

CLEVELAND COUNTY BOARD OF COMMISSIONERS

June 17, 2008

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: Jo Boggs, Chairwoman
Eddie Holbrook, Vice-Chairman
Mary S. Accor, Commissioner (arrived at 5:05)
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
Bill McCarter, Planning Director
Chris Crepps, Finance Director
Marni Glaser, *Cleveland Headline News*
David Allen, *The Star*
Other individual names on file in the Clerk's Office

CALL TO ORDER

Chairwoman Boggs called the meeting to order and led the audience in the "Pledge of Allegiance" to the flag of the United States of America. Dick Strathan 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 addition:*

(F) Finance Office: Budget Amendment (BNA #069)

CITIZEN RECOGNITION

Jason Falls, 150 Mike Ledford Road, asked Commissioners to consider adopting a county noise ordinance. Mr. Falls explained that he has spoken with several residents in the area of the speedway in Lawndale. He said that the residents who live close to the speedway want the speedway to be successful, but also feel that a noise ordinance would help the problems. Mr. Falls also requested that a Sheriff's Deputy be present on the road leading to the speedway on race nights for traffic issues.

Mr. Falls expressed his disappointment in the Commissioners decision not to continue early voting sites in Boiling Springs, Lawndale and Kings Mountain and asked them to reconsider their decision.

CONSENT AGENDA

APPROVAL OF MINUTES

There being no corrections, additions, or deletions to the Minutes of *May 12, 2008- Work Session and May 20, 2008*, motion was made by Johnny Hutchins, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to *approve the minutes as written*.

TAX COLLECTOR’S MONTHLY REPORT

The Tax Collector provided Commissioners with a detailed written report regarding taxes collected during *May 2008* (copy found on Page _____ of Minute Book 30).

TAX ABATEMENTS AND SUPPLEMENTS

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during *May 2008*. The monthly grand total of tax abatements was listed as (\$12,931.71); and, the monthly grand total for tax supplements was listed as \$32,615.50.

BOARD OF ELECTIONS: BUDGET AMENDMENTS (BNA #068)

ACTION: Johnny Hutchins made the motion, seconded by Ronnie Hawkins, 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>
010.418.4.350.00/90401-8418	BOE/State Grants	\$29,143.	
010.418.5.211.00/90401-8418	BOE/Controlled Equip	11,000.	
010.418.5.210.00/90401-8418	BOE/Dept. Supply	3,293.	
010.418.5.910.00/90401-8418	BOE/Capital Equip	14,850.	

Explanation of Revisions: Additional items from the NC State Board of Elections for purchase of electronic technology to be used at one stop and election day voting locations.

HEALTH DEPARTMENT: FINANCIAL ELIGIBILITY/FEE COLLECTION POLICY

ACTION: Johnny Hutchins made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to *adopt the revised Cleveland County Health Department Financial Eligibility/Fee Collection Policy which includes the deletion of “Family Planning patients with a past due account will not be submitted to Debt Set-Off for collection* (copy found on Page _____ of Minute Book 30.)

FINANCE OFFICE: BUDGET AMENDMENTS (BNA #069)

ACTION: Johnny Hutchins made the motion, seconded by Ronnie Hawkins, 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>
010.432.4.350.00/03700-8MED	3 rd Party Pass Thru/State Grants	\$ 600.	
010.432.5.700.00/03700-8MED	3 rd Party Pass Thru/Grants	600.	

Explanation of Revisions: To budget discretionary funds awarded from NC DJJDP to Mediation Center of the Southern Piedmont for the purchase of a mono flatbed all-in-one printer-copier-scanner-fax machine.

REGULAR AGENDA

NCDOT: PROPOSED SECONDARY ROAD IMPROVEMENT PLAN

Gary Spangler, NCDOT District I Engineer, presented the Secondary Road Improvement Program to Commissioners.

As explained in previous years, the Secondary Road Improvement Program offers two types of funding- rural paving and subdivision paving. To date, all subdivision roads have been paved, leaving only rural paving. Mr. Spangler estimated that 42 miles or 70 rural roads are left unpaved.

Beginning July 1, 2007, \$68 million of the Highway Fund will be used toward paved road improvements. Improvements include eliminating hazards and widening narrow roads.

