

CLEVELAND COUNTY BOARD OF COMMISSIONERS

April 17, 2007

The Cleveland County Board of Commissioners met in a regular session on this date, at the hour of 6:00 p.m., Grover Town Council Chamber, located at 207 Mulberry Road, Grover, NC.

PRESENT: Mary S. Accor, Chairwoman
Eddie Holbrook, Vice-Chairman
Jo Boggs, Commissioner
Ronald J. Hawkins, Commissioner
Johnny Hutchins, Commissioner
David C. Dear, County Manager
Robert Yelton, County Attorney
Kerri Melton, County Clerk
April Crotts, Deputy Clerk
Eddie Bailes, Assistant County Manager
Chris Green, Tax Administrator
Chris Crepps, Finance Director
Dewey Cook, Emergency Management Director
Emily Weaver, Kings Mountain Herald
Other individual names on file in the Clerk's Office

CALL TO ORDER

Chairwoman Mary S. Accor called the meeting to order and led the audience in the "Pledge of Allegiance" to the flag of the United States of America. Dewey Cook, Emergency Management Director, provided the invocation for the meeting.

AGENDA ADOPTION

ACTION: Johnny Hutchins made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to *adopt the agenda as presented by the County Clerk, with the following additions/deletions:*

(1) **Add Agenda Item:** *Request by Ingles Markets to approve subdivision of property (David Dear)*

CONSENT AGENDA

TAX COLLECTOR'S MONTHLY REPORT

The Tax Collector provided Commissioners with the following detailed written report regarding taxes collected during *March 2007 (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 *March 2007*. The monthly grand total of tax abatements was listed as (\$11,045.55); and, the monthly grand total for tax supplements was listed as \$20,527.29.

HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #047)

ACTION: Ronnie Hawkins made the motion, seconded by Jo Boggs, 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>
012.541.4.350.00	Env. Health/State Govt. Grants	\$60,000.	
012.541.5.121.00	Env. Health/Salaries-Reg.	11,146.	
012.541.5.131.00	Env. Health/Social Security.	692.	
012.541.5.133.00	Env. Health/Hospitalization Ins.	1,008.	
012.541.5.134.00	Env. Health/Dental Ins.	39.	
012.541.5.136.00	Env. Health/Medicare Ins.	162.	
012.541.5.210.00	Env. Health/Departmental Sup.	250.	
012.541.5.211.00	Env. Health/Controlled Prop Exp.	1,550.	
012.541.5.321.00	Env. Health/Telecommunications.	175.	
012.541.5.893.00	Env. Health/Budgetary Acct. Only.	8,978.	
012.541.5.910.00	Env. Health/C.O. Equipment	36,000.	

Explanation of Revisions: Budget funds from NC Environment and Natural Resources for new legislation that requires local health departments to have a Private Drinking Wells Permitting and Water Quality Testing Program. The state has allocated one-time incentive funds to initiate the program. We request permission to establish an Environmental Health specialist position effective March 1, 2007. Unspent funds will be allowed to carry over to 2007-2008 FY end and are allocated in 5.893 for future years salaries.

HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #051)

ACTION: Ronnie Hawkins made the motion, seconded by Jo Boggs, 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>
012.516.4.350.01/SSDEN-5407	SMART START/State Govt. Gr-SmSt		\$13,504.
012.516.5.230.00/SSDEN-5407	SMART START/Medicine and Supplies		2,974.
012.516.5.490.00/SSDEN-5407	SMART START/Professional Services		10,530.
012.516.4.350.01/SSIHC-5401	SMART START/ State Govt. Gr-SmSt		3,087.
012.516.5.121.00/	SMART START/Salary-Reg		2,307.
012.516.5.490.00/ SSIHC-5401	SMART START/Professional Services		780.
012.516.4.350.01/SSCCC-5106	SMART START/ State Govt. Gr-SmSt		786.
012.516.5.310.00/SSCCC-5106	SMART START/Travel		6.
012.516.5.490.00/SSCCC-5106	SMART START/Professional Services		780.

Explanation of Revisions: Adjust Smart Start Budget to align county budget with approved Smart Start budget amount. Total decrease of \$17,377.

HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #052)

ACTION: Ronnie Hawkins made the motion, seconded by Jo Boggs, 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>
012.533.4.350.00	ADULT HEALTH/State Govt. Grants	\$180.	
012.533.5.490.00	ADULT HEALTH/Professional Services	180.	

Explanation of Revisions: Budget additional Wisewoman (CVD) funds to align County budget with original state allocation.

HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #053)

ACTION: Ronnie Hawkins made the motion, seconded by Jo Boggs, 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>
012.539.4.350.00/93994-5740	Family Planning/State Govt. Grants	\$9,620.	
012.539.5.513.00	Family Planning/Hosp. & Drs. Fees	9,620.	

Explanation of Revisions: Budget State Family Planning Title X bonus funds for doctor fees.

HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #054)

ACTION: Ronnie Hawkins made the motion, seconded by Jo Boggs, 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>
012.541.4.350.00/01210-4752	Env. Health/State Govt. Grants	\$13,553.	
012.541.5.122.00	Env. Health/Salaries-PT	5,620.	
012.541.5.131.00	Env. Health/Social Security.	349.	
012.541.5.136.00	Env. Health/Medicare Ins	82.	
012.541.5.213.00	Env. Health/Office Supplies	1,502.	
012.541.5.240.00	Env. Health/Automotive Supplies.	1,000.	
012.541.5.241.00	Env. Health/Motor Fuels	2,000.	
012.541.5.310.00	Env. Health/Travel.	3,000.	
012.541.4.350.00/01210-4760	Env. Health/State Govt. Grants		400.
012.541.5.311.00	Env. Health/Education Expense.		400.

Explanation of Revisions: Budget funds from NC Environment and Natural Resources Env. Health Services Section for compliance in mandated inspections of food and lodging establishments. This performance based distribution is for 2005-2006 FY inspections. Funds must be spent by 6/30/2007. Align county budget with amount approved in original Food & Lodging allocation.

EMERGENCY MEDICAL SERVICES: BUDGET AMENDMENTS (BNA #055)

ACTION: Ronnie Hawkins made the motion, seconded by Jo Boggs, 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>
010.437.4.350.00/NCEMS-6446	Public Safety Grants/State Grants	\$13,371.	
010.437.5.210.00/NCEMS-6446	Public Safety Grants/Dept. Supply	1,015.	
010.437.5.211.00/NCEMS-6446	Public Safety Grants/Controlled Equip.	1,605.	
010.437.5.910.00/NCEMS-6446	Public Safety Grants/Capital Equip.	10,751.	

Explanation of Revisions: These funds will be used to enhance regional preparedness. This grant is awarded from NC Office of Emergency Medical Services and will pass through Cleveland Regional Medical Center.

EMERGENCY MEDICAL SERVICES: BUDGET AMENDMENTS (BNA #056)

ACTION: Ronnie Hawkins made the motion, seconded by Jo Boggs, 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>
010.437.4.350.00/NCEMS-7446	Public Safety Grants/State Grants	\$7,500.	
010.437.5.210.00/NCEMS-7446	Public Safety Grants/Dept. Supply	1,944.	
010.437.5.211.00/NCEMS-7446	Public Safety Grants/Controlled Equip.	3,556.	
010.437.5.910.00/NCEMS-7446	Public Safety Grants/Capital Equip.	2,000.	

Explanation of Revisions: These funds will be used to enhance regional preparedness. This grant is awarded from NC Office of Emergency Medical Services and will pass through Cleveland Regional Medical Center.

PLANNING DEPARTMENT: BUDGET AMENDMENTS (BNA #058)

ACTION: Ronnie Hawkins made the motion, seconded by Jo Boggs, 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>
010.491.4.310.00/15904-7817	Planning/Federal Grants	\$ 6,600.	
010.491.4.410.00/15904-7817	Planning/Local and other grants	4,400.	
010.491.5.490.00/15904-7817	Planning/Professional Services	11,000.	

Explanation of Revisions: To budget Historic Shelby Foundation grant award to be used to prepare the Natl. Register Nomination for a new historic district in West Shelby.

