUNTY BOARD OF ELECTIONS

**STATE OF NORTH CAROLINA
COUNTY OF CLEVELAND**

**RESOLUTION TO RECOMMEND THE PURCHASE
OF VOTING EQUIPMENT**

WHEREAS, the Cleveland County Board of Elections has the authority and duty to recommend a voting system of a type, make, and model approved certified by the State Board of Elections for use in some or all voting places in the county at some or all elections in accordance with G.S. 163-165.9;

WHEREAS, the Cleveland County Board of Elections has witnessed a demonstration in the county or at a site designated by the State Board of Elections, of the type of voting system being recommended and also witnessed a demonstration of at least one other type of voting system certified by the State Board of Elections;

WHEREAS, the State Board of Elections and the Office of Information Technology Services has a Statewide Term Contract with certified vendors;

WHEREAS, grants from the HAVA Election Fund may be used by the County Boards of Election for purchasing voting equipment from a certified vendor and the County is entitled to receive up to \$395,630.00 from the HAVA Election Fund based on the formula of \$12,000.00 per precinct, \$12,000.00 per One-Stop site, plus \$1.00 for each voter that turned out in the 2004 presidential election but not less than \$10,000.00 or more than \$100,000.00;

THEREFORE BE IT RESOLVED that the Cleveland County Board of Elections hereby recommends the following certified voting equipment to the Board of County Commissioners.

Voting Type: OPTICAL SCAN
Vendor: E S & S (Elections Systems and Software)
Estimated Cost: \$398,761.50

Accepted by the Cleveland County Board of Commissioners on January 17, 2006.

/S/ Ronald J. Hawkins, Chairman
Cleveland County Board of Commissioners

PLANNING DEPARTMENT: MINIMUM HOUSING CODE VIOLATION 106 WILLIAMS ROAD – CHARLES D. HAMBRIGHT

Bill McCarter, Planning Director, reviewed that this home had been burned and had been sitting there for quite some time. Nearby property owners have requested that the County Commissioners do something to remove the structure from this property. Mr. McCarter presented an ordinance to the Board of Commissioners for approval to demolish this structure.

Last contact with the property owner was made in May 2005. The property owner stated that the bank would demolish the structure. This has never happened.

Commissioners were concerned that there was already a lien on this property and the County may be unable to recoup the costs of the demolition. A deed of trust is open for \$67,500 to be satisfied in March 2018.

Attorney Bob Yelton stated that there is always a risk of not recouping the costs of the demolition. He also stated that a lien holder is not required to demolish this building and would probably not.

Commissioner Hutchins requested that a letter be sent to the bank asking their intentions for this property.

ACTION: Johnny Hutchins made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, *to adopt the following ordinance allowing for the demolition of structure at 106 Williams Road. Before demolition Bill McCarter, Planning Director is required to exhaust all means of demolition being paid for by the lien holder and must report to Board of Commissioners before demolition occurs.*

CLEVELAND COUNTY
NORTH CAROLINA

AN ORDINANCE AUTHORIZING THE CODE ENFORCEMENT OFFICER TO DEMOLISH DWELLING AT 106 WILLIAMS ROAD

WHEREAS, pursuant to the provisions of Chapter 160A, Article 19, Part 6 of the North Carolina General Statutes, the dwelling(s) located at 106 Williams Road, Cleveland County, North Carolina have been inspected and found to be unfit for human habitation and to otherwise constitute a danger to persons and a threat to the health and welfare of the citizens within County; and

WHEREAS, according to the procedures provided by law, the owner(s) of said property have been given notice of the aforesaid inspection, defective conditions, determination and order to bring said property into compliance with the minimum housing code of Cleveland County and the State of North Carolina by appropriate repair and/or demolition of said dilapidated dwelling(s); and

WHEREAS, the owner(s) have not complied with the Findings and Order by the Code Enforcement Officer within the period allowed by law; and

WHEREAS, the said dilapidated dwelling(s) remain at this time unfit for human habitation, dilapidated, and a danger to the health and safety of the citizens of Cleveland County and should be demolished in order to prevent and alleviate such danger and dilapidated conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CLEVELAND COUNTY BOARD OF COMMISSIONERS that the dilapidated dwelling known as and located at 106 Williams Road and now or formerly owned by Charles D. Hambright,

Jr., shall be demolished, and a lien placed against the property for the costs incurred by the county as provided by GS160A-446(6).

Adopted and approved this the 17th day of January 2006 by the Cleveland County Board of Commissioners in open session.

COMMISSIONER REPORTS

BETA ALLIANCE

Commissioner Accor noted that she has been appointed to the BETA Alliance. They will be looking at virtual high schools. The Public Education Steering Committee will be discussing year round school.

CLEVELAND COUNTY EMS

Commissioner Hutchins commended Cleveland County EMS for work with the recent search of a Cleveland County resident. Search and rescue was successful.

WARDS GAP ROAD EMS STATION

Commissioner Self stated that he received a call regarding an EMS site in the Wards Gap Road area. Commissioner Self told the resident to come to this evenings meeting but the gentleman did not. County Manager David Dear stated that he would be happy to set up an appointment with Joe Lord, EMS Director, and the interested party to discuss this request.

RECESS TO RECONVENE UNTIL MONDAY, JANUARY 23RD, 5:00PM

There being no further business to come before the Board at this time, Willie McIntosh made the motion, seconded by Jerry Self, and unanimously adopted by the Board, to recess (at 7:00pm) to reconvene for a work session of the Commission on *Monday, January 23, 2006 at 5:00 p.m.* in this Commission Chamber.

*Ronald J. Hawkins, Chairman
Cleveland County Board of Commissioners*

*Wanda Crotts, CMC, Clerk
Cleveland County Board of Commissioners*