ACTION: Mary Accor made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the board, *to adopt the following resolution.*

NUMBER 21-2008

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION APPROVAL OF 2008-2009 SECONDARY ROADS IMPROVEMENT PROGRAM

WHEREAS, representatives from the North Carolina Department of Transportation appeared before the Board of Commissioners on June 17, 2008 and presented the Secondary Roads Improvement Program for 2008-2009 for Cleveland County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CLEVELAND COUNTY, NORTH CAROLINA **that the Cleveland County Board of Commissioners has reviewed said program and concurs with the Secondary Roads Improvement Program for 2008-2009 as presented by the representatives of the North Carolina Board of Transportation as seen below:**

**North Carolina Department of Transportation
Secondary Roads Construction Program**

Cleveland County

FY 2008-2009 Anticipated Allocation

Highway Fund G.S. 136-44.5b	\$ 1,099,162.52
Highway Fund G.S. 136-44.5c	\$ 247,562.86
Trust Fund G.S. 136-182	\$ 1,105,374.90
Total	\$ 2,452,100.28

Programmed Paving

Goal: 3.96

I. Paving Unpaved Roads

Highway Fund G.S. 136-44.5c

A. Rural Paving Priority

Priority Number	SR No.	Length (Miles)	Road Name and Description	Est. Cost
R/W Hold	2277	0.20	Oveda Drive, Grade, Base, & Pave From SR 2276 to DE	\$ 70,000.00
10F	2284	0.20	Early Rd. Grade, Base, & Pave From SR 2283 to DE	\$ 70,000.00
Total 0.40			Subtotal:	\$ 140,000.00

A. Rural Paving Priority

Trust Fund G.S. 136-182

07/08	2289	0.83	Gallilee Ch Rd. Grade, Base, & Pave From EP to SR 2289 (Finish Funding)	\$ 100,000.00
7F	1606	0.27	Hallman Mill Rd., Grade, Base, & Pave From SR 1607 To Co. Line	\$ 94,500.00
8F	1885	1.46	Selkirk Rd. Grade, Base, & Pave From SR 1801 to 1802 (Finish Funding)	\$ 511,000.00
9F	1372	1.00	Elliott Cemetary Rd, Grade, Base, & Pave From NC 182 to DE (Part Funding)	\$ 100,000.00
Total 3.56			Subtotal:	\$ 805,500.00

B. Subdivision Paving Priority: There are no subdivision road remaining in the priority

* Rural Paving Alternatives

Priority Number	SR No.	Length (Miles)	Road Name and Description	Est. Cost
11	1245	0.40	Echo Dr. Grade, Base, & Pave From SR 1184 to DE	\$ 140,000.00
12	1520	0.57	Dobs Rd. Grade, Base, & Pave From NC 226 to SR 1521	\$ 199,500.00

* In the event that any roads in priority have to be placed on the "Hold List" due to unavailable right of way or environmental review, or if additional funding becomes available, funds will be applied to the roads listed in priority order

in the paving list alternate list.

II. General Secondary Road Improvements

A. Unpaved Road Spot Improvements

Highway Fund G.S. 136-44.5c (20%)	\$49,512.57
Trust Fund G.S. 136-182 (20%)	\$221,074.98
Subtotal:	\$270,587.55

B. Paved Road Spot Improvements: Highway Fund G.S. 136-44.5b

Priority Number	SR No.	Length (Miles)	Road Name and Description	Est. Cost
	1003	1.2	Widen 4' (2' each side) & overlay from Sr 1158 to SR 1164	\$ 225,000.00
	1315	2.21	Widen 4' (2' each side) & overlay from NC 74 to SR 1314	\$ 325,000.00
	2052	2.18	Widen 4' (2' each side) & overlay from NC 180 to DE	\$ 325,000.00
	1158	1.43	Widen 4' (2' each side) & overlay from SR 1159 to SR 1161	\$ 224,162.52
Subtotal:				\$ 1,099,162.52

III. Funds reserved for surveying, right of way acquisition, right of way acquisition, road additions, contingencies, overdrafts, and paving entrances to certified fire departments, rescue squads, etc.