HEALTH DEPARTMENT: REQUEST FOR APPROVAL TO HIRE PUBLIC HEALTH NURSING DIRECTOR III AT SALARY GRADE 81, STEP 8B

ACTION: Ronnie Hawkins made the motion, seconded by Jo Boggs, and unanimously adopted by the Board, to *approve the hire of Dorothea J. Wyant as a Public Health Nursing Director at Salary Grade 81, Step 8b as requested.*

REGULAR AGENDA

EMERGENCY MANAGEMENT: UPDATED FIRE INSURANCE DISTRICT MAPS

Dewey Cook, Emergency Management Director, explained to Commissioners that the purpose of updating the Fire Insurance District Maps is to allow citizens a lower insurance rating which in turn lowers insurance premiums. Fire Districts have increased from five to six miles (*copy of map found on Page _____ of Minute Book 29*). Mr. Cook informed Commissioners that there are areas throughout the county which are unable to achieve this rating. Mr. Cook and his staff will try and develop ways for the entire county to receive the benefits of the lower rating.

The Department of Insurance has approved the maps. Upon approval by the Cleveland County Board of Commissioners and submittal of approved resolutions to the Department of Insurance, the new ratings will take effect. Revised map includes the following Fire Districts, **“Big B” (Bethlehem), Boiling Springs Rural, Casar, Gardner, Fallston, “Old Yellow” (Grover), “Rippy” (Number Three), “Lattimore” (Number Seven), Oak Grove, Polkville, Shanghai and Waco.**

ACTION: Jo Boggs made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, to *approve the changes to the Fire Insurance District Map and adopt resolutions designating the map for the purpose of fire insurance ratings. (copies found on Pages _____ of Minute Book 29).*

CLEVELAND COUNTY PRIVACY POLICY

ACTION: Ronnie Hawkins made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, to *approve the following Cleveland County Privacy Policy.*

Chris Crepps, Finance Director, explained that by adopting this policy, “You will emphasize the importance of privacy and allow for formal reprimand.” This policy will be included as part of the Cleveland County Employee Manual.

CLEVELAND COUNTY, NORTH CAROLINA
PRIVACY POLICY
EFFECTIVE JULY 1, 2007

Policy Statement:

The County must act responsibly when access to protected personal identifying information is given and guard against the unauthorized distribution of such information.

Purpose:

To protect against the illegal and/or unethical distribution of protected personal identifying information, the County will act in accordance with the State Privacy Act (N.C.G.S. 143-64.60) and with N.C.G.S. 132-1-10, comply with this policy, and provide a copy of an approved privacy notice to taxpayers and others from whom protected information is requested. The County must minimize the instances that protected information is shared with the general public. The County may not intentionally make available to the general public any person's protected information. The guidance included in this policy and related procedures outlines the acceptable and unacceptable distribution of protected information.

Scope:

This policy applies to employees, contractors, consultants, and other workers at Cleveland County, including all personnel affiliated with third parties. Except as expressly exempted in N.C.G.S. 132-1.10(c)(3), this policy applies to all documents that contain protected personal identifying information of which any of the aforementioned persons are in possession.

Implementation and Enforcement Responsibility:

Each Department Head shall 1) familiarize themselves with this policy and related procedures, 2) implement and consistently enforce the provisions of this policy and related procedures, and 3) verify that other staff in the department abide by the requirements and guidelines set forth in this policy and related procedures. Unless other governing regulations require separate procedures or privacy policy, use the "Common Procedures" and "Cleveland County Privacy Notice." Pursuant to a public records request, the County shall redact the protected information either through recording such information on a separate page from the rest of the record or as otherwise appropriate to remove the protected information from the record.

In the normal course of their responsibilities, Department Heads, their designee, and Finance Department staff shall have authority to formulate procedures that are consistent with this policy and applicable laws and to inspect any documents that contain protected personal identifying information. Reasons for inspection include, but are not limited to, investigation of complaints, litigation or potential litigation, reasonable suspicion of a crime or violation of policy, or a need to perform work or provide a service when an employee is not available. All persons to whom this policy applies shall acknowledge their consent that the aforementioned County personnel may inspect, use or disclose any communications and/or data without further notice for purposes identified in this policy and related procedures.

Examples of Protected Personal Identifying Information:

Protected personal identifying information includes the following:

- taxpayer identification number (TIN), such as an individual's social security number
- any state identification number, such as driver's license number
- any bank account number, such as checking account number
- any other financial institution account number, such as credit card number
- passport number
- digital signatures
- biometric data or fingerprints
- passwords
- any other number or information that can be used to access a person's financial records (such as your mother's maiden name)

Consequences:

Under no circumstances is an employee of Cleveland County authorized to engage in any activity that is illegal under local, state, federal or international law while utilizing Cleveland County-owned resources. Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment, in accordance with the County Personnel Ordinance. If a violation is a criminal or civil offense, then other penalties may apply as dictated by law.

Revision History:

Recommended by County Finance Director on February 7, 2007 to be effective July 1, 2007.

CLEVELAND COUNTY INVENTORY POLICY

ACTION: Ronnie Hawkins made the motion, seconded by Jo Boggs, and unanimously adopted by the Board, *to approve the following Cleveland County Inventory Policy.*

Chris Crepps, Finance Director explained that the current threshold for financial reporting of depreciating capital assets is \$2,000, upon recommendation from UNC Chapel Hill School of Government and The Government Finance Officers Association, Mr. Crepps asked Commissioners to approve increasing the threshold to \$5,000.

**CLEVELAND COUNTY, NORTH CAROLINA
INVENTORY POLICY
EFFECTIVE JULY 1, 2007**

Policy Statement:

For accurate reporting of the County's financial position at the end of each fiscal year, each County department must annually account for the property to which it has been entrusted. Each County employee must act responsibly when access to County property is given and guard against the abuse of such property.

Purpose:

The County must minimize the instances that property is abused. County employees will follow certain guidelines to record the purchase of property that will be inventoried and will ensure that the property is maintained for efficient and effective operation. County governments are required by N.C.G.S. 159-26(b)(8) "to record the details" for their 'capital assets.' Capital assets, by definition, are specific items of property that 1) are tangible in nature, 2) are expected to be useful for more than one year, and 3) have a significant value. The guidance included in this policy and related procedures defines the point at which a type of asset is considered to have significant value.

Scope:

This policy applies to employees, contractors, consultants, temporaries, and other workers at Cleveland County, including all personnel affiliated with third parties. This policy applies to all property purchased by Cleveland County.

Implementation and Enforcement Responsibility:

Each Department Head shall 1) familiarize themselves with this policy and related procedures, 2) implement and consistently enforce the provisions of this policy and related procedures, and 3) verify that other staff in the department abide by the requirements and guidelines set forth in this policy and related procedures.

In the normal course of their responsibilities, Department Heads, their designees, Finance Department staff, and Public Buildings (also known as Maintenance) personnel have authority to inspect any County-owned property. Reasons for inspection include, but are not limited to, investigation of complaints, identification of non-compliance, repairs or potential repairs, reasonable suspicion of a crime or violation of policy, or a need to perform work or provide a service when an employee is not available. All persons to whom this policy applies shall acknowledge their consent that the aforementioned County personnel may inspect, use, or disclose any communications and/or data related to County property without further notice for purposes identified in this policy and related procedures.

Classifications of County Assets:

The County will maintain a list of the following classes of assets by department:

1. Land and Constructed Assets: The Finance Department will maintain a list of all land and buildings owned by Cleveland County without regard to cost. Infrastructure and certain improvements (such as major renovations) will be added to the list when the cost or purchase value exceeds \$100,000.

2. Capital Equipment: The Finance Department will maintain a list of all equipment or certain other property whose cost or purchase value exceeds \$5,000. In addition, repairs or upgrades (other than cosmetic repairs) to existing capital equipment that costs at least \$2,500 will be added to the list.

3. Controlled Equipment: The Finance Department will maintain a list of all equipment whose cost or purchase value ranges from \$500 to \$5,000. Certain other property may be added to the list without regard to cost. In addition, repairs or upgrades (other than cosmetic repairs) to existing controlled equipment that costs at least \$250 will be added to the list.