Highway Fund G.S. 136-44.5c	\$58,050.29
Trust Fund G.S. 136-182	\$78,799.92
Subtotal:	\$ 136,850.21

GRAND TOTAL: \$2,452,100.28

Adopted and approved this the 17th day of June 2008.

SENIOR CENTER FUNDING REQUEST

Senior Center Board Chairman Dick Strathan introduced himself and recognized Senior Center staff who were present. He then presented a PowerPoint- Senior Center 2008 Program Update (copy found on Page _____ of Minute Book 30.)

PLANNING DEPARTMENT: PETITION FOR ABANDONMENT- ASHLEY DRIVE

Planning Director, Bill McCarter explained that the Planning Department received a petition from several residents adjoining Ashley Drive to abandon a portion of the public right-of-way. Mr. McCarter explained that this is a dirt right-of-way. This abandonment will prohibit access to the rear of several developed lots. Currently, there are no addresses assigned using Ashley Drive. Mr. McCarter requested that Commissioners set a public hearing for August 5, 2008 to hear comments from citizens.

ACTION: Johnny Hutchins made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, *to adopt the following Resolution of Intent which sets the public hearing for August 5, 2008 at 6:00 p.m.*

Number 20-2008

**Intent To Abandon Public Right-Of-Way
Ashley Drive**

WHEREAS, the Cleveland County Board of Commissioners have received a petition from property owners adjoining *Ashley Drive*, requesting that the public right-of-way be abandoned.

NOW THEREFORE BE IT RESOLVED THAT, in accordance with the mandates of NCGS 153A-241, the Cleveland County Board of Commissioners do hereby call for a public hearing regarding the proposed abandonment of *Ashley Drive*, to hear all interested persons on **Tuesday, August 5, 2008 at 6:00 pm** in the Commissioners Chamber, Cleveland County Administrative Building, 311 E. Marion Street, Shelby, North Carolina.

ADOPTED THIS 17TH DAY OF JUNE 2008.

BOARD APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE

ACTION: Mary Accor made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to *reappoint Annie Browner and Maggie White to serve as members of the Adult Care Home Advisory Committee*. The term of this reappointment is for a period of three-years, scheduled to conclude on June 30, 2011. Under the same motion, the board *appointed Patti Ellis McMurry to serve as a member of the Adult Care Home Advisory Committee*. The term of this appointment is for a period of one-year, scheduled to conclude on June 30, 2009.

CLEVELAND COUNTY CHILD FATALITY PREVENTION AND PROTECTION TEAM

ACTION: Mary Accor made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to *re-appoint Dr. Leslie Richardson to serve as a member of this team*, for a term of three-years, scheduled to conclude on June 30, 2011.

CLEVELAND COUNTY INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING

AUTHORITY

ACTION: Mary Accor made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, to *appoint Gary Boggs to serve as a member of this board*, for a term of six-years, scheduled to conclude on June 30, 2014. (*Chairwoman Boggs abstained from voting due to the fact that Gary Boggs is her husband*)

CLEVELAND COUNTY MEMORIAL LIBRARY (ADVISORY BOARD)

ACTION: Ronnie Hawkins made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to *appoint Yvonne Boggs, Zach Trogdon and Commissioner Mary Accor to serve as members of this board*. Each appointment is for a period of three-years, scheduled to conclude June 30, 2011.

CLEVELAND COUNTY NURSING HOME ADVISORY BOARD

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, to *appoint Patti Ellis McMurry to serve a member of this board*. This appointment is for a period of one-year, scheduled to conclude on June 30, 2009.

SOCIAL SERVICES BOARD

ACTION: Ronnie Hawkins made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to *re-appoint Beverly Shuford to serve as a member of the Social Services Board*. This appointment is for a period of three-years, scheduled to conclude on June 30, 2011.

RURAL FIRE COMMISSION

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, to *re-appoint Johnny Hutchins (Commissioner Representative), Floyd Queen,*

Marvin Hutchison, Glenn Hartis, William Davis and Chris Poole to serve as members of this board.

Each reappointment is for a period of one-year, scheduled to conclude June 30, 2009.

HISTORIC PRESERVATION COMMISSION

ACTION: Mary Accor made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, *to appoint Meloni Wray to serve as a member of this commission.* Ms. Wray will fill the unexpired term of Tom Bridges scheduled to expire June 30, 2009.