4. "Property Of" Equipment: Each Department will maintain a list of all important equipment whose cost or purchase value is less than \$500.

Examples of Certain Types of Assets:

- * improvements -- parking lot, additions to or renovations of existing buildings, etc.
- * infrastructure -- communication towers, water and sewer systems, roads, bridges, etc.
- * repairs or upgrades (other than cosmetic repairs) -- replacement of major component (such as vehicle's engine), attachment or insertion of new property (such as software), etc.

Consequences:

Under no circumstances is an employee of Cleveland County authorized to engage in any activity that is illegal under local, state, federal or international law while utilizing Cleveland County-owned resources. Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment. If a violation is a criminal or civil offense, then other penalties may apply as dictated by law.

Revision History:

- Recommended by County Finance Director on February 8, 2007 to be effective July 1, 2007.
- To determine which equipment to capitalize for depreciation purposes, a threshold of \$2,000 has been effective since July 1, 2001. The UNC School of Government recommends a \$5,000 threshold for such items.

REQUEST FOR SUBDIVISION OF PROPERTY IN CLEVELAND COUNTY INDUSTRIAL PARK

County Manager, David Dear presented a request by Ingles Markets, Inc. for the permission to subdivide a portion of the property (*copy of written description found on Page _____ of Minute Book 29*) being purchased by Ingles Markets, Inc. from Kings Mountain Call Center Partners, LLC (TelerX). Ingles Markets, Inc. will use this property to develop a back entrance into the proposed Ingles grocery store. This property is located in the Cleveland County Industrial Park. Based on covenants previously approved by County Commissioners, any subdivision of property located in the Cleveland County Industrial Park requires Board of Commissioner approval.

ACTION: Johnny Hutchins made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, *to grant Ingles-Markets, Inc. permission to subdivide a portion of the property being purchased from Kings Mountain Call Center, LLC.*

COMMISSIONER REPORTS

Commissioner Hawkins:

Commissioner Hawkins recommended that the County Manager insure that there is a dialogue between law enforcement officers throughout the county to insure school violence preparedness due to the recent tragedy at Virginia Tech.

Commissioners asked for a brief moment of silence to remember the lives lost and those affected by the shootings at Virginia Tech.

Commissioner Hutchins:

Commissioner Hutchins attended a Cleveland County Chamber of Commerce Board of Directors Meeting. Over the next few weeks, Duke Power make a decision whether or not they will build the one power plant for which they were recently granted a permit.

Commissioner Boggs:

Commissioner Boggs shared how much she enjoyed the formal goodbye for Wanda Crotts, Cleveland County Clerk. She also stated she enjoyed collecting trash with other Commissioners and staff during the “Litter Sweep”. Commissioner Boggs is looking forward to the NCACC District Meeting which will be held in Lenoir on Friday, April 20th.

Vice-Chairman Holbrook:

Commissioner Holbrook talked about the budget work session. He enjoyed hearing presentations from the different agencies.

Chairwoman Accor:

Chairwoman Accor informed Commissioners that she would be leaving after the meeting to go to Raleigh for a NCACC Board Meeting, stating that Medicaid relief is still the top priority of NCACC. On Thursday, North Carolina Association of Black County Officials will lobby the General Assembly for Medicaid Relief. She will be participating in this event.

She also mentioned several dates to remember:

- April 19th Dedication of Children’s Mural- Spangler Library
- April 26th First National Merry Go Round Banquet
- April 26th Cleveland County Schools Academic Awards
- April 26th Cleveland County Volunteer Firefighters Association Meeting.
- April 28th Courthouse Birthday Party

ADJOURN

There being no further business to come before the Board at this time, Ronnie Hawkins made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, *to adjourn the meeting (at 6:30 p.m.)*. The next regular meeting of the Commission is scheduled for *Tuesday, May 1, 2007 at 6:00 p.m.* in the Commission Chamber.

*Mary S. Accor, Chairwoman
Cleveland County Board of Commissioners*

*Kerri Melton, Clerk
Cleveland County Board of Commissioners*