JUVENILE CRIME PREVENTION COUNCIL

ACTION: Mary Accor made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the board, *to reappoint/appoint the following to serve on this council:*

*Bill McCullough- School Superintendent Designee
Maurice Jamerson- Sheriff Designee
Sara Brunner- Court Counselor
Andrew Hopper- DSS Director Designee
Sherrie Geer- County Manager Designee
Von McGee- Substance Abuse Professional
Mary Accor- Commissioner Representative
Scott Stumbo- Person Under 18
Paul Ditz- Juvenile Defense Attorney
Dina Foster- District Court Judge
BS Peeler- Member of the Business Community
Jimmy Hines- Health Director Designee
Margie Christopher- Non-Profit Agency Representative
Capt. Mark Brooks- At-Large
Greg Traywick- At-Large
Phil Weathers- At-Large*

Each reappointment/appointment is for a period of two-years, scheduled to conclude on June 30, 2010.

ISOTHERMAL PLANNING AND DEVELOPMENT COMMISSION BOARD OF DIRECTORS

ACTION: Mary Accor made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, *to re-appoint Bobby Rogers to serve as member of this board.* This term is for a period of three-years, scheduled to conclude on June 30, 2011.

CLEVELAND COMMUNITY COLLEGE BOARD OF TRUSTEES

ACTION: Johnny Hutchins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to re-appoint Ellis Monroe to serve as a member of this board.* This term is for a period of four-years, scheduled to conclude June 30, 2012.

PATHWAYS

ACTION: Mary Accor made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, *to re-appoint Roger Gaddis to serve as a member of this board.* This term is for a period of three-years, scheduled to conclude June 30, 2011.

COMMISSION FOR WOMEN

ACTION: Johnny Hutchins made the motion, seconded by Mary Accor, and unanimously adopted by the board, *to reappoint/appoint the following to serve on this board:*

*Kay Wallace
Robert Miller
Alva Finney
Sherri Sharpe
Debra Blanton
Esther Plummer
Betsy Wells*

Each reappointment/appointment is for a period of three-years, scheduled to conclude on June 30, 2011.

NUMBER THREE VOLUNTEER FIRE DEPARTMENT

ACTION: Eddie Holbrook made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, *to reappoint Thomas Austell, Bobby Biggers and Neal Stroup to serve as members of this board.* Each reappointment is for a period of two-years, scheduled to conclude June 30, 2010.

CLEVELAND COUNTY PLANNING BOARD

ACTION: Ronnie Hawkins made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, *to appoint Hugh Logan to serve as a member of this board.* Mr. Logan will fill the unexpired term of David Crow scheduled to expire December 31, 2008.

MUSEUM ARCHIVAL COMMITTEE

ACTION: Mary Accor made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, *to appoint Wanda Crotts, Libby Sarazan and Meloni Wray to serve as members of this board.* Each appointment is for a period of three-years, scheduled to conclude June 30, 2011.

COMMISSIONER REPORTS

Commissioner Hawkins encouraged more citizens to apply to serve on county appointed boards and committees.

Commissioner Accor invited all Commissioners to attend the Distinguished Image Awards on Friday, June 20th at 6:30pm.

CLOSED SESSION

ACTION: Johnny Hutchins made the motion at 6:55 p.m., which was seconded by Ronnie Hawkins, and unanimously adopted by the Board, to conduct a closed session regarding a personnel matter, as allowed under North Carolina General Statute 143-318.11(a)(1)(3)(6).

RECONVENE IN REGULAR SESSION

Chairwoman Boggs reconvened in regular session at 7:10 p.m. Each Commissioner commended Mr. Dear for his outstanding performance.

ACTION: Johnny Hutchins made the motion, which was seconded by Mary Accor and unanimously adopted by the *Board to give David Dear, County Manager a one and one half merit step increase.*

ADJOURN

There being no further business to come before the Board at this time, Mary Accor made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to adjourn the meeting. The next regular meeting of the Commission is scheduled for *Tuesday, July 1, 2008 at 6:00 p.m.* in the Commission Chamber.

*Rebecca Jo Powell Boggs, Chairwoman
Cleveland County Board of Commissioners*

*Kerri Melton, Clerk
Cleveland County Board of Commissioners*